

16 January 2023

UKRAINE ADDS 198 PEOPLE TO ITS SANCTIONS LISTS

On 16 January, the EU Sanctions blog reported that Ukraine had added another 198 Russian and Belarussian citizens to its existing sanctions lists.

<https://www.europeansanctions.com/2023/01/ukraine-adds-198-people-1-entity-to-sanctions-list/>

STUDY SAYS CLIMATE CHANGE TO COST PORTS BILLIONS THROUGH DISRUPTION

On 16 January, Loadstar reported that an analysis of some 1,340 ports by researchers at the Environmental Change Institute (ECI) found 40% are exposed to 'maritime' hazards, including tropical storms and flooding; with estimated costs of around \$7.5 billion.

<https://theloadstar.com/climate-disruption-set-to-cost-ports-billions-says-new-study/>

UK: FAQ ON CHANGEOVER TO CUSTOMS DECLARATION SYSTEM (CDS)

The Institute of Export and International Trade has available a set of FAQ on the, delayed, changeover from CHIEF to the new CDS imports/exports declaration system from HMRC.

https://www.export.org.uk/page/CDS_FAQs/#CDSdeadline

THE EFFECT OF THE RUSSIAN SANCTIONS REGIME ON CIVIL PROCEEDINGS IN THE BVI COURTS AND, IN PARTICULAR, THE PRACTICAL DIFFICULTIES OF PURSUING AND/OR DEFENDING SUCH CLAIMS

On 10 January, an article from Conyers is said to be the first in a series, and the first article concerns the legislative framework of the sanctions regime in effect in the BVI, the prohibitions in effect under the legislation and the application of the sanctions regime beyond the UK Consolidated List of designated individuals and entities. The second article will consider various exceptions to the prohibitions and licensing grounds. The third article will consider some recent decisions on sanctions from the English and BVI courts.

<https://www.conyers.com/publications/view/uk-russian-sanctions-regime-and-bvi-contentious-proceedings-a-series/>

CAYMAN PRESENTS TO FATF ON FINAL AML RECOMMENDED ACTION

On 16 January, an article from the Cayman Islands Government advised that a Cayman Islands delegation has updated a FATF review group on our money-laundering investigations and prosecutions, to demonstrate the Cayman Islands' capability and capacity for fighting financial crimes.

<https://www.mondaq.com/caymanislands/financial-services/1271240/cayman-presents-to-fatf-on-final-aml-recommended-action>

ISLE OF MAN: 3 SANCTIONS NEWS RELEASES

On 16 January, the Isle of Man issued 3 news releases advising of changes to various sanctions regimes – one notified an amendment to 1 entry on the Syrian sanctions list; a second advised of Mohammad Jafar MONTAZERI being added to the Iran sanctions list; and a third corrected 1 entry on the Russia sanctions list.

<https://www.gov.im/news/2023/jan/16/financial-sanctions-syria/>

<https://www.gov.im/news/2023/jan/16/financial-sanctions-iran-human-rights/>

<https://www.gov.im/news/2023/jan/16/financial-sanctions-russia/>

UK TAX STATISTICS: AN OVERVIEW

On 16 January, a briefing from the House of Commons Library provides an overview of tax statistics, trends, forecasts etc.

<https://researchbriefings.files.parliament.uk/documents/CBP-8513/CBP-8513.pdf>

UK ARMS EXPORTS: STATISTICS

On 16 January, the House of Commons Library provides an overview of tax statistics, trends, where exports go etc.

<https://researchbriefings.files.parliament.uk/documents/CBP-8310/CBP-8310.pdf>

THE PRIVY COUNCIL: HISTORY, FUNCTIONS AND MEMBERSHIP

On 16 January, the House of Commons Library published a briefing paper on the work of the Privy Council, of which there are several, the most important of these is the Judicial Committee (which acts as the ultimate court of appeal for several jurisdictions), while other standing committees advise on matters relating to the Channel Islands, universities and Royal Charters. Larger meetings

of the Privy Council are rare. A fuller Council only convenes to proclaim a new monarch or upon the announcement of a reigning sovereign's intention to marry.

