

**30 NOVEMBER 2023**

### **ORGANISED CRIME IN AFRICA INDEX 2023**

On 24 November, ENACT Africa has released the latest version of this Index, which ranks the 54 countries on the continent according to their levels of criminality on a score from 1 to 10 (lowest to highest levels of criminality) and according to their levels of resilience to organised crime from 1 to 10 (lowest to highest resilience levels).

<https://enactafrica.org/research/organised-crime-index>

### **GOLD SCAMS IN KENYA**

On 22 November, ENACT Africa reported on such scams, starting with one example of the many examples of smuggling and scamming in Kenya's gold industry. It is claimed that scams involving gold are an illicit market to rival actual smuggling. It warns that it can involve State officials' – such as in one of Kenya's largest scams, reportedly involving a Kenyan senator and a businessperson-turned-politician who allegedly defrauded an Emirati company of \$2 million in 2016-19.

<https://enactafrica.org/enact-observer/fools-for-gold-grifters-in-kenya>

### **SAFEGUARDING SOUTH AFRICA'S ILLEGALLY TRADED SUCCULENTS**

On 21 November, ENACT Africa published a Paper about the illegal market for succulent flora from South Africa and a strategy to address the crisis.

<https://enactafrica.org/research/research-papers/growing-growing-gone-safeguarding-south-africas-illegally-traded-succulents>

<https://enactafrica.org/enact-observer/protecting-south-africa-s-precious-succulents-from-illegal-traders>

### **HACKERS TURNED WHISTLEBLOWERS: SEC CYBERSECURITY RULES WEAPONIZED IN RANSOM THREAT**

On 28 November, a post from the Compliance and Enforcement blog at the Program on Corporate Compliance & Enforcement from the New York University School of Law looked at a recent case in the US where a hacker breached a software company's information systems, exfiltrated data and demanded payment in exchange for not publicly releasing the stolen data. It says that while this type of cybersecurity incident has become increasingly common, the threat actor's next move was less predictable. The hacker filed a whistleblower tip with the SEC against its victim for failing to publicly disclose the cybersecurity incident. It is said that exploitation of their target's public disclosure

obligations (which actually only apply from 18 December) is a further escalation in a steadily increasing trend of pressure tactics by leading ransom groups. The intention being to leverage the SEC's regulations by increasing the cost to their targets of refusing to pay ransom.

[https://wp.nyu.edu/compliance\\_enforcement/2023/11/29/hackers-turned-whistleblowers-sec-cybersecurity-rules-weaponized-over-ransom-threat/](https://wp.nyu.edu/compliance_enforcement/2023/11/29/hackers-turned-whistleblowers-sec-cybersecurity-rules-weaponized-over-ransom-threat/)

### **IRAN CLAIMS ANNUAL ARMS EXPORTS TOTAL \$1 BILLION**

On 13 November, the Wisconsin Project reported that Iran's Deputy Defence Minister had said that his country's arms exports totalled about \$1 billion in the year ending March 2023.

<https://www.iranwatch.org/news-brief/irans-annual-arms-exports-total-1-billion>

### **THE PRIVATE COMPANIES PROPELLING IRAN'S DRONE INDUSTRY**

On 29 November, the Wisconsin Project reported on the Iranian drone manufacture "ecosystem", and said that while the major players in this industry are relatively well understood, one type of entity is making a valuable but largely overlooked contribution to the industry: the privately-owned knowledge-based company. It has been claimed that several thousand such companies are working with the Defence Ministry, and provide the industry with substantial human capital and technical expertise.

<https://www.iranwatch.org/our-publications/articles-reports/private-companies-propelling-irans-drone-industry>

### **PAKISTAN: MONEY LAUNDERING LINKED TO SOLAR PANELS IMPORTS**

On 30 November, the Express Tribune reported that 2 importers of solar panels were involved in a money laundering scheme after an internal investigation revealed the involvement of 5 commercial banks in transferring funds to destinations like Switzerland and Singapore, in a trade-based money laundering operation. Meanwhile, it is also reported that the State Bank of Pakistan has imposed monetary penalties on several unnamed banks which did not raise "Red Flags Indicators" under the framework for managing risk for trade-based money laundering.

