



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

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**CALENDAR**

**1 Regional conference on "Anti-Money Laundering and Combating Financing of Terrorism: Global Trends and Country cases"**

Date: 17 – 18 February 2011  
Organizer: Financial Monitoring Service under the Central Bank of the Republic of Azerbaijan, USAID, OSCE and Swiss Government  
Location: Baku, Azerbaijan  
Contact information: [Rugiya.Hajjiyeva@fu.az](mailto:Rugiya.Hajjiyeva@fu.az)

**2 FATF Plenary and Working Group meetings**

Date: 21 – 25 February 2011  
Organizer: FATF  
Location: Paris, France  
Contact information: [contact@fatf-gafi.org](mailto:contact@fatf-gafi.org)

**3 Egmont Committee and Working Groups Meeting**

Date: 14 – 18 March 2011  
Organizer: Egmont Group  
Location: Aruba  
Contact information: [mail@egmontsecretariat.org](mailto:mail@egmontsecretariat.org)

**4 Expert Meeting of the Project on the Implementation of the UN Global Counter Terrorism Strategy in Central Asia**

Date: 29 – 30 March 2011  
Organizer: UN CTITF/EU/UNRCCA  
Location: Dushanbe, Tajikistan  
Contact information: [toshiyeva@un.org](mailto:toshiyeva@un.org)

**5 Anti-Corruption Policy and Integrity Training**

Date: 23-25 March 2011  
Organizer: OECD  
Location: Vilnius, Lithuania  
Contact information: [inese.gaika@oecd.org](mailto:inese.gaika@oecd.org)

**6 35<sup>th</sup> MONEYVAL Plenary Meeting**

Date: 10 – 14 April 2011  
Organizer: Moneyval  
Location: Strasbourg, France  
Contact information: [dghl@moneyval.coe.int](mailto:dghl@moneyval.coe.int)

**7 World Bank/EAG Regional Money Laundering Risk Assessment Workshop**

Date: 21-22 April 2011  
Organizer: World Bank/EAG in cooperation with the Ukrainian FIU  
Location: Kiev, Ukraine  
Contact information: [etodoroki@worldbank.org](mailto:etodoroki@worldbank.org)

**ITMCFM AML/CFT Financial Investigation Training course for FIU analysts**

Date: In the week of 16 May 2011  
Organizer: ITMCFM  
Location: Dushanbe, Tajikistan  
Contact information: [ionkina@mumcfm.ru](mailto:ionkina@mumcfm.ru)

**WB/UNODC AML/CFT Workshop for FIU and LEA/Prosecutors**

Date: May 2011  
Organizer: WB/UNODC  
Location: Dushanbe, Tajikistan  
Contact information: [jyldyz.asanbaeva@unodc.org](mailto:jyldyz.asanbaeva@unodc.org)

**The Seminar on AML/CFT supervision of the financial sector and international exchange of information between the AML/CFT supervisors**

Date: In the week of 16 May 2011  
Organizer: WB/UNODC  
Location: Almaty, Kazakhstan  
Contact information: [jyldyz.asanbaeva@unodc.org](mailto:jyldyz.asanbaeva@unodc.org)

# AML/CFT Developments in Central Asia

## AFGHANISTAN



Afghanistan enacted an AML/CFT law in 2004. The FIU was established in 2005. Afghanistan was scheduled to undergo an APG-IMF Mutual Evaluation in January 2010, but it was postponed until first notice. Afghanistan is a member of the Asia Pacific Group (APG) and observer to EAG. Afghan FIU became an Egmont Group member during the Egmont plenary meeting in Colombia (June 2010).

## BELARUS



The AML/CFT Law of Belarus was adopted in 2000. Belarus became a member of the Egmont Group in 2007. The Mutual Evaluation Report of Belarus was adopted by EAG in December 2008. Two Mutual Evaluation Follow-up Reports were adopted by EAG in December 2009 and December 2010. Belarus is a member of EAG.

## CHINA



The AML/CFT law was adopted in 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. The fifth Mutual Evaluation Follow-up Report was adopted by EAG in December 2010. China is a member of EAG and FATF, and also holds a position of a Deputy Chair of EAG.

## KAZAKHSTAN



The AML/CFT law was adopted in June 2009 and it came into force on 9<sup>th</sup> March 2010. The Financial Monitoring Committee (FIU) was established within the Ministry of Finance on 24 April 2008. In October 2010 Kazakhstan underwent an EAG AML/CFT Mutual Evaluation. It is expected that the report will be adopted during the next EAG plenary meeting in June 2011. Kazakhstan is a member of EAG, and co-chairs the EAG Technical Assistance Working Group. The FIU participated for the first time as an observer in the Egmont Group plenary meeting in June 2010, and it is expected that it will become an Egmont Group member in July 2011.

