

## CHAIRMAN'S COLUMN



Dear colleagues!

The year of 2010 has been noted by the developing potential of the Eurasian Group. Turkmenistan and India have been accepted as member-states, which expands the boundaries of the EAG, and strengthens our horizontal links with the Asia-Pacific Group, considering India co-chairmanship in the APG. The entry of new countries brings our positions closer, and enhances of the efforts to combat money laundering and the financing of terrorism in the Eurasian-Pacific region.

Another notable event of the 13th Plenary Session was the election of the Vice-Chair of the EAG, Liu Zheng Ming from the People's Republic of China.

At present discussions are taking place concerning the revision of the FATF Recommendations, as well as changes to the 4th round evaluations procedures. We must consolidate our efforts in 2011 to promote the FATF approach at the national and regional level.

On the eve of the FATF Plenary Session, I would like to note, that the Financial Action Task Force attaches great importance to the role of regional bodies in promoting international standards and conducting evaluations, as well as in improving the effectiveness of national systems. The question of the role and responsibilities of FATF-style regional bodies, who are also associate members in the FATF, will be one of the key agenda items in the upcoming meeting.

**Oleg Markov**  
EAG Chairman

## India. The main stages of development in the national AML/CFT

*The development of anti-money laundering and combating the financing of terrorism, and improving the mechanisms of international cooperation is a priority for India, in combating economic crime and terrorist threats.*

The national AML/CFT system is relatively young in India. Draft legislation on combating money laundering was developed in 1998; a comprehensive AML law was adopted in 2002 and entered into force on July 1, 2005.

Since 2002, the Inter-Ministerial Co-ordination Committee on Combating Financing of Terrorism and Prevention of Money Laundering (IMCC) has been set up in the country, which has regular meetings and is engaged in coordination, monitoring and improving the effectiveness of the regulatory and supervisory bodies.

The Financial Intelligence Unit (FIU) of India was established by the decision of the government of the country on November 18, 2004, as the central national agency responsible for receiving, processing, analysis and transmission of information on suspicious financial transactions to competent authorities. FIU is also responsible for coordinating the work of law enforcement agencies to implement measures to combat money laundering and predicate crimes. The Director of the FIU is Mr. Arun Goyal, appointed to his post in March 2006.

The Financial Intelligence Unit of India is an administrative type of FIU and an independent body reporting directly to the Economic Intelligence Council (EIC). The Economic Intelligence Council is the supreme government body to coordinate and develop strate-



gies to combat economic crimes. It is headed by the Finance Minister of India.

The regulatory functions of financial institutions in India are divided among the Reserve Bank of India (RBI), which serves as the supervising authority for the banking sector, the Insurance Regulatory and Development Authority of India (IRDA), and by the Securities and Exchange Board of India (SEBI), which carries out the licensing of securities market.

Since 1998, even before the establishment of the national financial intelligence unit and the adoption of the basic law on AML/CFT, India has been a member of the Asia Pacific Group on Money Laundering (APG). In March 2005, the country went through the first APG peer review.

In November-December 2009, the second evaluation of India was carried out by the APG/FATF, whose report was approved by the FATF Plenary Session in June 2010. At the same time, India became a full member of the Financial Action Task Force,

which is a sign of recognition by the international community of the country's achievements in building a comprehensive AML/CFT system.

The mutual evaluation report marked significant progress in improving the legislation in India in the field of AML/CFT, in accordance with international standards. Above all, this is due to the introduction of relevant amendments to the basic law on AML/CFT in 2009.

India has taken an active role in AML/CFT questions in the international arena. The country co-chairs the APG in 2010-2012, and is a member of the FATF and the Egmont Group. The FIU exchanges information with foreign countries in carrying out financial investigations. The Ministry of Foreign Affairs of India coordinates the interaction of the national government with other countries on combating terrorism.

India's joining of the EAG, as a full member, will strengthen the position of the country in combating money laundering and the financing of terrorism on a regional scale, and will contribute to the harmonization of its national AML/CFT system in accordance with international standards.

