



**ANTI-MONEY LAUNDERING AND COUNTERING THE FINANCING OF TERRORISM
(AML/CFT) NEWSLETTER FOR CENTRAL ASIA**

Issue 30 - September 2008
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CALENDAR

<p>1 Training for new staff of Kyrgyz FIU: "Basics of ML/FT, typologies, int. standard, role of FIU, etc." [national] Date: October 8-9, 2008 Organizer: UNODC/GPML Location: Bishkek, Kyrgyzstan Contact information: Simon Goddard, caractacus.consultancy@orange.net</p>	<p>8 Moneyval typologies meeting [regional] Date: November 24-26, 2008 Organizer: Moneyval Location: Monte Carlo, Monaco Contact information: Danielida Weber, dq1.moneyval@coe.int</p>
<p>2 A series of AML/CFT trainings for members of RosFinMonitoring Date: October 7-28, 2008 Organizer: ITMCFM Location: Moscow, Russian Federation Contact information: Ksenia Koryakina, anocentre@mail.ru</p>	<p>9 Seminar and Consultations on "Know Your Customer" [national] Date: December 1-5, 2008 Organizer: Financial Services Volunteer Corps (FSVC) Location: Moscow, Russian Federation Contact information: Tim O'Brien, tobrien@fsvc.org</p>
<p>3 FATF Plenary Meeting [international] Date: October 13-17, 2008 Organizer: FATF Location: Rio de Janeiro, Brazil Contact information: Contact@fatf-gafi.org</p>	<p>10 Commercial Bank AML Compliance Study Tour [national] Date: December 3-12, 2008 Organizer: Financial Services Volunteer Corps (FSVC) Location: New York and Washington D.C., Cherlotte (TBD) Contact information: Tim O'Brien, tobrien@fsvc.org</p>
<p>4 Egmont group meeting [international] Date: October 20-23, 2008 Organizer: Egmont group Location: Toronto, Canada Contact information: mail@egmontsecretariat.org</p>	<p>11 9th EAG plenary [regional: draft mutual evaluation reports on Belarus and Tajikistan] Date: December 15-19, 2008 Organizer: EAG Location: Sochi, Russian Federation Contact information: info@euroasiangroup.org</p>
<p>5 Expert Round Table on the Financial Flows linked to the Illicit Production and Trafficking of Afghan Opiates Date: November 6-7, 2008 Organizer: UNODC Location: Vienna, Austria Contact information: Antonino De Leo, antonino.deleo@unodc.org</p>	<p>12 28th Moneyval plenary [regional] Date: 8-12 December, 2008 Organizer: MONEYVAL Location: Strasbourg, France Contact information: Gerhard Mild, gerhard.mild@coe.int</p>
<p>6 Cash Management Study Tour for the Central Bank of Russia [national] Date: November 17-21, 2008 Organizer: Financial Services Volunteer Corps (FSVC) Location: New York and Washington D.C.</p>	<p>13 Anti-Corruption Action Plan (Istanbul Action Plan) evaluators training [regional] Date: December 15-17, 2008 Organizer: The Basel Institute on Governance/OECD Location: Basel, Switzerland</p>

Contact information: Tim O'Brien, tobrien@fsvc.org

Contact information: Danie Thelesklaf, daniel.thelesklaf@baselgovernance.org

7 Consultations on AML Supervision of Non-Banking Financial Institutions [national]

Date: November 18-19, 2008
Organizer: Financial Services Volunteer Corps (FSVC)
Location: St Petersburg, Russian Federation
Contact information: Tim O'Brien, tobrien@fsvc.org

14 6th Policy Consultative Group Meeting

Date: December 15-16, 2008
Organizer: UNODC/GPML
Location: Vienna, Austria
Contact information: Antonino De Leo, antonino.deleo@unodc.org

AML/CFT Developments in Central Asia

AFGHANISTAN



Afghanistan enacted an AML/CFT law in 2004. The Financial Intelligence Unit was established in 2005. Afghanistan has commenced application process for Egmont Group Membership in 2007; sponsors are the USA and Malaysia. Afghanistan is scheduled to undergo an APG Mutual Evaluation in the 3rd quarter of 2008. Afghanistan is a member of the Asia Pacific Group (APG) and observer to the EAG.

