

14 March 2023

CHINA: SEVERE PUNISHMENT AFFIRMED FOR COUNTERFEITING "BORDEAUX" COLLECTIVE WINE TRADEMARK

On 9 March, HFG Law & Intellectual Property reported that a court in Shanghai had upheld a 3-year sentence and fine for the crime of counterfeiting the collective trademark "Bordeaux". Over 60,000 bottles of counterfeit Bordeaux wines were found to have been produced in about 2 years.

<https://www.mondaq.com/china/trademark/1289034/ip-china-severe-punishment-affirmed-for-counterfeiting-bordeaux-collective-trademark>

PANAMA: 2 MEN, INCLUDING A FORMER DIRECTOR OF THE NATIONAL POLICE, JAILED FOR THE IRREGULAR PURCHASE AND LOSS OF SPY EQUIPMENT

On 13 March, Newsroom Panama reported that a court had found a former director of the defunct National Aid Program (PAN), and a former director of the National Police guilty in a \$10 million case involving embezzlement and the purchase of highly sensitive security equipment. The case followed a complaint lodged in 2014.

<https://www.newsroompanama.com/news/10-years-jail-time-for-missing-spy-equipment>

INDIA'S BIG LITHIUM FIND FUELS HOPES AND FEARS IN JAMMU AND KASHMIR

On 14 March, Nikkei Asia reported that lithium deposits had been found in the Pir Panjal mountain range in the troubled Indian border region of Jammu and Kashmir.

<https://asia.nikkei.com/Business/Markets/Commodities/India-s-big-lithium-find-fuels-hopes-and-fears-in-Jammu-and-Kashmir>

BVI: ASSESSORS FROM THE IMF AND CFATF IN BVI NEXT WEEK TO CONDUCT THE FOURTH ROUND OF AML/CFT MUTUAL EVALUATION

On 13 March, a news release from the BVI Government announced that the 10-member team comprises experts from the IMF and the CFATF, and will conduct a thorough examination of the BVI's AML/CFT regime over a period of several weeks. BVI received its last CFATF assessment in 2008.

<https://bvi.gov.vg/media-centre/assessors-arrive-bvi-conduct-fourth-round-mutual-evaluations-cfatf>

UK: SRA ACCUSES FORMER LEGAL AID FIRM BOSS OF 'UTTERLY BRAZEN FRAUD'

On 13 March, the Law Society Gazette reported on the tribunal case involving the former head one of Britain's biggest legal aid firms, who is accused of 'utterly brazen fraud' against the Legal Aid Agency. The Solicitors Disciplinary Tribunal began hearing allegations by the Solicitors Regulation Authority and involving a now-closed law firm.

<https://www.lawgazette.co.uk/news/sra-accuses-former-legal-aid-boss-of-utterly-brazen-fraud/5115419.article>

EU: RUSSIA SANCTIONS – ENTRIES FOR 171 INDIVIDUALS AND 65 ENTITIES AMENDED, AND ENTRIES FOR 3 DECEASED PERSONS AND 2 DUPLICATE ENTRIES DELETED

EU Regulation 2023/571/EU amends the relevant Annex to EU Regulation 269/2014/EU to amend a total of 236 existing entries, as well as deleting entries relating to 3 deceased persons and 2 duplicate entries.

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.LI.2023.075.01.0001.01.ENG&toc=OJ%3AL%3A2023%3A075I%3ATOOC>

<https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:OJ.LI.2023.075.01.0134.01.ENG&toc=OJ:L:2023:075I:TOC>

HMRC'S NEW GUIDELINES FOR COMPLIANCE: WHAT LARGE BUSINESSES NEED TO KNOW

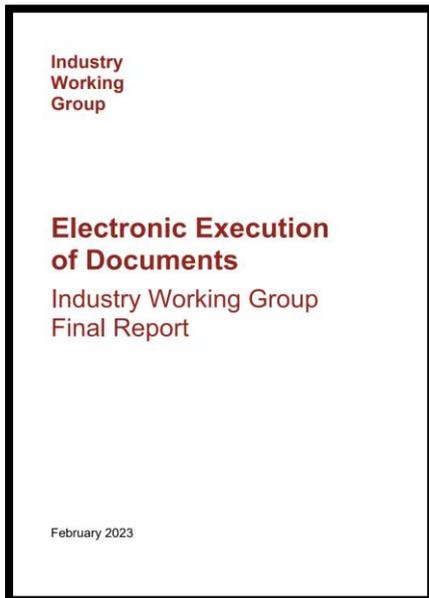
On 13 March, an article from Out-Law advised that HMRC has introduced a new category of guidance for UK taxpayers called Guidelines for Compliance (GFC) following a 2021 review. To be developed and introduced over time, they are said to be designed to "mitigate uncertainty" and to "provide practical guidance and greater transparency on the approaches HMRC regards as higher or lower risk". So far, 2 GFC have been issued – one relating to PAYE and the latest on the apportionment of consideration for VAT purposes.