### Chronicle of events

- **1998** – draft of the basic law on AML/CFT was developed
- **1998** – India became a member of APG,

13th Plenary

Session of the EAG –  
events, results, future  
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- **2002** – law on AML/CFT was adopted,
- **2002** – a national inter-agency committee on AML/CFT was created, which regulates the activities of relevant bodies
- **2004** – the Financial Intelligence Unit of India was created
- **July 1, 2005** – the law on AML/CFT came into force
- **2005, 2009** – peer evaluations of India were carried out by the APG and FATF/APG
- **2007** – India becomes an observer in EAG
- **2007** – FIU of India becomes a member of the Egmont Group
- **2010** – India becomes a member of FATF
- **2010 – 2012** – India co-chairs the APG
- **December 2010** – by the decision of the 13th Plenary Session in Moscow, India receives the status of an EAG member-state.

## 13th Plenary Session of the EAG – events, results, future projects

*Twice each year members of the Eurasian Group on Combating Money Laundering and the Financing of Terrorism gather in one of the countries of the region to discuss the results of work, and to formulate the strategic development priorities for the upcoming period.*

In December last year, the 13th Plenary Session of EAG was held in Moscow. The agenda of the event included a number of important issues and challenges, aimed at the development of the group and at the strengthening of its position in the international arena.

A landmark event in this regard was the accession of India to EAG membership. This state, formerly an observer, is carrying out a comprehensive policy in combating money laundering and the

financing of terrorism, in line with FATF standards. The entry of India into the Eurasian Group opens up prospects for cooperation among the countries and increases the interaction between EAG and APG.

“With the support of the EAG, India has set an action plan to reform its national AML/CFT legislation,” said Bimal Julka, First Deputy of the Ministry of Finance, who led the Indian delegation at the Plenary Session. Among the priorities of the

country are the strengthening of efforts to counter narcotics and transnational crime, including human and arms trafficking, the fight against socially dangerous crimes, such as pyramid schemes, and the curbing of corruption.

Experts of the Eurasian Group believe that the accession of India will increase the effectiveness of the fight against criminal financial flows in the region. The country has a well-developed infrastructure for combating money laundering, which should further facilitate the sharing of experiences and best practices among all Group members.

A number of organizational issues were settled at the 13th Plenary Session of the EAG. The representative of China, Liu Zheng Ming, Deputy General Director of the Anti-Money Laundering Bureau of the National Bank, was elected Vice-Chair of the EAG. He succeeded Valery Yaroshevsky, head of the FIU of Belarus.

The termination on page 2

## 13th Plenary Session of the EAG – events, results, future projects

### The termination. The beginning on page 1

China is one of the founders and most active members of the EAG. The country is also a member of FATF and APG, in the years 2012 to 2014 it will be the co-chair of the Asia Pacific Group on Money Laundering.

Among other changes approved by the Plenary Session of the EAG is the appointment of a new Executive Secretary. From December 2010, the Secretariat of the Eurasian Group will be headed by the representative from Russia - Galina Bobrysheva, who for several years headed one of the departments of Federal Financial Monitoring Service of Russia and now heads the International Training and Methodological Center of Financial Monitoring.

In accordance with decision of the 13th Plenary Session, the number of Eurasian Group observers has also increased, with the Counter-Terrorism Committee of the UN Security Council (CTC) joining the group. This is an important step towards the development of EAG's cooperation with relevant bodies of the United Nations. UN CTC has been interacting with the Eurasian Group for many years already, the two organizations have conducted a series of joint field missions to countries in the region and pursue common objectives to create conditions of security and counter the threat of international terrorism.

It should be noted that the role of the observers in the Eurasian Group has considerably increased in recent years, primarily by the provision of technical assistance to Member States in the formation of comprehensive AML/CFT systems.

The work of donors was discussed at the round table, organized within the Plenary Session at the initiative of the EAG chair, O.A. Markov. During the round table, donors shared the main results of their work within the EAG in the course of the year 2010, summed up the results of organized events, including a variety of educational programs, and outlined future projects for the coming period.

Among these are the Egmont Seminar on Tactical Analysis, with the support of the World Bank, and the training program of the World Bank in assessing ML/TF risks with the support of Ukraine, the development of video conferencing systems, personnel training for national AML/CFT systems of countries of the Eurasian Group, with support of the International Training Center of Financial Monitoring, etc.

The analysis of EAG results and the increase of effectiveness of technical assistance was the key point on the agenda of the 13th Plenary Session. This is largely due to the upcoming transformation of the Group into an international organization.