BELARUS



Belarus became a full member of the Egmont Group in 2007. The on-site visit of the Belarus mutual evaluation took place at the end of July 2008. The mutual evaluation report should be discussed by the EAG in December 2008. Belarus is a member of EAG, and co-chairs the EAG Typologies Working Group.

CHINA



The AML/CFT law was adopted on 31 October 2006 and came into force on 1 January 2007. The Mutual Evaluation Report of China was adopted by FATF in June 2007 and by EAG in December 2007. China Progress report was adopted by FATF and EAG in July 2008. China is a member of EAG and FATF, and serves as co-chair of the EAG Evaluation/Legal Working Group.

KAZAKHSTAN



The draft AML/CFT law is in the Parliament and its adoption is postponed until December 2008. A decision to establish the Financial Monitoring Committee (FIU) within the Ministry of Finance was taken by the Government on 24 April 2008. The head of the Financial Monitoring Committee

was appointed in September 2008. Kazakhstan is scheduled to undergo an EAG Mutual Evaluation in 2nd quarter of 2009. Kazakhstan is a member of EAG, and co-chairs the technical assistance working group.

KYRGYZSTAN



The Kyrgyz FIU has commenced its application process for membership in Egmont, sponsored by the Russian Federation and Ukraine. EAG's 1st round Mutual Evaluation Report of Kyrgyzstan was adopted at the EAG Plenary in June 2007. It is available in EAG website. Progress report was presented during the 7th EAG Plenary meeting in China, 11-14 December 2007 and during 8th EAG Plenary in Kyrgyzstan, 15-18 July 2008. 10 amendments to the AML/CFT law have been accepted by the parliament (this includes criminalization of terrorism financing). Kyrgyzstan is a member of EAG, and Deputy Chair of EAG

RUSSIAN FEDERATION



Joint AML/CFT Mutual Evaluation of Russian Federation was conducted by FATF, Moneyval and EAG in 2007. Joint Evaluation Report was adopted by FATF/Moneyval/EAG in June and July 2008. Russian Federation is a member of FATF, Moneyval and EAG, chairs the EAG, has a deputy chair of Moneyval, and co-chairs EAG Technical Assistance, Typologies and Evaluation/Legal Working Groups.

TAJIKISTAN



The Agency for State Financial Control and Combating Corruption was established in Tajikistan in early 2007. An AML/CFT law is being drafted in the

Office of the President. A discussion on the draft Mutual Evaluation Report of Tajikistan has been postponed until EAG Plenary meeting in December 2008. Tajikistan is a member of EAG.

TURKMENISTAN



Draft AML/CFT law is being considered by the Parliament of Turkmenistan. On 20 June, the FATF reaffirmed its statement of 28 February 2008 regarding the anti-money laundering and countering the financing of terrorism risks posed by Turkmenistan. Turkmenistan became an observer member of EAG in December 2007.

UZBEKISTAN



Pursuant to Presidential Decrees issued in January, February and April 2007, implementation of certain provisions of the AML/CFT law were suspended until the year 2013. A Decree of Feb. 20, 2008 prohibits banks and officials from enquiring into legality of sources of funds of transactions executed by physical persons. This Decree is effective from 1 April 2008 to 1 April 2009. On 20 June, the FATF reaffirmed its statement of 28 February 2008 regarding the anti-money laundering and countering the financing of terrorism risks posed by Uzbekistan. A high-level mission was conducted by EAG in October 2008. Uzbekistan is a member of EAG, and will undergo an AML/CFT Evaluation by EAG in the 4th quarter of 2008.

We welcome contributed articles of up to one page in length!