<https://researchbriefings.files.parliament.uk/documents/CBP-7460/CBP-7460.pdf>

UK: NEW GUIDANCE TO HELP FRONTLINE GOVERNMENT STAFF SUPPORT PEOPLE VULNERABLE TO ECONOMIC ABUSE

On 16 January, the Cabinet Office announced that it had issued a new toolkit to help frontline public sector staff identify and signpost support for economic abuse victims. The abuse is defined as when an individual's ability to acquire, use and maintain economic resources are taken away by someone else in a coercive or controlling way.

<https://www.gov.uk/government/news/civil-servants-given-tools-to-spot-economic-abuse-victims>

RUSI: "GIVE BANKS NAMES OF FAR-RIGHT EXTREMISTS"

On 16 January, an article in the Evening Standard reported on a report from RUSI which says that existing counter terrorism financing laws were designed to tackle the Islamist threat and are ill-suited to combating the danger from far-right extremists, who tend to be "self-activating" and "operationally autonomous".

<https://www.standard.co.uk/news/uk/far-right-terrorism-uk-royal-united-services-institute-report-b1053349.html>

LockBit GANG USING MUSK'S INTERNET SERVICES, LAUNDERING BitCoin IN HONG KONG AND CHINA

On 16 January, OCCRP reported that a security strategist who spent months undercover on the darkweb had published a report that offers insight into one of the world's most notorious ransomware groups, claiming its members are using internet services owned by billionaire Elon Musk and laundering money through Hong Kong and China.

<https://www.occrp.org/en/daily/17244-lockbit-gang-using-musk-s-internet-services-laundering-bitcoin-in-hong-kong-china>

COUNTERFEIT TOBACCO PRODUCTS WORTH €17 MILLION SEIZED IN FRANCE

On 16 January, a news release from Europol advised that officers from the French National Gendarmerie raided a location in France, which was found to be an underground factory for

counterfeit tobacco. The investigation was initiated as a result of information shared with France by Europol at the end of 2022.

<https://www.europol.europa.eu/media-press/newsroom/news/counterfeit-tobacco-products-worth-eur-17-million-seized-in-france>

UK: A RECENT TRIBUNAL JUDGMENT CONTAINS SOME HELPFUL ANALYSIS FOR GAMBLING OPERATORS AND THEIR ADVISERS

On 13 January, an article from Local Government Lawyer reported that, in recent years the Gambling Commission has handed down some significant financial penalties for breaches of operating licences. This article looks at the recent appeal by Daub Alderney against a penalty imposed by the Commission.

<https://www.localgovernmentlawyer.co.uk/licensing/316-licensing-features/52650-penalties-for-gambling-breaches>

BANK BEATS 'NOVEL' ATTEMPT TO USE *QUINCECARE* TO BENEFIT CREDITORS OF FAILED FIRM

On 16 January, an article from Out-Law reported that the UK Supreme Court has rejected an appeal from the liquidators of an overseas bank which argued that HSBC failed in its duty of care over disputed payments to some of the defunct company's creditors.

<https://www.pinsentmasons.com/out-law/news/bank-beats-attempt-quincecare-benefit-creditors-failed-firm>

OVERVIEW OF EU INTERNAL MARKET AND CONSUMER PROTECTION-RELATED LEGISLATION

On 16 January, a briefing from the EU Parliament Research Service provides a graphic overview on core legislation in the area of the Internal Market and Consumer Protection. The presentation essentially covers the areas within the responsibility of the Committee on Internal Market and Consumer Protection, but also displays neighbouring areas of other Committees' competences which are closely connected to and impacting on IMCO's work. This document was provided by the Policy Department for Economic, Scientific and Quality of Life Policies and the Secretariat of the Committee on Internal Market and Consumer Protection (IMCO) at the request of the Committee on Internal Market and Consumer Protection.