<https://tribune.com.pk/story/2448434/rs70b-money-laundering-uncovered>

<https://www.brecorder.com/news/40275936>

### **WESTERN SAHARA BRIEFING**

On 29 November, the House of Commons Library published a briefing, with the UK Government saying that it supports UN-led efforts to "reach a just, lasting, and mutually acceptable political

solution, based on compromise, which will provide for the self-determination of the people of Western Sahara”.

<https://researchbriefings.files.parliament.uk/documents/CBP-9906/CBP-9906.pdf>

### **EU: GUIDANCE ON SANCTIONS FIREWALLS IN THE AREA OF TRADE IN AGRICULTURAL AND FOOD PRODUCTS**

On 29 November, the EU published updated guidance supporting the implementation and recognition of firewalls (frameworks removing the control of designated persons) in the area of trade in agricultural and food products. The Guidance seeks to give practical guidance on compliance with EU sanctions while handling cases where an EU entity is owned or controlled<sup>1</sup> by a designated person. It seeks to ensure that EU law is applied consistently across the territory of the EU by setting out criteria relevant for Member States’ national competent authorities which are in charge of implementing sanctions.

[https://finance.ec.europa.eu/publications/guidance-firewalls\\_en](https://finance.ec.europa.eu/publications/guidance-firewalls_en)

### **SCOTLAND: SERIOUS ORGANISED CRIME TASKFORCE PROGRESS REPORT 2023**

On 30 November, the Scottish Government published this report



<https://www.gov.scot/binaries/content/documents/govscot/publications/progress-report/2023/11/serious-organised-crime-taskforce-progress-report-2023/documents/serious-organised-crime-taskforce-progress-report-2023/serious-organised-crime-taskforce-progress-report-2023/govscot%3Adocument/serious-organised-crime-taskforce-progress-report-2023.pdf>

### **UK: TAX AVOIDANCE AND THE GENERAL ANTI-ABUSE RULE (GAAR)**

On 29 November, an article from Out-Law said that the GAAR was introduced in 2013 to deter taxpayers from using tax avoidance schemes. It provides a statutory mechanism for HMRC to counteract tax avoidance arrangements which, although within the letter of the law, are not what was intended by Parliament.

<https://www.pinsentmasons.com/out-law/guides/the-uks-general-anti-abuse-rule>

## **ISLE OF MAN: FINANCIAL CRIME STRATEGY 2024-26**

The Order Paper for the December sitting of the Island's parliament included this Strategy, which covers the combatting of money laundering, terrorist financing, and financing the proliferation of weapons of mass destruction.



<https://www.tynwald.org.im/spfile?file=/business/opqp/sittings/20212026/2023-GD-0126.pdf>

## **UN AMENDS 5 NAMES ON LIBYA SANCTIONS LIST**

On 29 November, the UN announced that the relevant Security Council Committee had amended 5 entries on its sanctions list imposed under UN SCR 1970.

<https://press.un.org/en/2023/sc15508.doc.htm>

## **SAMOA: HOW THE PLAN TO ATTRACT CHINESE TOURISTS WENT AWRY**

On 29 November, RFA carried an article saying the plan also attracted “a dreamer and grifters”, and that a finance minister who took part in unauthorised launch of cryptocurrency exchange was replaced in September.

<https://www.rfa.org/english/news/pacific/samoa-china-11292023143348.html>

## **GOLD TRAFFICKING IN THE SAHEL**

The UN Office on Drugs & Crime has published this report as a threat assessment, saying that porous borders enable gold to be easily moved within the Sahel countries and smuggled out of the region, including to the UAE.



[https://www.unodc.org/documents/data-and-analysis/tocta\\_sahel/TOCTA\\_Sahel\\_Gold\\_v5.pdf](https://www.unodc.org/documents/data-and-analysis/tocta_sahel/TOCTA_Sahel_Gold_v5.pdf)

### **AUSTRALIAN BANKS UNITE TO DECLARE WAR ON SCAMMERS**

On 24 November, the Australian Banking Association reported that Australian banks have joined forces to launch a new Scam-Safe Accord to deliver a higher standard of protection for customers and put scammers out of business in Australia. This Accord, between Australia's community-owned banks, building societies, credit unions and commercial banks is a comprehensive set of anti-scam measures across the entire industry.

