

## **UNAFRI**

### **INTERNATIONAL CONFERENCE**

**THEME: MONEY LAUNDERING AND FINANCING OF TERRORISM IN WEST AND CENTRAL AFRICA: CURRENT SITUATION, CHALLENGES AND FUTURE OPPORTUNITIES**

**DATE: 16 May 2023**

**LOCATION: ZOOM (VIDEOCONFERENCE)**

### **CONCEPTUAL NOTE**

UNAFRI is an inter-governmental body established by a statute, and a crime prevention and criminal justice programme network institute of the United Nations, with a mandate to promote collaborative activities and joint action on priority problems bearing on crime prevention and control; upgrade personnel and standards of performance in policy-making, law enforcement. Justice administration and offender correction through special interdisciplinary training activities and imparting of new knowledge and skills, and encourage the pooling and exchange of expertise, experience and information in the crime prevention and the criminal justice system.

#### **I- Overview of the Conference Theme**

Today, the world faces asymmetric threats that require adequate responses from States. While maritime and air piracy receded from the States' response, the attacks of 11 September 2001 in the United States have highlighted the multimodality of terrorist activities. From now on, all means, including civilian aircraft and land vehicles, can be used as a weapon of mass destruction of our populations. This whole evil organization is rooted in illicit financial flows. It is often said that money is the crux of the war. This is true regardless of the form of war, including asymmetric warfare.

The disruption caused by terrorism in all its forms is largely justified by the disorderly and uncontrolled movement of funds. It is no longer a question of saying that money does not go by the colors. Dirty money is now distinguished from clean money. If dirty money is the product of criminal activity, then clean money is the product of lawful activity.

But this binary classification remains psychological and artificial. When we are not careful, dirty money is surreptitiously introduced into the economic circuit by mechanisms that clean it. The proceeds of crime thus contribute to generating profits that feed, sustain and amplify the path of evil. This is known as money laundering for terrorist purposes.

The fight against "**dirty money laundering**", or rather against money laundering, has become global since the "**Political Declaration and Plan of Action against Money Laundering**" adopted by the United Nations General Assembly in June 1998.

Taking into account this instrument and the forty (40) recommendations of the Financial Action Task Force against Money Laundering within the 'G7', the CEMAC Conference of Heads of State adopted the declaration of 14 December 2000 expressing '**its common and solemn determination to do everything in its power to combat money laundering in the CEMAC Member States by all appropriate means to that end, in particular, the adoption of harmonized legislation and the establishment of specialized structures**'. This declaration was followed on 4 April 2003 by the signing of a regulation on the prevention and suppression of money laundering and the financing of terrorism in Central Africa. This text has been amended several times to date to align with reality.

The same commitment was made by the West African States, which in 2002 adopted a Guideline on combating money laundering in WAEMU countries; the Guideline of 20 July 2015 on the same subject was also replaced.

Furthermore, on 28 February 2013 in Yamoussoukro, Côte d'Ivoire, the ECOWAS countries adopted an '**ECOWAS Policy Statement and Common Position on Combating Terrorism**'.

The African Union, as part of its agenda 2063, assumes responsibility to fight against corruption and money laundering.

These and many other initiatives reflect the will of our States to deal with the growing phenomenon of money laundering and financing of terrorism in Africa.

The main strategy to combat this is to control financial flows, suspicious commercial transactions and, above all, real estate transactions. The number of persons subject to anti-money laundering and anti-terrorist financing obligations is significant.

In particular, checks are recommended for transactions above the threshold set by the regulations in force. Banks and other financial institutions are called upon to contribute and are required to denounce in case of suspicion. That is what is known as '**the suspicious transaction report**'.

Law enforcement institutions are established at the global, regional and State levels to ensure that banks and other financial institutions comply with their obligations in the fight against money laundering and financing of terrorism. Examples include FATF, GIABA, GABAC, CENTIF, ANIF, etc. Cooperation between these institutions makes it possible to monitor the movement of funds worldwide

Even insurance companies are called upon to help monitor contracts and detect any suspicions. A Regulation adopted by the Inter-African Conference on Insurance Markets (CIMA) on 20 March 2021, replacing the Regulation of 8 October 2008, sets out the procedures applicable by insurance undertakings in the fight against money laundering and financing of terrorism.

Most institutions operate effectively and do not hesitate to impose severe sanctions when breaches are detected. By way of illustration, within the framework of CEMAC, COBAC recently punished 12 banks and a dozen social leaders for non-compliance with certain obligations and serious breaches in the fight against money laundering.

But despite the measures taken, money laundering and the terrorist threat persist and are becoming more prevalent in Africa.

