

8 April 2024

NEW COUNTRIES COMMIT TO PLACING EXPORT CONTROLS AROUND SPYWARE TECHNOLOGY

On 4 April, an article from Baker McKenzie reported that the US recently made public that a number of countries have joined a pledge to implement export controls on spyware technology. This is part of a broader initiative to establish trade barriers for cyber-related items that could potentially be used in human rights abuses. The article offered insights from Poland, Germany, South Korea and Japan on these developments.

<https://sanctionsnews.bakermckenzie.com/new-countries-commit-to-placing-export-controls-around-spyware-technology-perspectives-on-these-developments-for-poland-germany-south-korea-and-japan/#page=1>

US TO CRACK DOWN ON TRADE ‘LOOPHOLE’ USED FOR CHINESE “LOW COST” SHIPMENTS

On 5 April, the Wall Street Journal reported that small packages will get more scrutiny as part of a broader trade enforcement strategy targeting a method, favoured by e-commerce giants such as Temu and Shein, that has allowed cheap clothes from China to flow into the US with no duties and little scrutiny. Parcels valued at less than \$800 sent directly from abroad aren't subject to duties and receive little scrutiny from US Customs under the same exemption enjoyed by travellers returning home with souvenirs. The actions announced will include “expanded targeting,” laboratory testing and focused enforcement operations.

<https://www.wsj.com/articles/u-s-to-crack-down-on-trade-loophole-used-for-china-apparel-shipments-c81b0d44>

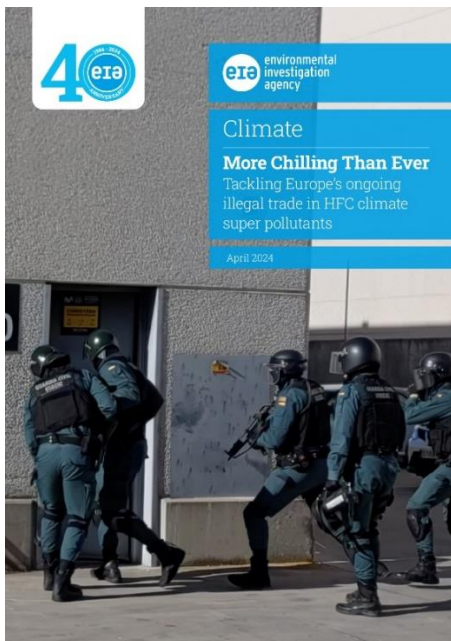
PANAMA PAPERS TRIAL BEGINS IN PANAMA

On 8 April, Yahoo Finance and others reported that, 8 years after the scandal broke, 27 people will be tried in the "Panama Papers" case, which revealed how personalities from all over the world had hidden money through the defunct Panamanian law firm Mossack Fonseca. Among those on trial are the founders of this firm, Jürgen Mossack and Ramón Fonseca Mora, as well as other lawyers and former employees of the defunct firm, who are accused of money laundering.

<https://es-us.finanzas.yahoo.com/noticias/juicio-panama-papers-empieza-panam%C3%A1-101746606.html>

REPORT: ILLEGAL CLIMATE-WRECKING SUPER-POLLUTANT REFRIGERANT GASES ARE STILL BEING SMUGGLED INTO EUROPE

On 8 April, a report from the Environmental Investigation Agency has found that significant levels of trafficking persist despite the worsening climate emergency. The evidence suggests that black market traders and traffickers are becoming more sophisticated and adapting their tactics to evade detection. HFC are currently being phased down under the EU F-gas Regulation, but organised criminals attracted by high profits are taking advantage of weak law enforcement to meet the demand. The investigation uncovered evidence of traders primarily sourcing HFC from Türkiye and China to import illegally into the EU.



<https://eia-international.org/report/more-chilling-than-ever/>

PET SHOP OWNER LINKED TO SINGAPORE'S LARGEST BIRD-SMUGGLING OPERATION GETS JAIL

On 8 April, Channel News Asia reported that a pet shop owner linked to Singapore's largest bird-smuggling operation has been sentenced to jail.

<https://www.channelnewsasia.com/singapore/pet-shop-owner-jailed-smuggling-birds-singapore-largest-4250426>

JAPAN FSA PUBLISHES REVISED VERSION OF AML/CFT FAQ

On 8 April, Regulation Asia reported that the revisions were made to improve the sophistication of the risk-based approach and reduce prescriptive requirements. The FAQ describe the purpose, specific examples, and interpretation of all items addressed by the AML/CFT Guidelines.

<https://www.regulationasia.com/japan-fsa-publishes-revised-version-of-aml-cft-faqs/>

UK: SHOULD THE LAW CHANGE TO MAKE IT EASIER FOR ORGANISATIONS TO APOLOGISE?

On 8 April, the MoJ announced a consultation on whether the law could be updated to make it easier for organisations to offer sincere apologies to those who have been wronged. It explains that the Compensation Act, which became law in 2006, made it easier for public institutions, private companies and their employees to apologise, without admitting liability in civil proceedings. Yet almost 20 years on, there is little evidence this has encouraged businesses to use apologies more as form of reparation.