## KYRGYZSTAN



Kyrgyz Financial Intelligence Service - FIS (FIU) became a member of the Egmont Group in May 2009. Kyrgyzstan is a member of EAG. The EAG 1<sup>st</sup> round Mutual Evaluation Report of Kyrgyzstan was adopted in June 2007. A fifth Mutual Evaluation Follow-up Report was

adopted by the EAG in December 2010. After the adoption of the Mutual Evaluation Report all together 28 AML/CFT related laws were adopted by the Kyrgyz Parliament and signed by the President in 2009.

## RUSSIAN FEDERATION



A Joint AML/CFT Mutual Evaluation of Russian Federation was conducted by FATF/Moneyval/EAG in 2007. The Mutual Evaluation Report was adopted by FATF/Moneyval/EAG in June and July 2008. The first third round progress report of the Russian Federation was adopted by Moneyval in September 2009. In December 2010 the Russian Federation submitted its second follow-up report to the EAG Plenary. The Russian Federation is a member of FATF, Moneyval and EAG; it chairs the EAG and Moneyval and co-chairs the EAG Technical Assistance, Typologies and Evaluation/ Legal Working Groups.

## TAJIKISTAN



A Government of Tajikistan adopted the first draft AML/CFT law in December 2010 and sent it to the Parliament. In February 2011 the Lower Chamber of the Parliament adopted the AML/CFT Law. A decision to establish the Financial Monitoring Department (FIU) under the National Bank of Tajikistan was taken by the President on 20 October 2009. Tajikistan is a member of EAG. The World Bank mutual evaluation report was adopted by EAG in December 2008. In December 2008 the EAG decided to place Tajikistan under the enhanced follow up procedure. In June and December 2009 during the EAG plenary meetings in Russia and China Tajikistan presented its first and second Mutual Evaluation follow-up reports. In February 2010 Tajikistan adopted the Amnesty Law, which has been criticised by the EAG due to its non-compliance with the international AML/CFT standards. In December 2010 Tajikistan presented its fourth follow-up report to the EAG Plenary and the EAG decided to keep Tajikistan on the follow up procedure, thus requiring reporting to the EAG during the next plenary meeting. It also decided to extend the deadline for the adoption of the Tajik AML/CFT Law until the end of February 2011 and to send a high level mission to Tajikistan in March 2011 if the authorities will fail to adopt the law within the set deadline.

## TURKMENISTAN



The AML/CFT law was adopted by the Parliament and signed by the President in May 2009. Turkmenistan became a member of EAG in June 2010. In November 2010 Turkmenistan underwent the EAG mutual evaluation and it is

expected that the report will be adopted in June 2011... A Financial Intelligence Unit (FIU) was established under the Ministry of Finance in 2009. Based on high-level written commitments of Turkmenistan to implement an action plan to address specific AML/CFT deficiencies and on progress made, the FATF during its June 2010 plenary meeting decided to move Turkmenistan from its February 2010 Public Statement to the public document "Improving Global AML/CFT Compliance: On-going Process". During its February 2011 plenary meeting FATF decided to keep Turkmenistan under enhanced follow-up and encouraged Turkmenistan to address its remaining deficiencies and continue the process of implementing its action plan.

## UZBEKISTAN



Uzbekistan is a member of EAG. The Mutual Evaluation Report of Uzbekistan was adopted during the EAG Plenary meeting in Almaty in June 2010. The first Mutual Evaluation Follow-up Report was adopted by EAG in December 2010. The amendments to the Uzbek AML/CFT Law came into force on April 22, 2009. Amendments to other 16 laws were adopted by the Parliament in September 2009. In its February 2010 statement the FATF welcomed Uzbekistan's significant progress in improving its AML/CFT regime and noted that Uzbekistan addressed the AML/CFT deficiencies that the FATF had identified in February 2008. Uzbekistan is no longer subject to the FATF's enhanced monitoring process.

## INDIA



A Financial Intelligence Unit (FIU-IND) was set by the Government of India in November 2004. FIU-IND is an independent body reporting directly to the Economic Intelligence Council headed by the Finance Minister. India has criminalised money laundering under the Prevention of Money Laundering Act and the Narcotic Drugs and Psychotropic Substances Act. These laws came into force in 2005 and were amended in 2009. The Unlawful Activities (Prevention) Act was amended in 2004 to criminalise, *inter alia*, terrorist financing, and it was further amended in December 2008 to broaden its scope and to bring the legislation more in line with the requirements of the International Convention for the Suppression of the Financing of Terrorism. India is a member of FATF and APG, and in December 2010 became also a member of EAG. The Mutual Evaluation Report of India was adopted by FATF in June 2010.