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Euro-Asian Group (EAG)

Schedule of EAG member-states' AML/CFT Mutual Evaluations:

Country	Evaluators	On-Site Evaluation	Plenary Discussion	Evaluation reports
CHINA	FATF, EAG	Completed 2006	Adopted: FATF (June 2007) EAG (Dec 2007)	English: http://www.fatf-gafi.org/dataoecd/24/45/39148209.pdf Russian: http://www.eurasiangroup.org/rus/china.htm
BELARUS	EAG	July 27 – Aug 3, 2008	December 2008	English and Russian: <i>2005 Evaluation Report IMF</i> : http://www.eurasiangroup.org/index-7.htm
KAZAKHSTAN	EAG	2 nd Quarter 2009	November 2009	-
KYRGYZSTAN	EAG	Completed Feb 2007	Adopted June 2007	English and Russian: http://www.eurasiangroup.org/kyrgyz.htm
RUSSIA	EAG, FATF, MONEYVAL	Sept 24 – Oct 2, Nov 12-23, 2007	Adopted: FATF (June 2008) Moneyval (July 2008) EAG (July 2008)	Summary of Mutual evaluation report for Russian Federation in English: http://www.fatf-gafi.org/dataoecd/51/27/40945440.pdf
TAJIKISTAN	World Bank	Completed June 2007	EAG (December 2008)	-
UZBEKISTAN	EAG	Fourth Quarter 2008	EAG (June 2009)	-

<http://www.eurasiangroup.org>

Technical Assistance Update and Regional news

➤ **The Regional Conference on International Cooperation and Exchange of Information between FIUs** in Issyk Kul, Kyrgyz Republic on July 30-31, 2008, organized by the OSCE and the IMF in cooperation with the Egmont Group, was attended by representatives of the FIUs of Kyrgyzstan, Armenia, Moldova, Russian Federation, and Uzbekistan, responsible for international cooperation. The conference was opened by the Ambassador of the OSCE to the Kyrgyz Republic, by the desk officer of the IMF's legal department responsible for Central Asia and by the chairmen of the Legal and Outreach Egmont Working Groups.

The conference had two objectives: the first objective was to support the Financial Intelligence Service of the Kyrgyz Republic (FIS) and other FIUs in Central Asia which are not yet members of the Egmont Group in efforts to attain Egmont Group membership, learning from the experience of other FIUs that have recently joined the Egmont Group (such as Moldova or Armenia) or FIUs that are already long-standing Egmont Group members (such as Russia). The second objective was to enhance international cooperation between FIUs, particularly in regard to the exchange of information. The accession process of the Egmont Group and the principles for the exchange of information among FIUs and the major findings of a survey that the IMF conducted on the performance of FIUs and their level of compliance with the 40+9 FATF recommendations based on the mutual evaluation exercise were among the various matters discussed during the conference. The conference provided a good opportunity for FIUs that are not yet members of the Egmont Group (such as the FIS and the anti-money laundering unit of Uzbekistan) to establish direct contacts with the Egmont Group and to learn about the accession process. It was also a mean of enhancing cooperation with FIUs that belong to the Community of Independent States (CIS).

➤ **Workshop on Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT) Measures for Criminal Justice Officials** was conducted in Vienna, Austria on September 1-5, 2008. The workshop was organized by the IMF's legal department in cooperation with the Joint Vienna Institute (JVI) and was funded by the Italy-Technical Assistance Subaccount and by Austria. It was attended by prosecutors and criminal justice officials from the following countries: Albania, Belarus, Bosnia and Herzegovina, Kyrgyz Republic, Macedonia FYR, Moldova, Romania, and Uzbekistan.

The main objective of the workshop was to enhance participants' skills in the area of investigation and prosecution of ML and FT cases through presentations, case-study sessions, and group discussions. The workshop covered legal and practical issues related to the main AML/CFT requirements of the FATF Recommendations and relevant international conventions, with particular reference to prosecuting ML and FT, special investigation techniques, confiscation of proceeds of crime, freezing and seizing of terrorist funds, asset recovery, mutual legal assistance and international cooperation. Participants also worked in groups to solve a sanitized case and brainstormed on the challenges they are facing in their experience, possible solutions and recommendations for future action.

➤ The United Nations Office of Drugs and Crime – Global Programme against Money Laundering [UNODC/GPML] has conducted an **AML/CFT awareness-raising seminar** on September 17-18, 2008 in Bishkek, Kyrgyzstan for 35 representatives

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of the Kyrgyz FIU the Financial Intelligence Service and law enforcement bodies of the central region of the Kyrgyz Republic. Previous awareness raising seminars have been conducted in the south of the country in the city of Osh in June 2007 and in the north at Cholpon Ata in September 2007. Two foreign experts from the Czech Republic and Bulgarian Financial Intelligence Units were invited to the seminar. The goals of the event were: (a) To improve general awareness of money laundering and terrorist financing issues; (b) To inform of the applicable international standards and standard setters; (c) To raise the profile of the Financial Intelligence Service; (d) To explain the system of national AML/CFT controls; (e) To examine mechanisms for effective cooperation between agencies taking account of international best practices; (f) To compare the approach adopted by Financial Intelligence Units of Bulgaria and Czech Republic.