<https://www.gov.uk/government/news/should-the-law-change-to-make-it-easier-for-organisations-to-apologise>

https://assets.publishing.service.gov.uk/media/66101d79c4c84d00113469f8/Reforming_the_Law_of_Apologies_in_Civil_Proceedings_in_England_and_Wales_consultation_web_.pdf

<https://www.legalfutures.co.uk/latest-news/government-reviews-role-of-apologies-in-civil-litigation>

UK: BORDER FORCE BOLSTER SECURITY MEASURES IN GENERAL AVIATION SPACE

On 8 April, the Home Office announced new fines of up to £10,000 for international general aviation flights that do not submit advance passenger information online up to 2 hours before departure. From 6 April, pilots, owners and operators of general aviation flights will need to provide advance passenger information online from 48 hours to no later than 2 hours before their departure, otherwise they will be liable for a civil penalty of up to £10,000.

<https://www.gov.uk/government/news/border-force-bolster-security-measures-in-general-aviation-space>

THE SIMPLE FRAUD UNDERMINING EUROPE'S MOST SOPHISTICATED TIMBER TRACING SYSTEM

On 8 April, OCCRP reported that wood that may have been logged illegally is entering the supply chain due to a flaw in Romania's new digital system to track timber.

<https://www.occrp.org/en/investigations/the-simple-fraud-undermining-europes-most-sophisticated-timber-tracing-system>

63 MONEY COUNTERFEITERS RESPONSIBLE FOR FAKING EURO BANKNOTES HAVE BEEN ARRESTED BY THE ITALIAN CARABINIERI AND FRENCH NATIONAL POLICE

On 8 April, a news release from Europol advised that the Italian organised criminal group mainly based in Naples, Italy, was involved in the distribution of high-quality counterfeited banknotes in

several denominations across Europe. In law enforcement circles, the intricate fakes were referred to as “Napoli Group” banknotes, characterised by a high level of sophistication.

<https://www.europol.europa.eu/media-press/newsroom/news/63-forgers-arrested-in-naples>

NEW SOUTH AFRICAN ‘FAILURE TO PREVENT’ CORRUPTION OFFENCE TAKES EFFECT

On 5 April, an Out-Law article said that a new offence of failure to prevent corrupt activities has been introduced into law in South Africa. An expert in anti-corruption law said it should spur businesses to review the procedures they have in place to address corruption risk in their South African operations.

<https://www.pinsentmasons.com/out-law/news/south-african-failure-prevent-corruption-offence>

HOW CRIMINAL GROUPS SEIZED POWER IN HAITI

On 29 March, The Insider carried an article in which a Latin American historian traces how Haiti's heavy colonial legacy, coupled with the ineffectiveness of the UN and the broader international community, culminated in a criminal revolution in this resource-rich nation yearning for a peaceful existence.

<https://theins.ru/en/politics/270267>

HOW HAMAS RAISES, USES, AND MOVES MONEY

On 20 March, a post from the Atlantic Council describes how Hamas managed an investment portfolio worth at least \$500 million, despite sanctions on the group.

<https://www.atlanticcouncil.org/blogs/econographics/global-sanctions-dashboard-how-hamas-raises-uses-and-moves-money/>

MARTINELLI’S SHADOW STILL DOMINATES PANAMA ELECTION

On 8 April, an article from Americas Quarterly explained how the former President’s proxy candidate, José Raúl Mulino, leads the polls ahead of the 5 May vote. Martinelli, having sought asylum in the Nicaraguan Embassy after being convicted of corruption-related offences and barred from standing, is backing the candidacy of José Raúl Mulino, who was his running mate before he was banned from the race and had served as public security minister during Martinelli’s administration (2009-14). Before he was banned, Martinelli held a comfortable lead in the polls, and now Mulino regularly polls 13-25 percentage points ahead of his closest rivals.

<https://www.americasquarterly.org/article/panama-placeholder/>

REPORT: CORPORATE WHISTLEBLOWERS WHO REPORT THROUGH INTERNAL COMPLIANCE CHANNELS FACE HIGHER RATES OF RETALIATION THAN THOSE WHO REPORT EXTERNALLY TO THE GOVERNMENT

On 8 April, a post from the program on Corporate Compliance & Enforcement at the New York university School of Law reported on an analysis of 8-years' worth of Dodd-Frank Act and Sarbanes-Oxley Act whistleblower retaliation cases in the US found that over 90% of the cases involved internal whistleblowers.

https://wp.nyu.edu/compliance_enforcement/2024/04/08/empirical-data-supports-efforts-to-reform-internal-corporate-whistleblower-protections/

UK: GAMBLING COMMISSION FINES BET365 FOR SANCTIONS COMPLIANCE FAILURES

On 8 April, the Global Sanctions blog reported fines for Bet365's bingo and casino company, Hillside (UK Gaming) ENC, and Bet365's betting company, Hillside (UK Sports) ENC, following "social responsibility failures" and "anti-money laundering failures", including failing to undertake sanctions checks on new customers prior to their first deposits.

<https://globalsanctions.co.uk/2024/04/uk-gambling-commission-fines-bet365-for-sanctions-compliance-failures/>

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