## EUROASIAN GROUP (EAG) update

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

Country	Evaluators	On-Site Evaluation	Plenary Discussion	Mutual Evaluation Reports [MER]
CHINA	FATF, EAG	Completed 2006	Adopted: FATF (June 2007) EAG (Dec 2007)	MER and Summary in English: <a href="http://www.fatf-afi.org/dataoecd/24/45/39148209.pdf">http://www.fatf-afi.org/dataoecd/24/45/39148209.pdf</a> EAG First MER, Progress report in English: <a href="http://www.eurasiangroup.org/china.htm">http://www.eurasiangroup.org/china.htm</a>  Five Follow up Reports are on EAG website
BELARUS	EAG	July 27 – Aug 3, 2008	Adopted: EAG (December 2008 )	MER and Summary in English and Russian: <a href="http://www.eurasiangroup.org/index-7.htm">http://www.eurasiangroup.org/index-7.htm</a> EAG Executive summary on first MER in English: <a href="http://www.eurasiangroup.org/belarus.htm">http://www.eurasiangroup.org/belarus.htm</a> EAG Executive summary on first MER in Russian: <a href="http://www.eurasiangroup.org/rus/belarus.htm">http://www.eurasiangroup.org/rus/belarus.htm</a>  Two Progress Reports are on EAG website.
KAZAKHSTAN	EAG	October 2 -10, 2010	Expected: EAG (June 2011)	-
KYRGYZSTAN	EAG	Feb 2007	Adopted: EAG (June 2007)	MER with Summary and Progress report in English: <a href="http://www.eurasiangroup.org/kyrgyz.htm">http://www.eurasiangroup.org/kyrgyz.htm</a> MER with Summary and Progress report in Russian: <a href="http://www.eurasiangroup.org/rus/kyrgyz.htm">http://www.eurasiangroup.org/rus/kyrgyz.htm</a>  Five Follow up Reports are on EAG website
RUSSIAN FEDERATION	EAG, FATF, MONEYVAL	Sept 24 – Oct 2, Nov 12-23, 2007	Adopted: FATF (June 2008) Moneyval (July 2008) EAG (July 2008)	MER and Summary in English: <a href="http://www.fatf-gafi.org/dataoecd/51/27/40945440.pdf">http://www.fatf-gafi.org/dataoecd/51/27/40945440.pdf</a> MER and Summary in Russian: <a href="http://www.eurasiangroup.org/files/MERs%20-%20RUS/russia.pdf">http://www.eurasiangroup.org/files/MERs%20-%20RUS/russia.pdf</a>  Two Follow up Reports are on EAG website
TAJIKISTAN	EAG, World Bank	June 2007	Adopted: EAG (December 2008)	MER and Summary in English: <a href="http://www.eurasiangroup.org/tajikistan.pdf">http://www.eurasiangroup.org/tajikistan.pdf</a> MER and Summary in Russian: <a href="http://www.eurasiangroup.org/files/MERs%20-%20RUS/Tajikistan/EAG_ME(2008)2(rus).doc">http://www.eurasiangroup.org/files/MERs%20-%20RUS/Tajikistan/EAG_ME(2008)2(rus).doc</a>  Four Follow up Reports are on EAG website
UZBEKISTAN	EAG	November 8-14, 2009	Adopted: EAG (June 2010)	MER and Summary in English: <a href="http://eurasiangroup.org/ru/restricted/EAG_ME_2010_1_eng_amended.doc">http://eurasiangroup.org/ru/restricted/EAG_ME_2010_1_eng_amended.doc</a> MER and Summary in Russian: <a href="http://eurasiangroup.org/ru/restricted/EAG_ME_2010_1_amended_final.doc">http://eurasiangroup.org/ru/restricted/EAG_ME_2010_1_amended_final.doc</a>
TURKMENISTAN	EAG	November 7 - 14, 2010	Expected: EAG (June 2011)	
INDIA	FATF, APG	Nov 30 – Dec 12, 2009	Adopted: FATF (June 2010) APG (July 2010)	MER and Summary in English: <a href="http://www.fatf-gafi.org/document/17/0,3746,en_32250379_32236963_45582417_1_1_1,00.html">http://www.fatf-gafi.org/document/17/0,3746,en_32250379_32236963_45582417_1_1_1,00.html</a>

## TECHNICAL ASSISTANCE update

- **A Regional AML/CFT Conference was held in Baku, Azerbaijan on 17 – 18 February 2011.** The event was jointly organized by Financial Monitoring Service under the Central Bank of Azerbaijan, USAID, OSCE and SECO. All together around 80 participants representing FIUs from 20 countries and various international organizations attended the event. The overall objective of the conference was to strengthen the regional cooperation in fighting ML/TF and stimulate the exchange of experience.