➤ On 22 and 23 September 2008, the **seventh meeting of the Central Asia Border Security Initiative (CABSI)** was held in Astana, Kazakhstan, to discuss "Border Management in Central Asia" (BOMCA) program activities, integrated border management (IBM) in national administrations, trade and transit across borders in Central Asia, synergies between BOMCA and the EU-funded Border Management assistance programme in Badakshan / Afghanistan (BOMBAF), national Central Asian border management strategies, on-going reform efforts, as well as existing international initiatives on border security in Central Asia.

The meeting was jointly organized by the Austrian Federal Ministry of the Interior, the Delegation of the European Commission to the Republic of Kazakhstan, Kyrgyz Republic, Republic of Tajikistan, and UNDP. More than 80 delegates [from Central Asia and Europe, the People's Republic of China, Japan, the Russian Federation and the United States of America] as well as representatives of international organizations participated in this meeting.

The aim of CABSI was to steadily further develop a comprehensive and sustainable integrated border management approach in the region in order to improve border security and facilitate trade and movement of people as a way to promote economic development. This approach will contribute to strengthening prosperity, stability and security in Central Asia as a way to contribute to the implementation of the EU strategy on Central Asia

The meeting resulted with adoption of joint recommendations for considering them for the future coordination of strategic and operational Central Asia border security activities.

➤ On September 23-24, 2008 the **AML/CFT Round Table** was held in Astana, Kazakhstan. The event was organized jointly by WB, UNODC, OSCE and the Ministry of Finance of Kazakhstan. Experts from the World Bank/UNODC and the Financial Intelligence Units (FIUs) from Czech Republic, Romania and Bulgaria as well as Eurasian Group (EAG) participated in the round table.

The topic of the first day was "Inter-agency Cooperation - Tasks and Functions of the AML/CFT Implementing Task Force". International experts together with Kazakh government officials discussed the possibility of establishment of AML/CFT Task Force for strengthen the interagency cooperation. 10 participants from National Bank, Financial Supervisory Agency, General Prosecutor's Office, Ministry of Finance and other state agencies participated in the meeting. The first day of round table resulted in the adoption of recommendations regarding mechanisms of inter-agency co-operation and coordination, which should strengthen inter-agency cooperation in implementing legislation on anti-money laundering and countering the financing of terrorism.

The topic of the second day was the "Proposed Amendments to the Kazakh draft AML/CFT Law". The objective of the second day of the round table was to discuss the proposed by Ministry of Finance amendments to the draft AML/CFT law. Around 50 members of the Parliament, state officials, as well as representatives of supervisory agencies, civil society and the business community had an opportunity to comment the amendments and to discuss them with Ministry of Finance and the international experts.

➤ Representatives of RosFinMonitoring, EAG, ITMCFM as well as EAG Secretariat Advisor and his assistant travelled to Bishkek, Kyrgyzstan on September 24-26, 2008 to **visit the Kyrgyz FIU** with the mission of assessing the current condition of unified informational system. It was agreed that further development plan will be considered.

➤ **Regional training for border and customs cynologists of Central Asia.** Twenty five border guard and customs service search dog handler trainees from Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan have been awarded the qualification of 'Certified Dog Handler' at the closing ceremony of a regional training event organized within the framework of the Border Management Programme in Central Asia (BOMCA), financed by the European Union and implemented by the United Nations Development Programme in five Central Asian countries.

The three-month training (will be finished on October 28, 2008) took place in the Republic of Kazakhstan. Such trainings strengthen regional border management capacities and cooperation between border control structures working with search dogs at Central Asian borders.

The comprehensive training programme included training for search and detection of drugs and explosives, training in veterinary care, and theoretical and practical training in effective and efficient dog handling techniques.