How can we reverse this trend? Is there a gap in our response system, and if so, at what level? What are the innovative measures to effectively protect our States against asymmetric threats and other economic and financial crimes?

While these issues were already pressing, the digital revolution has added its share of challenges. The explosion of electronic currencies raises concerns about the effectiveness of controlling illicit financial flows. The International Monetary Fund has recently sounded the alarm about the proliferation of electronic money, the magnitude of which risks destabilizing the financial system and creating currency mismatches that would increase risks to consumer protection and financial integrity. The increase in crypto assets increases tax evasion, promotes the disbursement of funds and uncontrolled transactions and has consequences for the foreign exchange market.

In addition, there is large-scale tax evasion, as illustrated by the *pandora papers* scandal. Recent international news shows that this case concerns a leak of around 11.9 million documents belonging to fourteen offshore service providers. The revelations refer to fraud and tax evasion on an immense scale, involving some of the world's leading politicians.

These new developments make the fight against money laundering more complex and call for a readjustment of the response mechanism.

In any case, to prevent the fight against these offences from turning into a Sisyphus stone, a profound reflection is needed, of which this international conference will be the lineament.

The urgency of addressing these issues is more justified by the low growth rate of our economies, which are struggling to recover in the context of the health crisis linked to the Corona virus pandemic.

The World Bank's *Africa Pulse* report on economic growth forecasts published on 6 October 2021 states that sub-Saharan Africa is expected to emerge from the recession linked to the consequences of the health crisis, with a growth of 3.5% projected for 2022 and 3.8% for 2023.

To aspire to emerging economies, the fight against money laundering, financing of terrorism and other economic and financial crimes must be the cornerstone of growth.

In view of the above, the UNAFRI, in collaboration with ....., has organized this international conference to examine the situation.

## II- Main Conference hints

This international conference has five hints:

- 1- Figures of terrorism and its development axes in West and Central Africa;
- 2- The legislative, institutional and law enforcement response framework of States under international law;
- 3- Obligations of bankers and other professionals in the fight against money laundering and financing of terrorism;
- 4- Challenges of the fight against money laundering and financing of terrorism for African economies in general and financial institutions in particular.
- 5- Techniques of repression of economic and financial offences and prospects of improving the current mechanism in the West and Central African sub-region.

## III- Target Audience: All

**In particular:** judges, judicial police officers, lawyers, bank managers and staff, microfinance and similar institutions, insurance companies, notaries and real estate agents, court auditors, academicians and other researchers responsible for the legal services of companies. The participants will be drawn from the following countries.....

## Budget:

## IV- Objectives of the Conference

- Present the efforts of African States in combating money-laundering and the financing of terrorism;
- Assess the strengths and weaknesses of the control framework and consider opportunities for improvement;
- Raise awareness among banks, similar financial institutions and other stakeholders in the enforcement framework of their obligations and the sanctions incurred;
- Assess the impact of terrorist activities on the achievement of the Sustainable Development Goals (SDGs) in Africa;
- Encourage academicians and other researchers to research issues related to terrorist activities;

## V- Expected results

- Participants will be enlightened on the development of terrorist activities in West and Central Africa;
- Participants will be made aware of the importance of combating money laundering and financing of terrorism;

- The impact of the fight against money laundering and financing of terrorism on economic growth will be known;
- The strengths and weaknesses of the counter-terrorism framework will be known;

**VI- Speakers at the Conference**

- 1- **Pr. Grégoire JIOGUE**, Senior Professor at the University of Yaoundé II (Cameroon), Teacher at the Yaoundé International School of War Studies;
- 2- **Mr. Martial ADJAH**I, Expert in International Banking and Finance, Judicial Expert at the Cotonou Court of Appeal, Expert in Banking Regulation and Fight against Money Laundering;
- 3- **Colonel Fulbert IBARA**, Doctor of Economics, Real Estate Expert, Judicial Expert at the Court of Appeal of Brazzaville, International Consultant, Director of the CExL.3<sup>E</sup> Law Firm;
- 4- **Mr. Cheikh Mouhamadou Bamba NIANG**, Senior Magistrate, member of CENTIF Senegal, Co-Chair of the GIABA Evaluation and Compliance Working Group (GEC);
- 5- **Dr SOCKENG Roger**, Super Scale Magistrate group 1, Counselor at the Supreme Court Yaoundé (Cameroon), trainer in business law.

**VII- Date, timeframe and duration of the Conference**

**Date:** 16 May 2023  
**Hours:** 12:00-17:00 (East Africa)  
 10:00 -15:00 (Cameroon, Benin)  
 09:00 - 14:00 (Senegal)  
**Duration:** 5 hours

**VIII- Participation in the Conference**

**Online registration link:** .....

**NOTE: The login and participation code will be sent to you automatically after registration.**