[https://www.europarl.europa.eu/RegData/etudes/STUD/2023/740062/IPOL_STU\(2023\)740062_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2023/740062/IPOL_STU(2023)740062_EN.pdf)

TURKIYE HALK BANKASI AS v UNITED STATES, PART 2: WHAT TO DO IF THE FSIA DOES NOT APPLY?

On 13 January, Lawfare published the second of 2 posts on this current case in the US, which is due to be argued before the Supreme Court on 17 January. The Court will likely decide whether and to what extent the Foreign Sovereign Immunities Act (FSIA) applies to criminal proceedings. The post asks, if FSIA does not address the immunity of foreign sovereigns in criminal cases, what law, if any, would govern such immunity.

<https://www.lawfareblog.com/turkiye-halk-bankasi-v-united-states-part-2-what-do-if-fsia-does-not-apply>

<https://www.scotusblog.com/2023/01/justices-will-weigh-u-s-attempt-to-prosecute-turkish-bank-accused-of-dodging-sanctions/>

REPORT: BRIBERY - THE FIGHT AGAINST CORRUPTION AND TRANSNATIONAL BRIBERY

The French branch of the International Law Association (ILA) has published a White Paper drawing on interviews with a dozen practitioners, civil society members, academics, members of multilateral organisations, and activists. It offers a perspective on 3 fundamental questions: How did the fight against corruption progress in the last 15 years; what are the chief barriers to fighting corruption today; and, how to overcome them and take the fight to the next level. On 16 January, a post on the always useful FCPA Blog advised that the ILA is currently accepting comments on the White Paper, which can be sent to it until 31 January.

<https://www.ilaparis2023.org/wp-content/uploads/2022/09/ADI-ILA-corruption-VHD-EN.pdf>

<https://fcpublog.com/2023/01/16/calls-for-comments-on-the-ilas-white-paper-on-corruption/>

UK: GOLDEN VISA STATEMENT BY THE HOME SECRETARY “ISN’T ENOUGH”

On 12 January, the Home Secretary made a statement, saying that, following the Salisbury poisonings in 2015, the then Home Secretary committed to a review of individuals who had entered the UK under the Tier 1 (Investor) immigration route, prior to reforms made in 2015. The statement included the recognition that the UK’s openness to global business carries risks that malign actors will take advantage of systems to pursue corrupt and criminal ends. In response, Spotlight on Corruption welcomed the government’s commitment to Parliament that it will never

again have a visa scheme based solely on wealth, but said it was disappointed that the full review has not been published and the statement lacks critical details (which it itemises).

<https://questions-statements.parliament.uk/written-statements/detail/2023-01-12/hcws492>

<https://www.spotlightcorruption.org/golden-visa-statement-isnt-enough/>

JPMORGAN CLOSES WEBSITE IT PAID \$175 MILLION FOR, ACCUSES FOUNDER OF INVENTING MILLIONS OF ACCOUNTS

On 12 January, CNBC reported that JPMorgan had shut down the website for a college financial aid platform it bought for \$175 million after alleging that the company's founder created nearly 4 million fake customer accounts.

<https://www.cnn.com/2023/01/12/jpmorgan-chase-shutters-student-financial-aid-website-frank.html>

FRENCH RIVIERA REALTORS INVESTIGATED OVER SANCTIONS COMPLIANCE

On 12 January, BNN Bloomberg reported that French authorities have said that they are investigating real-estate agents along the French Riviera to verify whether they complied correctly with sanctions targeting some of their rich Russian clients. It says that the fraud office is focusing on estate agencies in the Alpes-Maritimes — and says that 60% of the agencies audited were either unaware of their obligations with regard to sanctions, or didn't carry them out.

<https://www.bnnbloomberg.ca/french-riviera-realtors-investigated-over-sanctions-compliance-1.1869256>