
ΠΡΟΣ : Κυπριακές Επιχειρήσεις Παροχής Επενδυτικών Υπηρεσιών
ΑΠΟ : Επιτροπή Κεφαλαιαγοράς
ΗΜΕΡΟΜΗΝΙΑ : 5 Αυγούστου 2010
ΑΡ. ΕΓΚΥΚΛΙΟΥ : ΕΓ144-2010-04
ΑΡ. ΦΑΚΕΛΟΥ : Ε.Κ. 6.1.14
ΘΕΜΑ : Ανακοίνωση της Ομάδας Οικονομικής Δράσης (Financial Action Task Force) για χώρες και περιοχές αυξημένου κινδύνου για το ξέπλυμα παράνομου χρήματος και τη χρηματοδότηση της τρομοκρατίας

Σε συνέχεια της Εγκυκλίου ΕΓ144-2010-02 της Επιτροπής Κεφαλαιαγοράς, ημερομηνίας 12 Απριλίου 2010, σχετικά με το πιο πάνω θέμα, επισυνάπτεται νέα ανακοίνωση της Ομάδας Οικονομικής Δράσης, ημερομηνίας 25 Ιουνίου 2010, η οποία συνεχίζει να εκφράζει ανησυχίες για τις σοβαρές ελλείψεις και αδυναμίες που παρουσιάζονται στο θεσμικό πλαίσιο για την καταπολέμηση του ξεπλύματος παράνομου χρήματος και της χρηματοδότησης της τρομοκρατίας, στο Ιράν, στη Λαϊκή Δημοκρατία της Κορέας και στο Σάο Τομέ και Πρίνσιπε.

Συναφώς, η Ομάδα Οικονομικής Δράσης καλεί τα χρηματοοικονομικά ιδρύματα όπως συνεχίσουν να εξετάζουν με ιδιαίτερη προσοχή τις συναλλαγές και επιχειρηματικές σχέσεις με πρόσωπα που προέρχονται από τις χώρες αυτές. Σημειώνεται ότι, από τη νέα ανακοίνωση, έχουν αφαιρεθεί η Αγκόλα, ο Ισημερινός, το Πακιστάν, η Αιθιοπία και το Τουρκμενιστάν, χώρες οι οποίες εμφανίζονταν στην προηγούμενη ανακοίνωση της Ομάδας Οικονομικής Δράσης, ημερομηνίας 18 Φεβρουαρίου 2010.

Ενόψει των πιο πάνω, οι ΚΕΠΕΥ καλούνται όπως συνεχίσουν να εφαρμόζουν τα αυξημένα μέτρα επιμέλειας που προνοούνται στην παράγραφο 7, του Τέταρτου Παραρτήματος της Οδηγίας ΟΔ144-2007-08 της Επιτροπής Κεφαλαιαγοράς για την Παρεμπόδιση Ξεπλύματος Παράνομου Χρήματος και Χρηματοδότησης της Τρομοκρατίας, σε σχέση με συναλλαγές και επιχειρηματικές σχέσεις με πρόσωπα που προέρχονται από τις χώρες που αναφέρονται στην ανακοίνωση της Ομάδας Οικονομικής Δράσης, ημερομηνίας 25 Ιουνίου 2010.

Με εκτίμηση

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FATF PUBLIC STATEMENT

25 June 2010

The Financial Action Task Force (FATF) is the global standard setting body for anti-money laundering and combating the financing of terrorism (AML/CFT). In order to protect the international financial system from ML/FT risks and to encourage greater compliance with the AML/CFT standards, the FATF identified jurisdictions that have strategic deficiencies and, along with the FATF-style regional bodies (FSRBs), works with them to address those deficiencies that pose a risk to the international financial system. The FATF and the relevant FSRBs will continue to work with the jurisdictions below and report on their progress in addressing the identified deficiencies.

- 1. Jurisdictions subject to a FATF call on its members and other jurisdictions to apply counter-measures to protect the international financial system from the ongoing and substantial money laundering and terrorist financing (ML/TF) risks emanating from the jurisdiction¹:**

Iran

- 2. Jurisdictions with strategic AML/CFT deficiencies that have not committed to an action plan developed with the FATF to address key deficiencies as of June 2010. The FATF calls on its members to consider the risks arising from the deficiencies associated with each jurisdiction, as described below.**

Democratic People's Republic of Korea (DPRK)*

São Tomé and Príncipe

* Despite the FATF's efforts, this jurisdiction has not constructively engaged with the FATF or an FSRB as of June 2010 and has not committed to the international AML/CFT standards.

¹ The FATF has previously issued public statements calling for counter-measures on Iran. Those statements are updated below.

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1. Jurisdictions subject to a FATF call on its members and other jurisdictions to apply counter-measures to protect the international financial system from the ongoing and substantial money laundering and terrorist financing (ML/TF) risks emanating from the jurisdiction:

Iran

The FATF welcomes the recent steps that Iran has taken to engage with the FATF, but remains concerned by Iran's failure to meaningfully address the ongoing and substantial deficiencies in its anti-money laundering and combating the financing of terrorism (AML/CFT) regime. The FATF remains particularly concerned about Iran's failure to address the risk of terrorist financing and the serious threat this poses to the integrity of the international financial system. The FATF urges Iran to immediately and meaningfully address its AML/CFT deficiencies, in particular by criminalising terrorist financing and effectively implementing suspicious transaction reporting (STR) requirements.

The FATF reaffirms its call on members and urges all jurisdictions to advise their financial institutions to give special attention to business relationships and transactions with Iran, including Iranian companies and financial institutions. In addition to enhanced scrutiny, the FATF reaffirms its 25 February 2009 call on its members and urges all jurisdictions to apply effective counter-measures to protect their financial sectors from money laundering and financing of terrorism (ML/FT) risks emanating from Iran. FATF continues to urge jurisdictions to protect against correspondent relationships being used to bypass or evade counter-measures and risk mitigation practices, and to take into account ML/FT risks when considering requests by Iranian financial institutions to open branches and subsidiaries in their jurisdiction. If Iran fails to take concrete steps to improve its AML/CFT regime, the FATF will consider calling on its members and urging all jurisdictions to strengthen counter-measures in October 2010.

2. Jurisdictions with strategic AML/CFT deficiencies that have not committed to an action plan developed with the FATF to address key deficiencies as of June 2010. The FATF calls on its members to consider the risks arising from the deficiencies associated with each jurisdiction, as described below.

Democratic People's Republic of Korea (DPRK)*

The Democratic People's Republic of Korea (DPRK) has not committed to the AML/CFT international standards, nor has it responded to the FATF's numerous requests for engagement on these issues. DPRK's lack of a comprehensive AML/CFT regime poses a risk to the international financial system. DPRK should work with the FATF to develop a viable AML/CFT regime in line with international standards.

São Tomé and Príncipe

The FATF remains concerned by São Tomé and Príncipe's failure to meaningfully address the deficiencies in its AML/CFT regime, particularly relating to terrorist financing. São Tomé and Príncipe's lack of a comprehensive AML/CFT regime poses a risk to the international financial system. São Tomé and Príncipe should work with the FATF and GIABA to address the remaining AML/CFT deficiencies.