<https://www.ausbanking.org.au/new-scam-safe-accord/>

### **GAITANISTAS CRIMINAL GROUP "LICENSE" MIGRANT SMUGGLING IN COLOMBIAN DARIÉN GAP**

On 24 November, Insight Crime carried an article about a report from Human Rights Watch which has underlined the perilous situation faced by thousands of migrants as they cross the Darién Gap, one of the most dangerous migration routes in the world, now under the control of a Colombian criminal group. The *Gaitanistas*, also known as the Gaitanist Self-Defense Forces of Colombia (*Autodefensas Gaitanistas de Colombia* or AGC), a ruthless criminal organisation, dominate the Colombian side of the border. Meanwhile, the smaller criminal gangs that control the Panamanian side have subjected migrants to systematic violence and assaults.



<https://insightcrime.org/news/hrw-gaitanistas-lmigrant-smuggling-colombian-darien-gap/>

### **CRYPTO SCAM: INSIDE THE BILLION-DOLLAR “PIG BUTCHERING” INDUSTRY IN ASIA**

On 23 November, a Special Report from Reuters was concerned with fraudulent crypto investment schemes directed from Asia, saying that little is known about those who benefit. Reuters traced at least \$9 million linked to such scams to an account registered to a well-connected representative of a Chinese trade group in Thailand.

<https://www.reuters.com/investigates/special-report/fintech-crypto-fraud-thailand/>

### **THE DARK CONNECTION BETWEEN SCAM CENTRES AND HUMAN TRAFFICKING**

On 24 November, a report from the Mekong Club NGO says that workers travel to foreign destinations in response to job ads. They arrive only to find themselves caught in a trap. The vulnerable inbound workers have their passports taken from them and are forced into scam operations. These are scam centres run by human trafficking criminal networks. This is a new form of forced labour slavery called ‘forced scamming’. They may also be subject to what is called ‘harmcore’, where they are subjected to acts of abuse and torture in front of the cameras, with the videos capturing their anguish sold to internet users for profit, perpetuating the cycle.

<https://themekongclub.org/blog/economic-terrorism-the-dark-connection-between-scam-centres-and-human-trafficking>

### **NETHERLANDS: ONLINE GAMBLING SITE BetCity FINED €3 MILLION FOR POOR MONEY**

#### **LAUNDERING SAFEGUARDS**

On 30 November, NL Times reported that Betend, the company behind the gambling site BetCity, had been fined because it does not do enough to prevent money laundering. According to the Gambling Authority, the company did not make sufficient improvements after a previous warning.

<https://nltimes.nl/2023/11/30/online-gambling-site-betcity-fined-eu3-mil-poor-money-laundering-safeguards>

### **NORTH KOREA EARNS MILLIONS EVERY YEAR FROM SELLING FISHING RIGHTS TO CHINESE COMPANIES**

On 30 November, NK News reported that North Korean authorities are earning millions of dollars each year by selling fishing rights to Chinese fishing companies. The Chinese fishing companies working in North Korean waters are under the protection of the North Korean coast guard.

<https://www.dailynk.com/english/n-korea-earns-millions-every-year-from-selling-fishing-rights-to-chinese-companies/>

**SOUTH KOREA: “UNCOMMON” FOR NORTH KOREAN DEFECTORS TO FACE LEGAL ACTION OVER THE TRANSFER OF SMALL SUMS OF MONEY TO FAMILY MEMBERS IN THE DPRK**

On 30 November, NK News reported that, in the light of police inquiries, a ministry had reasserted the government’s long-standing position of allowing the money transfers on humanitarian grounds. At least 2 South Korean police agencies have recently investigated defectors over money transfers to family members, and defectors have to rely on brokers to facilitate these transactions.

<https://www.nknews.org/2023/11/seoul-defends-defector-remittances-to-north-korea-as-police-probes-raise-concern/>

**OFAC TARGETS NORTH KOREA INTERNATIONAL AGENTS AND ILLICIT CYBER INTRUSION GROUP**

On 30 November, OFAC advised that, in coordination with foreign partners, it has sanctioned 8 foreign-based DPRK agents that facilitate sanctions evasion, including revenue generation and missile-related technology procurement that support the DPRK’s WMD programs. Additionally, OFAC sanctioned cyber espionage group Kimsuky for gathering intelligence to support the DPRK’s strategic objectives.