<https://www.pinsentmasons.com/out-law/analysis/hmrCs-guidelines-compliance-large-businesses>

UK: FINAL REPORT OF EXPERT INDUSTRY WORKING GROUP ON ELECTRONIC EXECUTION OF DOCUMENTS

On 14 March, the MoJ published this final report which includes recommendations for reform including recommendations for enhanced certification and self-certification, and a uniformity of approach to e-signing and online identification. One of the aims of the working group involved was

to look at how best to use electronic signatures to optimise their benefits when set against the risk of fraud.



https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1142597/electronic-execution-documents-iwg-final-report.pdf

EU: IMPORT, EXPORT AND TRANSIT MEASURES FOR FIREARMS

On 14 March, the EU Parliament Research Service published this briefing which explains changes proposed to controls. A proposed EU Regulation would pursue 3 main objectives: a) neutralising the risks of trafficking at import and export; b) ensuring traceability in the firearms trade, based on systematic written information; and c) promoting efficient implementation of controls. It would replace the current Regulation and extend the material scope to exports, provide for consistent interpretation of rules across Member States, and allows for the flow of data at EU level.

[https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/745669/EPRS_BRI\(2023\)745669_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/745669/EPRS_BRI(2023)745669_EN.pdf)

ART, ANTIQUITIES AND FATF

An article from Rahman Ravelli on 14 March considered the recent FATF publication, saying that the report is likely to go some way towards boosting awareness of the risks that exist in the art and antiquities market. It identifies common risk factors that will help lawyers who advise participants in the market, financial institutions, those involved in related enforcement proceedings and those working with law enforcement authorities on such matters.

<https://www.rahmanravelli.co.uk/articles/art-antiquities-and-the-financial-action-task-force/>

MONACO'S PROBE INTO LEBANESE CARETAKER PM MIKATI'S ALLEGED MONEY LAUNDERING UNDERWAY

On 14 March, Naharnet reported that, 2 years ago, the “Pandora Papers” claimed that Mikati owned a Panama-based offshore company that he used to buy property in Monaco in 2008 worth more than \$10 million. In 2019, he was charged for illicit enrichment in relation to subsidised housing loans but the Lebanese judiciary dropped the case in 2022.

<https://www.naharnet.com/stories/en/296244-report-monaco-s-probe-into-mikati-s-alleged-money-laundering-underway>

TURKIYE BLOCKS PASSAGE OF SANCTIONED GOODS TO RUSSIA

On 13 March, Insurance Marine News reported that, with effect from 1 March, Turkiye had stopped the transit of sanctioned goods through Turkish waters (or over land) to Russia.

<https://insurancemarineneews.com/insurance-marine-news/turkiye-blocks-passage-of-sanctioned-goods-to-russia-report/>

OUTGOING PRESIDENT OF MICRONESIA ACCUSES CHINA OF BRIBERY, THREATS AND INTERFERENCE

On 10 March, the Guardian reported claims that China is engaged in “political warfare” in the Pacific, bribing elected officials in Micronesia. The outgoing President even alleged that it had been “direct threats against my personal safety”. He claimed that that China’s goal in interfering in the Federated States of Micronesia (FSM) was to render the country neutral in any potential Pacific war.

