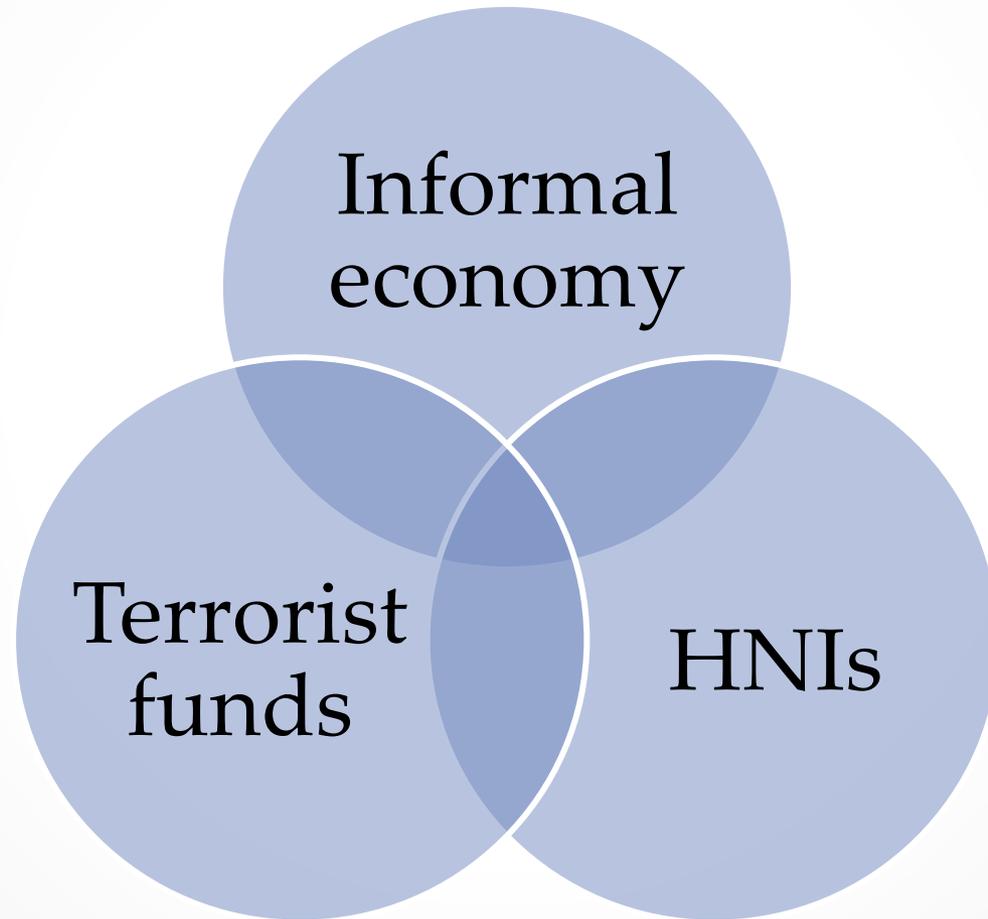




International convention for the suppression of terrorism financing

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Relevance of the Instrument



Signatories

International convention for the suppression of terrorism financing

Entry into Force: 2002

Signatories: 189

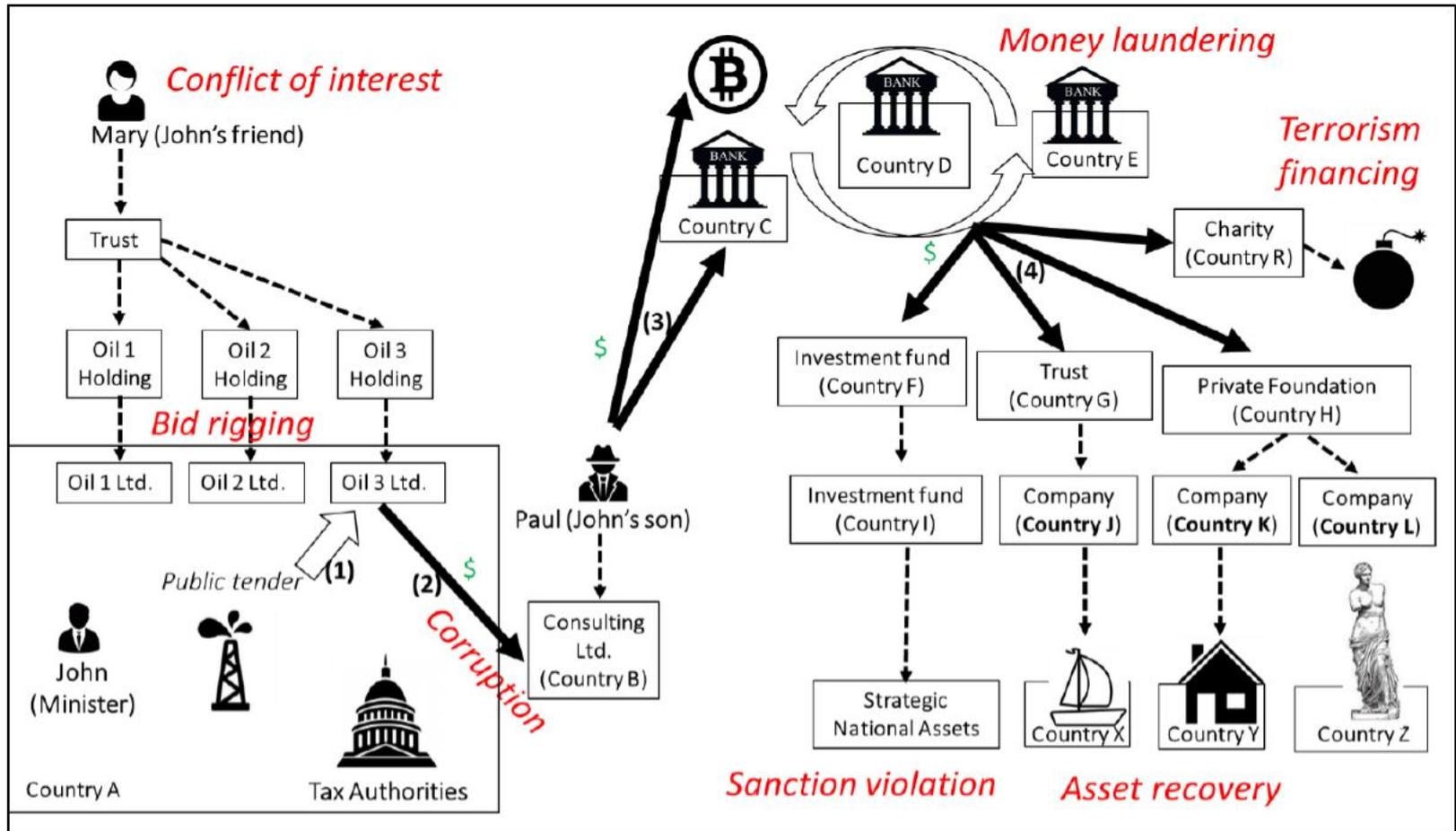
Parties: 132

Exchange of Information

Preventive Financial Measures

Extradition and Mutual Legal Assistance

Sample Process for Hiding Assets Overseas



- Source: Andres Knobel (2020)

West African States particularly affected

2020 figures

Burkina Faso - 921,000 forced to flee as of June 2020

Mali - 240,000 people internally displaced with 54% of them women

Niger - 489,000 forced to flee

Nigeria – 7.7 million require emergency assistance

“The growing linkages between terrorism, organized crime and intercommunal violence cannot be overemphasized” - Mohamed Ibn Chambas, Head of the United Nations Office for West Africa and the Sahel (UNOWAS)

West African States particularly affected

FATF Report on Terrorist Financing in West Africa found the following vulnerabilities:

Lack of capacity to detect suspicious transactions

Large, cash-based, informal economy

Porous borders

Domestic and international information sharing among ECOWAS states remains weak

Offences under the Convention (Art. 2)

Any person commits an offence within the meaning of this Convention if that person by any means, directly or indirectly, unlawfully and wilfully, provides or collects funds with the intention that they should be used or in the knowledge that they are to be used, in full or in part, in order to carry out:

(a) An act which constitutes an offence within the scope of and as defined in one of the treaties listed in the annex; or

(b) Any other act intended to cause death or serious bodily injury to a civilian, or to any other person not taking an active part in the hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act.

Offences under the Convention

Convention for the Suppression of Unlawful Seizure of Aircraft, done at The Hague on December 16, 1970.

Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on September 23, 1971.

Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on December 14, 1973.

International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on December 17, 1979.

Convention on the Physical Protection of Nuclear Material, adopted at Vienna on March 3, 1980.

Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on February 24, 1988.

Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on March 10, 1988.

Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on March 10, 1988.

International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on December 15, 1997.

Questions for Consideration

- Which of these offences are recognized in the domestic laws of your countries?
- Are there any which are not yet recognized?
- What have been the challenges in doing so?

Channels of Terrorist Financing

Trade and other lucrative activities

NGOs, charity organisations, and levies

Smuggling of arms, assets and currencies by cash couriers

Drug trafficking

Case Studies can be accessed here (p 20-34):

<http://www.fatf-gafi.org/media/fatf/documents/reports/TF-in-West-Africa.pdf>

Asset freezing and confiscation

Article 8: State Parties
have to take
appropriate measures
for the identification,
detection, freezing or
seizure and forfeiture
of any funds used for
terror financing

Parties are
encouraged to
conclude agreements
with other Parties of
the funds derived
from forfeitures;

And share these
funds with the
victims or their
families

Preventive Measures: Financial Reporting

Article 18(1)(b): Obligations
on financial institutions

Prohibit the opening of
accounts the holders or
beneficiaries of which are
unidentified

Verify existence and
identification of legal
entities including proof of
incorporation, including
information concerning the
customers name, legal
form, address, directors
and provisions regulating
the power to bind the entity

Report all complex,
unusual large transactions
and unusual patterns of
transactions, without them
needing to fear assuming
criminal or civil liability for
breach of any restriction on
disclosure of information if
they report their suspicions
in good faith

Preventive Measures: Exchange of Information

Article 18(2):
Cooperation for (i)
Licensing all money
transmission agencies
(ii) Detect physical
cross-border transport
of cash and bearer
negotiable instruments

Article 18(3): exchange
information to prevent
offences

Cooperate in
conducting inquiries
relating to movement
of funds and persons

Parties may also
exchange information
through Interpol

Questions for discussion

- What have been the successful experiences with regard to
 - Utilisation of Suspicious Transaction Reports?
 - Freezing of funds used for terror financing?
 - Exchange of information with other countries in this regard?
- Any other aspects of this instrument.

Thank You!

Contact us at
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