[https://ofac.treasury.gov/recent-actions/20231130\\_33](https://ofac.treasury.gov/recent-actions/20231130_33)

<https://home.treasury.gov/news/press-releases/jy1938>

<https://globalsanctions.co.uk/2023/11/us-designations-in-relation-to-iranian-military-financial-facilitation-n-korean-cyber-designations/>

**UN GRANTS HUMANITARIAN EXEMPTION TO LIBYAN SANCTIONS TO 2 INDIVIDUALS**

On 29 November, the UN announced that the relevant Sanctions Committee had granted humanitarian exemption to Safia Farkash al-Barassi and Mohammed Muammar Qadhafi, to run from 1 December to 31 May 2024.

<https://press.un.org/en/2023/sc15507.doc.htm>

**OFAC TAKES THIRD ACTION AGAINST CJNG TIMESHARE FRAUD NETWORK CENTRED IN PUERTO VALLARTA**

On 30 November, OFAC advised that it had sanctioned 3 Mexican individuals and 13 Mexican companies. These individuals and companies are linked, directly or indirectly, to timeshare fraud led

by the *Cartel de Jalisco Nueva Generacion* (CJNG). CJNG, a violent Mexico-based organisation, traffics a significant proportion of the illicit fentanyl and other deadly drugs that enter the US.

## CJNG Timeshare Fraud Network


November 2023

U.S. Department of the Treasury  
Office of Foreign Assets Control  
*[New designees appear in red borders]*


### CARTEL DE JALISCO NUEVA GENERACION (CJNG)

Mexican cartel engaged in the trafficking of fentanyl and other deadly drugs to the United States  
Designated April 8, 2015 (Kingpin Act) and December 15, 2021 (E.O. 14059)


**Previously Designated Senior CJNG Members Based in Puerto Vallarta, Jalisco, Mexico**



**Carlos Andres RIVERA VARELA**  
a.k.a. "La Firma"  
- Designated April 6, 2021 (Kingpin Act)




**Julio Cesar MONTERO PINZON**  
a.k.a. Luis Armando VELAZQUEZ BALTAZAR; a.k.a. Cesar HERNANDEZ JIMENEZ  
a.k.a. "El Tarjetas"; a.k.a. "Moreno"  
- Designated June 2, 2022 (E.O. 14059)




**Francisco Javier GUDINO HARO**  
a.k.a. "La Gallina"  
- Designated April 6, 2021 (Kingpin Act)


**Puerto Vallarta-Based Individuals Acting on Behalf of CJNG**



**Manuel Alejandro FOUBERT CADENA**  
DOB 16 Oct 1982  
C.U.R.P. FOCM821016H4CBDN02 (Mexico)




**Teresa De Jesus ALVARADO RUBIO**  
DOB 27 Oct 1972  
C.U.R.P. AART721027MJCLBR09 (Mexico)




**Gabriela DEL VILLAR CONTRERAS**  
DOB 06 Oct 1984  
C.U.R.P. VICG841006MCHLN84 (Mexico)

**Previously Designated Puerto Vallarta-Based Individual Acting on Behalf of CJNG**



**Eduardo PARDO ESPINO**  
- Designated April 27, 2023 (E.O. 14059)

**Company Acting For or on Behalf, Directly or Indirectly, of CJNG**




**GRUPO EMPRESARIAL EPTA, S.A. DE C.V.**  
Puerto Vallarta, Jalisco, Mexico;  
Leon, Guanajuato, Mexico

**Companies Controlled or Directed By, or Acting For or on Behalf of, FOUBERT**


COMERCIALIZADORA DE SERVICIOS TURISTICOS DE VALLARTA, S.A. DE C.V. Puerto Vallarta, Jalisco, Mexico	ASSIS REALTY AND VACATION CLUB, S.A. DE C.V. Puerto Vallarta, Jalisco, Mexico	GRUPO MINERA BARRA PACIFICO, S.A.P.I. DE C.V. Leon, Guanajuato, Mexico
CONDOS & VACATIONS BUILDINGS SALE & MAINTENANCE, S.A. DE C.V. Puerto Vallarta, Jalisco, Mexico	ASIS SALE & MAINTENANCE BUILDINGS, S.A. DE C.V. Puerto Vallarta, Jalisco, Mexico	REAL ESTATES & HOLIDAY CITIES, S.A. DE C.V. Puerto Vallarta, Jalisco, Mexico
MEGA COMERCIAL FERRELECTRICA, S.A. DE C.V. Guadalajara, Jalisco, Mexico	TERRA MINAS E INVERSIONES DEL PACIFICO, S.A.P.I. DE C.V. Guadalajara, Jalisco, Mexico	INTERNATIONAL REALTY & MAINTENANCE, S.A. DE C.V. Puerto Vallarta, Jalisco, Mexico