Assessing the progress of EAG governments in the formation of national AML/CFT systems, participants of the Plenary Session noted that the countries of the Eurasian Group are actively working on bringing their national regimes in line with international standards, and significant progress in the implementation of financial recommendations of FATF has been made, as well as in the strengthening of measures for the adequate verification of customers, implementation of oversight measures, and integrated

development of legislation. Continuous improvement of national systems is a priority of the EAG. With that, special attention is being paid today to the creation of awareness and more active participation of Group members in the process of revising and updating the FATF 40+9 Recommendations, which should be completed in 2011.



EAG states received an opportunity to contribute to this work when the Eurasian Group was given the status of associate member of the FATF in June 2010.

*«This also opens new prospects for the exchange of experiences with the advanced countries and the alignment of national systems on the 'tuning fork' of FATF, Pavel Livadny, co-chair of the Working Group on Evaluation and Legal issues, pointed out during a press conference held after the Plenary Session. «EAG states regard the evaluation of the FATF as a serious investigation, in the preparation for which they gain much new experience.»*

The administrator of the FATF Secretariat, Richard Berkhouit added that the EAG is developing its activities in accordance with the policies of the FATF and the new challenges and threats, with countries of the region having made significant progress in achieving compliance with international standards.

Participants of the Plenary Session paid particular attention to combating money laundering through the Internet and to control of cybercrime. Countering cybercrime and regulation of Internet payments is of great relevance for the international financial community. Much attention in the work of the FATF and regional groups of its type, including the EAG, is paid to the study of typologies of money laundering and the financing of terrorism with the help of electronic money and other alternative payment instruments.

In particular, the 13th Plenary Session approved the typologies reports of EAG

on this subject, which was researched during the year 2010. The survey data confirmed the dramatically increased risks, associated with the use of modern electronic technology by criminals. Such advantages as the high speed and easy accessibility of payments in the Internet are often associated with anonymity and do not provide the nec-

the movement of "dirty" money in cyberspace," said C. Stroligo. "Only by joint efforts and developing universal international instruments, can we confront this threat."

In order to implement a common approach, to communicating information about the EAG and the national systems of Member States, the Plenary Session

approved the Information and Communication Strategy of the Eurasian Group, which was designed to build an effective system of interaction with the media and the general public, and is publicly available on the website of the EAG: [www.eurasiangroup.org](http://www.eurasiangroup.org).

Information about creating mass communication videos on the activities of the Eurasian Group, developed in line with the communication strategy, raised considerable interest among the participants of the meeting. Videos aim at promoting

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### Liu Zheng Ming – Deputy Chair of the EAG

By the decision of the 13<sup>th</sup> Plenary Session of the EAG on December 15, 2010 he was approved as the Deputy chairman of the group.

Since 2007, Liu Zheng Ming has been the Deputy General Director of the Bureau of the People's Bank of China on Anti-Money Laundering.

He has a Bachelor's degree in international finance and a master's degree in banking and finance.

Liu Zheng Ming has experience as Deputy Division Chief of Supervision of Foreign Financial Institutions in the Department of Foreign Affairs of the People's Bank of China, and after that – as a Division Chief of the International Monetary Fund. He has worked as the Chief Representative of the Delegation of the People's Bank of China in Frankfurt.

become a major source for the legalization of income and the amount of crime capital in circulation already exceeds that of drug money. "These are definitely new criminal technologies, and no country or region of the world in isolation has achieved significant results in combating

AML/CFT international efforts and explain their role in rising the security of national economies, stability of the private sector and transparency of consumer financial services. Videos are now available at the website of EAG in the "video" section.

## EAG is developing its activities in accordance with FATF policy priorities, under the presidency of Mexico

*The main priorities of the FATF are directly related to the activities of the President, representative of Mexico, Mr. Urrutia Luis Corral, and provide for the coordination and improvement of FATF – style regional bodies*



One of the key tasks that the FATF has traditionally faced, and which stands among the top priorities for President Luis Urrutia, is associated with the strengthening of the AML/CFT global community. Close collaboration of FATF with the regional groups, specialized UN agencies, the World Bank and the IMF, the Egmont Group and other international organizations, involved in global processes of AML/CFT, has a significant role in these processes.