<https://www.theguardian.com/world/2023/mar/10/outgoing-president-of-micronesia-accuses-china-of-bribery-threats-and-interference>

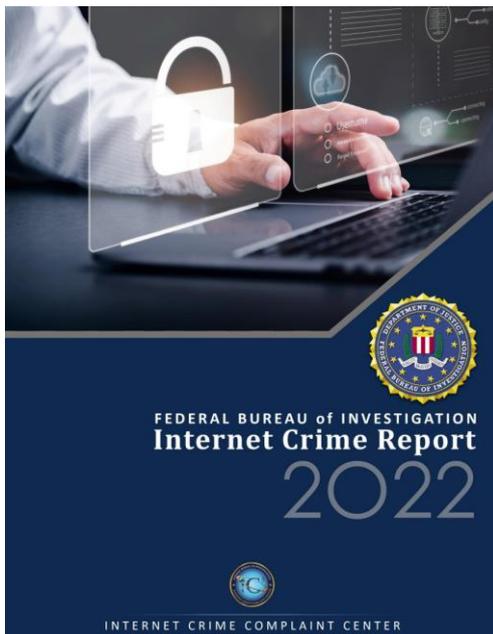
GULNARA KARIMOVA: HOW UZBEK PRESIDENT’S DAUGHTER BUILT A £200 MILLION PROPERTY EMPIRE

On 13 March, the BBC published an article about a report which says that the dictator's daughter who moonlighted as a pop star and diplomat spent £200 million on properties from London to Hong Kong. It says that the story raises fresh doubts about the UK's efforts to tackle illegal wealth.

<https://www.bbc.com/news/world-64915348>

FBI 2022 INTERNET CRIME REPORT

This report says, among other things, that while the number of reported ransomware incidents has decreased, the FBI knows not everyone who has experienced a ransomware incident has reported it. It says that because cyberattacks and cyber-enabled frauds continue to affect everyday lives, the FBI's Internet Crime Complaint Center (IC3) is critical to combatting the cyber threat. The IC3 serves as a public resource to submit reports of cyberattacks and incidents, which allows us to collect data, identify trends, and pursue the threat at hand. In 2022, the IC3 received 800,944 complaints, which is a 5% decrease from 2021. However, the potential total loss has grown from \$6.9 billion in 2021 to more than \$10.2 billion in 2022.



https://www.ic3.gov/Media/PDF/AnnualReport/2022_IC3Report.pdf

UK: HIGH COURT HAS REJECTED THE FIRST CHALLENGE TO A UK SANCTIONS LISTING

On 14 March, the EU Sanctions blog reported that the High Court had rejected an application brought by a Belarus technology company called LLC Synesis, which is also subject to EU and US sanctions.

<https://www.europeansanctions.com/2023/03/first-judgment-on-de-listing-case-under-uk-sanctions-act-synesis/>

US: WHITE SUPREMACIST PROPAGANDA INCIDENTS REACH ALL-TIME HIGH IN 2022

On 13 March, Homeland Security Today reported that the Anti-Defamation League annual assessment had recorded 6,751 incidents in 2022, a 38% increase over the previous year; and that

reported incidents of explicitly antisemitic propaganda more than doubled. 3 white supremacist groups were responsible for 93% of the activity.

<https://www.hstoday.us/subject-matter-areas/counterterrorism/white-supremacist-propaganda-incidents-reach-all-time-high-in-2022/>

GUIDE TO ANTI-CORRUPTION LEGISLATION IN ASIA PACIFIC

Law firm Clifford Chance has published the latest version of this guide. It says that businesses need to ensure that they are compliant with applicable anti-corruption laws in each of the countries in which they operate as well as with applicable international anti-corruption legislation with extraterritorial reach, such as the US Foreign Corrupt Practices Act and the UK Bribery Act. This guide sets out the legislative anti-bribery framework in 13 major jurisdictions across Asia Pacific and, in its Annexes it has summarised the provisions of the FCPA and the Bribery Act, which are major pieces of anti-bribery legislation that has extraterritorial reach. For each jurisdiction, the guide also offers insight and analysis in relation to the enforcement of the relevant legislation.

<https://www.cliffordchance.com/content/dam/cliffordchance/briefings/2023/03/asia-pacific-anti-corruption-guide-7th-edition.pdf>

GIBRALTAR: MONEY LAUNDERING TRIAL OF ASSAD'S UNCLE HIGHLIGHTS GIBRALTAR LINKS

On 13 March, GBC reported that the money laundering trial of Rifaat Al Assad, the uncle of the Syrian President, has begun at Madrid's High Court, and it said that the prosecutor has highlighted corporate frameworks in Gibraltar, which he used to acquire hundreds of millions of pounds worth of assets.

<https://www.gbc.gi/news/money-laundering-trial-former-owner-6-9-europort-rifaat-al-assad-prosecutor-highlights-gibraltar-fra>

<https://www.buymeacoffee.com/KolvM842y>