**Companies Controlled or Directed By, or Acting For or on Behalf of, DEL VILLAR**

**CROWLANDS, S.A. DE C.V.**  
Guadalajara, Jalisco, Mexico



**SKAIRU, S.A. DE C.V.**  
Guadalajara, Jalisco, Mexico



**BANU COMERCIALIZADORA, S.A. DE C.V. (a.k.a. CEAR GYM)**  
Puerto Vallarta, Jalisco, Mexico;  
Zapopan, Jalisco, Mexico

<https://ofac.treasury.gov/recent-actions/20231130>

<https://home.treasury.gov/news/press-releases/jy1936>

### UK (AND ISLE OF MAN) AMENDS 5 EXISTING ENTRIES ON LIBYA SANCTIONS LIST

On 30 November, a Notice from HM Treasury advised that 5 existing entries on the Libyan sanctions list had been amended. The Isle of Man followed suit the same day. This followed changes announced by the UN.

[https://assets.publishing.service.gov.uk/media/656896c82ee693001360cb85/Notice\\_Libya\\_301123.pdf](https://assets.publishing.service.gov.uk/media/656896c82ee693001360cb85/Notice_Libya_301123.pdf)

<https://globalsanctions.co.uk/2023/11/un-amends-5-entries-on-libya-sanctions-list-and-grants-humanitarian-travel-exemption-to-2-individuals/>

<https://www.gov.im/news/2023/nov/30/financial-sanctions-libya/>

### UK: ENTRY FOR MIHAJLO PERENCEVIC ON RUSSIAN SANCTIONS LIST AMENDED

On 30 November, a Notice from HM Treasury advised that the existing entry had been amended.

[https://assets.publishing.service.gov.uk/media/65686fc6cc1ec500138eef89/Notice\\_Russia\\_301123.pdf](https://assets.publishing.service.gov.uk/media/65686fc6cc1ec500138eef89/Notice_Russia_301123.pdf)



### **US: DoJ ANNOUNCES SAFE HARBOUR POLICY FOR VOLUNTARY SELF-DISCLOSURE DURING M&A**

On 30 November, an article from Cooley reported that the DoJ recently announced its decision to decline to prosecute Lifecore Biomedical, a pharmaceutical and medical device manufacturer, despite evidence that employees of Lifecore's former US subsidiary bribed Mexican Government officials in violation of the Foreign Corrupt Practices Act. It goes on to say that the new Safe Harbor Policy will be applied Department-wide, and applies only to criminal conduct uncovered in "*bona fide*, arms-length M&A transactions" and does not apply if the misconduct was otherwise required to be disclosed, already public, or known to the DoJ. The Safe Harbor will have no impact on civil merger enforcement.

<https://cc.cooley.com/2023/11/30/doj-announces-new-safe-harbor-policy-for-voluntary-self-disclosure-in-ma/>

### **PARAGUAY OFFICIAL RESIGNS AFTER SIGNING AGREEMENT WITH FICTIONAL COUNTRY**

On 30 November, the Guardian reported that a Paraguayan government official has been replaced after it was revealed that he signed a MoU with representatives of a fugitive Indian guru's fictional country – the United States of Kailasa, who also appear to have duped several other officials in the South American country.

<https://www.theguardian.com/world/2023/nov/30/paraguay-official-resigns-agreement-fictional-country>

**IF YOU WOULD LIKE TO MAKE A (VERY) MODEST CONTRIBUTION FOR MY TIME AND COSTS, YOU CAN "BUY ME A COFFEE" - CONTRIBUTIONS START FROM \$3**

<https://www.buymeacoffee.com/KoIvM842y>