Representatives of the EC Delegation, UNDP, the Border Service, Ministry of Interior and the National Security Committee of the Republic of Kazakhstan also participated in the ceremony.

➤ The Basel Institute on Governance and the Financial Integrity Network organized an International **Seminar on Combating**

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the Financing of Terrorism in Davos, Switzerland on 1-3 October 2008. Over 100 participants from 30 countries, including the Russian Federation, Ukraine, Georgia, Kazakhstan, Kyrgyzstan, Uzbekistan and Turkmenistan attended the conference. The agenda was composed of 13 expert presentations and 6 workshops, to address the wide range of topics to be covered by this topic. The conference was financially supported by the Council of Europe and the OSCE.

EGMONT GROUP UPDATE



Mr. Bill Baity stepped down as Chair of the Egmont Committee after 6 years at the helm during the Egmont Group Plenary meeting in Seoul, May 25-28 2008. Mr. Baity will remain on the Egmont Committee for the near future as the ESW representative and we welcome his continued input to our work. Mr. Neil Jensen (AUSTRAC, Australia) was appointed as the new Chair of the Egmont Committee. Mr. Jensen will continue in his role as Chair of the Training Working Group while taking on the additional responsibilities as Chair of the Egmont Committee.

Mr. Bill Baity (out-going Chair) and Mr. Neil Jensen (in-coming Chair) of the Egmont Committee.

"EGMONT" Group AML/CFT Case study: Tim was an infrequent customer of an exchange office. On several occasions he exchanged fairly large amounts of the nation's currency into various other currencies. By itself this may not have been viewed as suspicious - the amounts were in line with tourist spending monies for extended vacation - but Tim also purchased airline tickets to fly to a number of countries. The executive at the institution responsible for anti-laundering activity examined Tim's transaction records. It interested him that the records showed that Tim did not use the return portion of the airline tickets on a number of occasions. Evidently, Tim made his way back into the country by different means. However, why would anybody fail to use both halves of a travel ticket on numerous occasions? This information, when combined with the repeated exchanges of currencies, generated enough suspicion to warrant a disclosure to the national FIU. The FIU searched available indices and discovered a wealth of information on Tim. Both customs and police intelligence records identified him as a known drug importer, with an outstanding warrant for his arrest on additional theft charges. The assumption that the exchanged money has illicit origins was almost beyond dispute, and warranted an investigation. Following further co-operation between the exchange office and the local police force, Tim was taken by surprise as he returned from a trip to a European city. Tim was arrested as he re-entered the country and found to have both drugs and large amounts of currency in his possessions. At time of writing he was facing charges for a number of offences and the investigations into money laundering activities continue.

Indicators:

- Unusual background information;
- Repeated exchange of currencies with no underlying business explanation.

Egmont group 100 Sanitized cases are available at: www.egmontgroup.org

TRANSPARENCY INTERNATIONAL CORRUPTION PERCEPTIONS INDEX ¹					
2008			2007		
country rank	country	2008 CPI score	country rank	country	2007 CPI score
166	Kyrgyzstan	1,8	150	Kyrgyzstan	2.1
166	Turkmenistan	1,8	162	Turkmenistan	2.0
166	Uzbekistan	1,8	175	Uzbekistan	1.7
145	Kazakhstan	2,2	150	Kazakhstan	2.1
151	Tajikistan	2,0	150	Tajikistan	2.1

¹ The Transparency International Corruption Perceptions Index (CPI) ranks countries in terms of the degree to which corruption is perceived to exist among public officials and politicians. It is a composite index, a poll of polls, drawing on corruption-related data from expert and business surveys carried out by a variety of independent and reputable institutions.

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Financial Services Volunteer Corps [FSVC]

Financial Services Volunteer Corps - FSVC is a not-for-profit, private-public partnership that carries out its mission with the help of recruited leading financial, legal and regulatory experts. FSVC builds strong financial systems that enable developing and emerging market countries to realize economic opportunities and their citizens to achieve a better quality of life. FSVC's targeted, results driven missions help develop central bank capabilities, strengthen commercial banking systems and build capital markets. FSVC was founded in 1990 by the late Cyrus Vance, former U.S. Secretary of State and John Whitehead, former Co-Chairman of Goldman Sachs and former U.S. Deputy Secretary of State, at U.S. Presidential request.