This work includes four main aspects:

- 1) strengthening the role of regional groups and the integration of their activities in the context of associate memberships;
- 2) extensive use AML/CFT mechanisms to fight corruption;
- 3) a consistent policy in order to update the FATF standards;
- 4) development of international standards for increased access to financial services, primarily for poor people in developing countries.

### Strengthening the role and integration of the FATF – style regional bodies

Several years ago the FATF established the new associate member status, which allowed regional groups to pass to a new level in the implementation of their tasks. The aim of the associate membership institution is to improve the efficiency of FSRBs by providing all States, not even within the FATF, but members of FSRBs, access to FATF documentation and the discussion of key issues within the framework of activities. Since June 2010, all regional groups have received the status of associate members of the FATF. This status not only opens up a number of advantages, but also imposes new responsibilities and obligations on the FSRBs. At the upcoming plenary session of FATF, which will be held in February 2011, the effectiveness of all FSRBs members' activity as associate members will be discussed. As an associate member of the FATF, the EAG is consistently implementing its tasks to support the progress of member states in meeting the international standards of AML/CFT.

### Mechanisms of financial monitoring to combat corruption

The Group of Twenty Summit was held in September 2010 in Pittsburgh (Canada). Leaders of the international community recognized that measures to combat money laundering and the financing of terrorism can be an effective mechanism for fighting corruption. Despite the fact that the FATF is not an organization that establishes anti-corruption standards, the President of FATF considers it necessary that in the current revision of the 40 +9 Recommendations, pay particular attention to their possible use to detect and prevent corruption.

To this end, the FATF is strengthening its interaction with experts in combating corruption and establishing closer cooperation with international organizations that set standards in this area.

The Eurasian Group takes part in this work by introducing mechanisms to ensure financial transparency and the formation of a methodological framework for the application of financial monitoring mechanisms to fight corruption in the countries of the region.

### Proliferation and review of the FATF standards

Criminal technologies of money laundering and the financing of terrorism are rapidly evolving and present new threats to the international financial community, which must be considered in the development and adaptation of the FATF Recommendations.

During 2011, FATF plans to complete the process of revising the standards, which is aimed at ensuring the consistent application a risk-based approach, the inclusion of tax crimes into the number of crimes predicate to money laundering, clarification of requirements for monitoring operations, using new electronic technologies and online payments, as well as increased requirements for monitoring the financial activities of political figures and national officials. The last innovation is due to the anti-corruption tasks of the FATF.

Experts of the FATF-style regional bodies take an active part in the pro-



cess of reviewing the Recommendations. Private sector institutions play an important role, as well. With the adoption of the new edition of 40 +9 Recommendations, the governments will need to implement a package of measures to harmonize national laws and to develop the activities of the FIU, supervisory and law enforcement agencies. A special role in these processes is assigned to FSRBs, which should assist in the implementation of updated standards in the region.

In the context of this work within the Eurasian region, on the 14<sup>th</sup> Plenary of the EAG, it is planned to hold consultations in late May with the private sector to advocate the changes of the FATF. One of the key items of the consultation is to discuss issues related to risk management in AML/CFT in the proliferation of new methods of payments using emerging technologies.

An implement mechanism which facilitates the implementation of the FATF standards is the International cooperation group which assesses the situation in the most problematic jurisdictions and provides recommendations to reduce ML/TF risks. In the context of these procedures, the FATF regularly updates the lists of high-risk and non-cooperative countries and territories, which present a threat to the global financial system.

### Improving access to financial services

One of the priority tasks of FATF is related to the fact that countries with low income should have greater access to banking and other financial services,

to providing low-income areas with the necessary financial services.

In this regard, it is proposed to revise the approach to the assessment of low-income countries. First and foremost, this is related to the recommendations regarding the proper identification of recipients of financial services. The question of determining a lower identification threshold is discussed. This theme is particularly relevant in the context of the revision of 40 +9 Recommendations on the eve of the 4<sup>th</sup> round of mutual evaluations.

This perspective is actively discussed by the international community. The Group of Twenty, the UN, the World Bank and other organizations are directly involved in its development.

This issue is also pressing for many of the regional FATF-style regional groups. The APG holds the leading positions in development of these initiatives. However, given the lack of dissemination of financial services in a number of Eurasian countries, it should be noted that the issue has significance for the EAG, as well.