During the conference 16 presentations were delivered, which covered such topics as new challenges in AML/CFT area, current trends and tendencies, case studies and country experiences. The conference has played a pivotal role in terms of discussions on further strengthening of mutual cooperation between regional FIUs and mutual exchange of experience.

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

To submit information for inclusion to the newsletter or to be added to or removed from the distribution list, please contact Mr. Klaudijo Stroligo at [kstroligo@worldbank.org](mailto:kstroligo@worldbank.org)

## FATF update

- **The FATF Plenary Meeting was held from 23 to 25 February 2011 in Paris, France.** During the meeting the following decisions were taken by the FATF:
  - The mutual evaluation report of France and the Netherlands were adopted.
  - The Follow-Up report of Singapore was approved and published.
  - The FATF issued a statement on the progress made by Argentina in addressing deficiencies identified in their mutual evaluation of October 2010.
  - The Plenary agreed to hold the Annual meeting of experts on typologies, organised jointly with the APG in Busan, Korea at the end of November 2011.

The FATF, in its public statement identified the following jurisdictions that have strategic deficiencies that pose a risk to the international financial system:

- The FATF decided to put Democratic People's Republic of Korea (DPRK) on its list of jurisdictions that are subject to a FATF counter-measures to protect the international financial system from the ongoing and substantial ML/FT risks.
- With regard to Iran, the FATF reaffirmed its call to apply effective counter-measures to protect their financial sectors from money laundering and financing of terrorism (ML/FT) risks emanating from Iran.

The FATF and the FSRBs continues to work with the jurisdictions identified in the public document "Improving Global AML/CFT Compliance" and to report on the progress made in addressing the identified deficiencies. The FATF has reported on countries that have not committed to an action plan developed with the FATF. These are: Angola, Bolivia, Ethiopia, Kenya, Myanmar, Nepal, Nigeria, Sri Lanka, Syria, Trinidad and Tobago and Turkey. If these jurisdictions do not take sufficient action to implement significant components of their action plan by June 2011, then the FATF will identify these jurisdictions as being out of compliance with their agreed action plans and will take the additional step of calling upon its members to consider the risks arising from the deficiencies associated with the jurisdiction.

For further information please see FATF website: <http://www.fatf-gafi.org>

## Egmont Group update

### "Egmont" Group Case study: *Concealment within Business Structures*

*A bank noticed that a business account that had been dormant for some years suddenly became active with large-scale fund transfers. The bank account was originally registered to a company registered in an offshore jurisdiction. After US \$ 150,000 was credited into the account, the firm used the funds to buy shares of a recently privatised Eastern-European company - 'ABC Corp'.*

*Three months later Brian, the representative who originally opened the account, deposited a total amount of US\$250,000 in cash into the company account. Immediately after depositing the money, he wanted to transfer US\$100,000 into a personal account at another bank. He claimed that the money came from his personal funds. When the bank asked him about the origin of these personal funds, he submitted commercial documentation showing that he had sold shares of ABC Corp - worth US \$ 150,000 - for US \$ 250,000 to another Eastern-European company 'DEF Corp'. The difference of US\$100,000 Brian explained as risk compensation, in the event the initial US \$ 150,000 worth of shares invested in company ABC had been devalued. This would have been fairly high return on capital, when one takes into account that a return of US\$100,000 over just three months would have equaled an annual interest rate of over 200 percent.*

*The bank disclosed the transactions to the national FIU. By checking the records of its own intelligence and financial databases and liaising with other Egmont members, the FIU developed information that indicated Brian was the real owner of the offshore company. Also, it discovered that Brian was a member of the board of directors of company ABC. This suggested that the shares in company ABC might well have been knowingly sold at a low value to the offshore company before being sold onwards for a higher price to a third party. In effect, Brian siphoned off US\$100,000 profit by using his own offshore company as a 'hidden' stage in the share transfer.*

*The FIU notified the corresponding law enforcement authorities that Brian was suspected of money laundering and fraud. As a result of the police investigation, Brian was arrested and prosecuted, with the court also confiscating the US\$100,000 involved.*