In Russia, FSVC has worked with the Central Bank of Russia, Russian banking associations, commercial banks, and capital market self-regulatory organizations to help Russia achieve macroeconomic stability and create a basic market environment since its initial transformation to a market economy in the 1990s.

FSVC is committed to work with its in-country partners to combat money laundering and financial crime and is currently implementing the "Anti-money Laundering Training Program" that is supported through a global development alliance with USAID, the Central Bank of Russia, and Citigroup Foundation. The program promotes the development of anti-money laundering and combating financing of terrorism policies and procedures in Russia and, extensionally, in other CIS countries.

The AML Training Program works through Russian government agencies (financial sector regulators) and private sector financial institutions by providing training and consulting on international best practices of AML/CTF. This program interacts with the Federal Service for Financial Monitoring, the EAG, the Central Bank of Russia, banking associations, and other relevant Russian governmental and commercial organizations.

Since December 2006, FSVC Volunteers have trained more than 1,500 banking professionals representing more than 900 Russian financial institutions in AML best practices, know-your-customer, know-your-employee, reporting, and other risk management practices. FSVC Volunteers also provide tailored training to the Central Bank designed to improve bank supervisory practices. The overall effort is to improve the quality, transparency and public's confidence in the Russian banking sector.

For more info, please visit: www.fsvc.org

Publications and Websites of Interest

http://www.unodc.org	Official website of the UNODC. (In English, Russian, Spanish)
http://www.amlctf.org	World Bank's AML/CFT website. (In English)
http://www.imolin.org	International Money Laundering Information Network administered by UNODC Global Program against Money Laundering (GPML) on behalf of a partnership of eleven international organizations and offering model laws, legal library, calendar of key events and other AML/CFT related information. (In English, with some Russian)
http://www.euroasiangroup.org	The EurAsian Group is the FATF-Style Regional Body serving Central Asia. (In English and Russian)
http://www.imolin.org/pdf/imolin/MLawRussian_IMoLIN.pdf	UNODC Model Law in Russian
http://www.fatf-gafi.org/dataoecd/43/46/38960576.pdf	The Guidance on the Risk-Based Approach to combating Money Laundering and Terrorist Financing adopted by the FATF. It outlines the high-level principles involved in applying the risk-based approach, and indicates good public and private sector practice in the design and implementation of an effective risk-based approach.
http://www.fatf-gafi.org/dataoecd/61/28/40248726.pdf	Guidance on Capacity Building for Mutual Evaluations and Implementation of the FATF Standards Within Low Capacity Countries - is primarily intended to support low capacity countries (LCCs) in implementing the FATF standards in a manner reflecting their national institutional systems, is consistent with the ML/FT risks they face, and takes account of their limited resources

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http://www.fatf-gafi.org/dataoecd/28/43/40285899.pdf	The study identifies four strategies which could help in further strengthening counter-terrorist financing efforts: (a) Action to address jurisdictional issues, including safe havens and failed states; (b) Outreach to the private sector to ensure access to the information necessary to detect terrorist financing; (c) Building a better understanding of terrorist financing across the public and private sectors; and (d) Using financial investigation, enhanced by financial intelligence.
http://www.eurasiangroup.org/rus/index-5.htm	Russian version of 40 FATF Recommendations [AML] Russian version of 9 FATF Special Recommendations [CFT] with Interpretive Notes
http://www.fatf-gafi.org/dataoecd/45/31/40705101.pdf	FATF's first in-depth study, which examines its vulnerabilities to misuse for money laundering and terrorist financing in real estate sector.
http://www.unodc.org/documents/wdr/WDR_2008/WDR_2008_eng_web.pdf	<i>The World Drug Report 2008</i> provides in depth trend analysis of the four main drug markets in its first section. It also contains an in-depth look at the development of the international drug control system and a small statistical annex which provides a detailed look at production, prices and consumption.
www.assetrecovery.org	Asset Recovery Knowledge Center of the International Centre for Asset Recovery (ICAR)
www.egmontgroup.org	The Egmont Group of Financial Intelligence Groups

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