The implementation of these and other priorities is carried out by the FATF, in close consultation with regional groups. Discussion of results of joint work is taking place in the plenary session of the FATF. The first meeting of the President of the FATF with the presidents of FSRBs was held in June 2010 in Amsterdam and it was timed to the 20<sup>th</sup> anniversary of the FATF. Given the great practical value of such a format of cooperation of the FATF with regional groups, the President Luis Urrutia plans to make these

### FATF President, Luis Urrutia Corral, welcomes the achievements of MONEYVAL in the implementation of the process of mutual evaluations

This was communicated by Mr. Luis Urrutia, during his visit to Strasbourg for the Plenary Session of MONEYVAL in December 2010. The President of the FATF noted that MONEYVAL became one of the first regional groups to receive the status of an associate member, and since then has achieved significant results in the organization of mutual evaluations of the countries in the region, and subsequent monitoring.

Luis Urrutia said that MONEYVAL accumulated unique experience in this field, which its experts successfully spread among colleagues in other regions. They are involved in the assessments of FATF, as well as organizing training sessions for assessors.

*As V.P. Nechaev, Chairman of MONEYVAL explained, "Harmonization of the national system of anti-money laundering and financing of terrorism in order to implement the recommendations of the FATF effectively, is a priority for MONEYVAL, due to differences in the level of development of the laws of the countries of the region. MONEYVAL, possessing knowledge and experience in the field of AML/CFT, is ready to share this knowledge and experiences with other regional bodies."*

since the proliferation of financial services to the poor reduces the level of use of alternative systems and non-traditional financial payment instruments. This leads to increased transparency in the financial sector and better conformity with international AML/CFT standards.

In recent years, the FATF has received signals that the 40 +9 Recommendations create obstacles to the spread of financial services to the people in developing countries. However, FATF's activities are not intended to create obstacles

meetings regular. The following discussion of a similar format, which is planned to be attended by the representatives of the EAG, will take place in Mexico City in June 2011.

The Eurasian Group strives to develop its activities in accordance with the priorities of the FATF, to cooperate actively with other FSRBs and to build an effective AML/CFT system by assisting states in the region, to contribute to global processes of combating money laundering and the financing of terrorism.

## Recent events

# EAG



### An agreement on cooperation was signed between the Eurasian Group and the Inter-Parliamentary Assembly of States - members of the Commonwealth of Independent States (IPA CIS)

The agreement was signed by the Chairman of the EAG, Oleg Markov, and Secretary General of IPA CIS Council, Mikhail Krotov.

The Agreement provides for cooperation of States in drafting and modeling of legal documents and implementation of a comprehensive exchange of information. The Agreement also confirmed the intention to create an integrated electronic database of legislation and other legal acts of States – members of the EAG and the CIS.

The signing of this agreement is intended to strengthen the cooperation of EAG and the CIS IPA and to improve responses to crime and terrorist threats in the region.

Mikhail Krotov noted that due to the cooperation between the two organizations there conditions will be created for the adoption of effective laws to improve the fight against money laundering in the region. According to him, the CIS countries have developed seven model laws, which are used in national legislation on AML/CFT.

According to the co-chair Working Group mutual evaluations and legal issues, Pavel Livadny, the signing of this agreement is another step for the EAG in the establishment of an effective legal framework of AML/CFT in the countries of the region. "The experts of the Eurasian Group provide guidance to member countries of the group for the design and development of national legislation in accordance with international standards," said P. Livadny. "In collaboration with the experts from the CIS Inter-Parliamentary Assembly, we hope to increase the effectiveness of this work, achieve the formation of model laws and harmonize the legislation of the Countries, participating in the work of both organizations. The harmonization of approaches to enforce financial activities of organizations in the space of the region will help minimize the risks of

involving private sector institutions in the schemes of money laundering and the financing of terrorism."

### The introduction of international AML/CFT standards and strengthening the fight against laundering of proceeds from crime, and the financing of terrorism, is one of the key priorities of national policy of Turkmenistan in 2011

The President of Turkmenistan has called the results of 2010 "a good example of comprehensive development of the state" and the success of reforms and transformations.

This, first of all, concerns the reforms in the banking sector, aimed at improving the sustainability of the national financial system and introduction of international accounting standards and the AML/CFT.