Indicators:

- Unusually high rates of return for a low risk business activity
- Unrealistic explanation given by customer for account activity
- Re-activation of dormant account

«Egmont» group 100 Sanitized cases are available at: [http://www.egmontgroup.org/files/library\\_sanitized\\_cases/100casesgb.pdf](http://www.egmontgroup.org/files/library_sanitized_cases/100casesgb.pdf)

### The Egmont Group has released a White Paper on Enterprise-wide STR Sharing

In releasing a White Paper on 'Enterprise-wide STR Sharing: Issues and Approaches' today, the Chair of the Egmont Group of Financial Intelligence Units, Mr. Boudewijn Verhelst, commended the Egmont Group member FIUs, who have worked together over the last two years, to examine the issues and present possible solutions, stating that: "the paper will be of interest to all FIUs and jurisdictions, as the major benefits from enterprise-wide STR sharing could result in more effective AML/CFT compliance by financial groups operating in multiple jurisdictions."

The White Paper outlines a series of approaches jurisdictions might take to allow enterprise-wide STR sharing, and considers the implications of each, but does not endorse any particular approach.

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## Publications and Websites of Interest

<a href="http://www.unodc.org">http://www.unodc.org</a>	Official website of the UNODC. (In English, Russian, Spanish)
<a href="http://www.amlcft.org">http://www.amlcft.org</a>	World Bank's AML/CFT website. (In English)
<a href="http://www.worldbank.org/StAR">http://www.worldbank.org/StAR</a>	World Bank and UNODC's Stolen Assets Recovery Initiative (StAR) website
<a href="http://www.imolin.org">http://www.imolin.org</a>	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)
<a href="http://www.eurasiangroup.org">http://www.eurasiangroup.org</a>	The EurAsian Group is the FATF-Style Regional Body serving Central Asia. (In English and Russian)
<a href="http://www.imolin.org/pdf/imolin/MLawRussian_IMoLIN.pdf">http://www.imolin.org/pdf/imolin/MLawRussian_IMoLIN.pdf</a>	UNODC Model Law in Russian
<a href="http://www.fatf-gafi.org/dataoecd/43/46/38960576.pdf">http://www.fatf-gafi.org/dataoecd/43/46/38960576.pdf</a>	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.
<a href="http://www.fatf-gafi.org/dataoecd/61/28/40248726.pdf">http://www.fatf-gafi.org/dataoecd/61/28/40248726.pdf</a>	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
<a href="http://www.fatf-gafi.org/dataoecd/28/43/40285899.pdf">http://www.fatf-gafi.org/dataoecd/28/43/40285899.pdf</a>	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.
<a href="http://www.eurasiangroup.org/rus/index-5.htm">http://www.eurasiangroup.org/rus/index-5.htm</a>	Russian version of 40 FATF Recommendations [AML] Russian version of 9 FATF Special Recommendations [CFT] with Interpretive Notes
<a href="http://www.fatf-gafi.org/dataoecd/45/31/40705101.pdf">http://www.fatf-gafi.org/dataoecd/45/31/40705101.pdf</a>	FATF's first in-depth study, which examines its vulnerabilities to misuse for money laundering and terrorist financing in real estate sector.
<a href="http://www.unodc.org/documents/wdr/WDR_2008/WDR_2008_eng_web.pdf">http://www.unodc.org/documents/wdr/WDR_2008/WDR_2008_eng_web.pdf</a>	<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.
<a href="http://www.assetrecovery.org">http://www.assetrecovery.org</a>	Asset Recovery Knowledge Center of the International Centre for Asset Recovery (ICAR)
<a href="http://www.egmontgroup.org">www.egmontgroup.org</a>	The Egmont Group of Financial Intelligence Groups
<a href="http://www.coe.int/t/dghl/monitoring/moneyval/">http://www.coe.int/t/dghl/monitoring/moneyval/</a>	MONEYVAL - Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism

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<a href="http://www.caricc.org">http://www.caricc.org</a>	CARICC - Central Asian Regional Information and Coordination Centre for combating the illicit trafficking of narcotic drugs, psychotropic substances and their precursors, established within the Memorandum of Understanding on sub-regional drug control cooperation dated May 4 1996 (Tashkent, Uzbekistan) between the Republic of Azerbaijan, the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan, Turkmenistan, the Republic of Uzbekistan and UN Office on Drugs and Crime (UNODC).
<a href="http://www.oecd.org/corruption/acn">http://www.oecd.org/corruption/acn</a>	Anti-Corruption Network for Eastern Europe and Central Asia

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