Among the important achievements of the country in the past year, according to the national Minister of Foreign Affairs, is the election of Turkmenistan as the chair of the Special Program For the Economies of Central Asia (SPECA) and vice-chair of the Bureau of the Committee on Sustainable Energy of the UN European Economic Commission, as well as the entry of the state into the Eurasian Group on combating money laundering and financing of terrorism, and the beginning of cooperation with the FATF.



### Uzbekistan improves its AML/CFT regulatory system for the securities market

On December 29, 2010, the Ministry of Justice registered the resolution of the State Committee for State Property Management "On amendments and additions to the rules of internal controls to counter money laundering from criminal activities and the financing of terrorism for the members of stock exchanges."

Amendments establish the requirements to request information about the purpose and nature of the business relationships of the customer, as well as the origin of the funds. Along with this, the stock exchanges were asked to record the information on all transactions, having no apparent economic sense or not relevant to the purposes and types of authorized activities of the client. The exchanges also gained the right to refuse customers in a transaction, in cases of inability to complete the identification, or to obtain the results of adequate verification of data, indicating the inappropriateness of establishing business relations with clients.

Now members of the exchanges must take CDD measures not only when there is doubt about the authenticity and validity of previously obtained identification data, or any suspicion that ongoing operations are involved in the ML/FT, but also in establishing any business relationship.



### Experts of the Financial Intelligence Unit of the Kyrgyz Republic held a seminar for representatives of banks and police on combating money laundering

In December, officers of the Financial Intelligence Unit of Kyrgyzstan held a 2-day seminar on the issues of counter terrorism (extremism) financing and the laundering of criminal proceeds.

The seminar was attended by representatives of 23 branches of commercial banks and 24 law enforcement officials from the city of Osh, Osh, Batken and Jalal-Abad regions.

This training event was organized to enhance the interaction between the financial intelligence unit and the private sector and law enforcement authorities in connection with the intensification of terrorist and extremist activities in the southern region.

## NEWS OF THE EURASIAN REGION

### Anti-terrorism training was held in Tajikistan

Two-week courses for law enforcement officers in the management of special operations, which include training on tactical analysis, were held in Tajikistan.

In the course of the year 2010, six training programs of this type were organized as part of the global initiative to assist in the fight against terrorism (ATA).

### Tajikistan and Kyrgyzstan signed an agreement on trans-border transportation



On December 2 in Dushanbe, an agreement on trans-boundary transportation of persons, vehicles and goods was signed (STGP), which is designed to promote bilateral and regional trade, it was developed with the support from the Asian Development Bank (ADB) in order to provide free movement of people and goods across the borders in Central Asia.

It is expected that within STGP, the two countries will modernize the border and customs infrastructure and facilities, simplify and harmonize procedures of border crossings and ensure that all officials working at border and customs posts were well informed and trained.

### The Undersecretary General of the United Nations studied the activity of ADC of Tajikistan

On November, 29th the Undersecretary General of the United Nations, Executive Director of the United Nations Office on Drugs and Crime (UNODC) Mr. Y. Fedotov paid a visit to the Agency on drug control (ADC) of Tajikistan. In the course of the meeting a presentation of activity of the Agency and further prospects of ADC development was made, and the role of the Agency in the Central-Asian region in the efforts to combat drug trafficking was noted.

## EAG Expert Community

The Eurasian group on combating money laundering and financing of terrorism unites the countries in Eurasia to join their efforts in the fight against economic crimes and the threat of international terrorism. The nine member

states of the EAG include Belarus, Kazakhstan, China, Kyrgyzstan, Russia, Tajikistan, Turkmenistan, Uzbekistan and India. 16 countries and 16 international and regional organizations have observer status.

The EAG is creating an interactive expert community in order to discuss the current issues and share experience with the aim of bringing together specialists in the field of financial monitoring, financial security, law, banking technologies and others engaged in global AML/CFT processes.

The opportunities created by the EAG portal allow experts to hold interactive forums, carry out research and discuss the current AML/CFT initiatives.

We welcome all experts that wish to join us in this work to fill in a form at [www.eurasiangroup.org](http://www.eurasiangroup.org) (follow the "Expert Community" link).

### Editorial board

We welcome you to take part in the development of the EAG Bulletin. If you would like to place news, articles and other publications in the following issues of the Bulletin, please feel free to send an e-mail

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