

中華民國證券投資信託暨顧問商業同業公會 函

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受文者：

發文日期：中華民國113年11月7日

發文字號：中信顧字第1130054978號

速別：普通件

密等及解密條件或保密期限：

附件：如文

主旨：函轉金融監督管理委員會檢送法務部調查局113年10月29日調錢貳字第11335552480號函知「防制洗錢金融行動工作組織」(FATF)公布高風險及加強監督國家地區名單相關訊息一案相關資料影本乙份，請查照。

說明：依金融監督管理委員會113年11月6日金管證券字第1130361467號函辦理。

正本：本公會各投信會員公司、本公會各投顧會員公司

副本：

理事長 **劉宗聖**

裝

訂

線

檔 號：

保存年限：

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劉宗聖先生）

發文日期：中華民國113年11月6日

發文字號：金管證券字第1130361467號

速別：普通件

密等及解密條件或保密期限：

附件：如文(附件1 113UJ10420_1_06102432785.pdf)

主旨：檢送法務部調查局函知「防制洗錢金融行動工作組織」
（FATF）公布高風險及加強監督國家地區名單相關訊息
一案相關資料影本乙份，請轉知所屬會員，請查照。

說明：依據法務部調查局113年10月29日調錢貳字第
11335552480號函辦理。

正本：中華民國證券商業同業公會（代表人陳俊宏先生）、中華民國期貨業商業同業
公會（代表人陳佩君女士）、中華民國證券投資信託暨顧問商業同業公會（代
表人劉宗聖先生）、中華民國會計師公會全國聯合會（代表人黃奕睿先生）、
中華民國虛擬通貨商業同業公會(代表人鄭光泰先生)

副本：臺灣證券交易所股份有限公司（代表人林修銘先生）、財團法人中華民國證券
櫃檯買賣中心（代表人簡立忠先生）、臺灣期貨交易所股份有限公司（代表人
吳自心先生）、臺灣集中保管結算所股份有限公司（代表人林丙輝先生）(均含
附件) 113/11/06
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法務部調查局 函

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受文者：金融監督管理委員會

發文日期：中華民國113年10月29日
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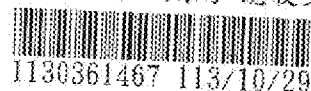
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主旨：檢送「防制洗錢金融行動工作組織」(Financial Action Task Force，下稱「FATF」)公布高風險及加強監督國家或地區名單相關訊息，請察照。

說明：

- 一、相關文號：本局113年7月1日調錢貳字第11335532880號函。
- 二、FATF於墨西哥籍主席Elisa de Anda Madrazo任內第1次大會於本(113)年10月25日辦理完竣，會終公布提列高風險及加強監督國家或地區名單如次：
 - (一)高風險國家或地區(即我國洗錢防制法第9條第2項第1款規定所稱「防制洗錢及打擊資恐有嚴重缺失之國家或地區」)：北韓、伊朗及緬甸。FATF表示該等國家或地區在防制洗錢及打擊資恐、資武擴機制存有重大缺失，呼籲各國應對其採取加強盡職調查或與風險相稱之反制措施。(附件1)
 - (二)加強監督國家或地區(即我國洗錢防制法第9條第2項第2

金管會證期局 總收文



銀行局
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款規定所稱「未遵循或未充分遵循國際防制洗錢組織建議之國家或地區」)：阿爾及利亞(新增)、安哥拉(新增)、保加利亞、布吉納法索、喀麥隆、象牙海岸(新增)、克羅埃西亞、剛果民主共和國、海地、肯亞、黎巴嫩(新增)、馬利、摩納哥、莫三比克、納米比亞、奈及利亞、菲律賓、南非、南蘇丹、敘利亞、坦尚尼亞、委內瑞拉、越南及葉門。前揭加強監督國家或地區刻正與FATF積極合作以解決防制洗錢及打擊資恐、資武擴機制缺失，FATF不要求對其實施加強盡職調查，惟建議應考量各該國家或地區相關風險資訊。另塞內加爾不再適用加強監督程序。(附件2)

三、檢附前揭FATF公布資料：

- (一)附件1：High-Risk Jurisdictions subject to a Call for Action-October 2024。
- (二)附件2：Jurisdictions under Increased Monitoring-October 2024。

正本：司法院民事廳、法務部、金融監督管理委員會、中央銀行、內政部地政司、經濟部商業發展署、財政部賦稅署、農業部農業金融署、數位發展部數位產業署、中華郵政股份有限公司

副本：電 2024/10/29 文
交 10 換 19 章

局長 陳白立



English

The FATF

Countries

Publications

Topics

Calendars

Home

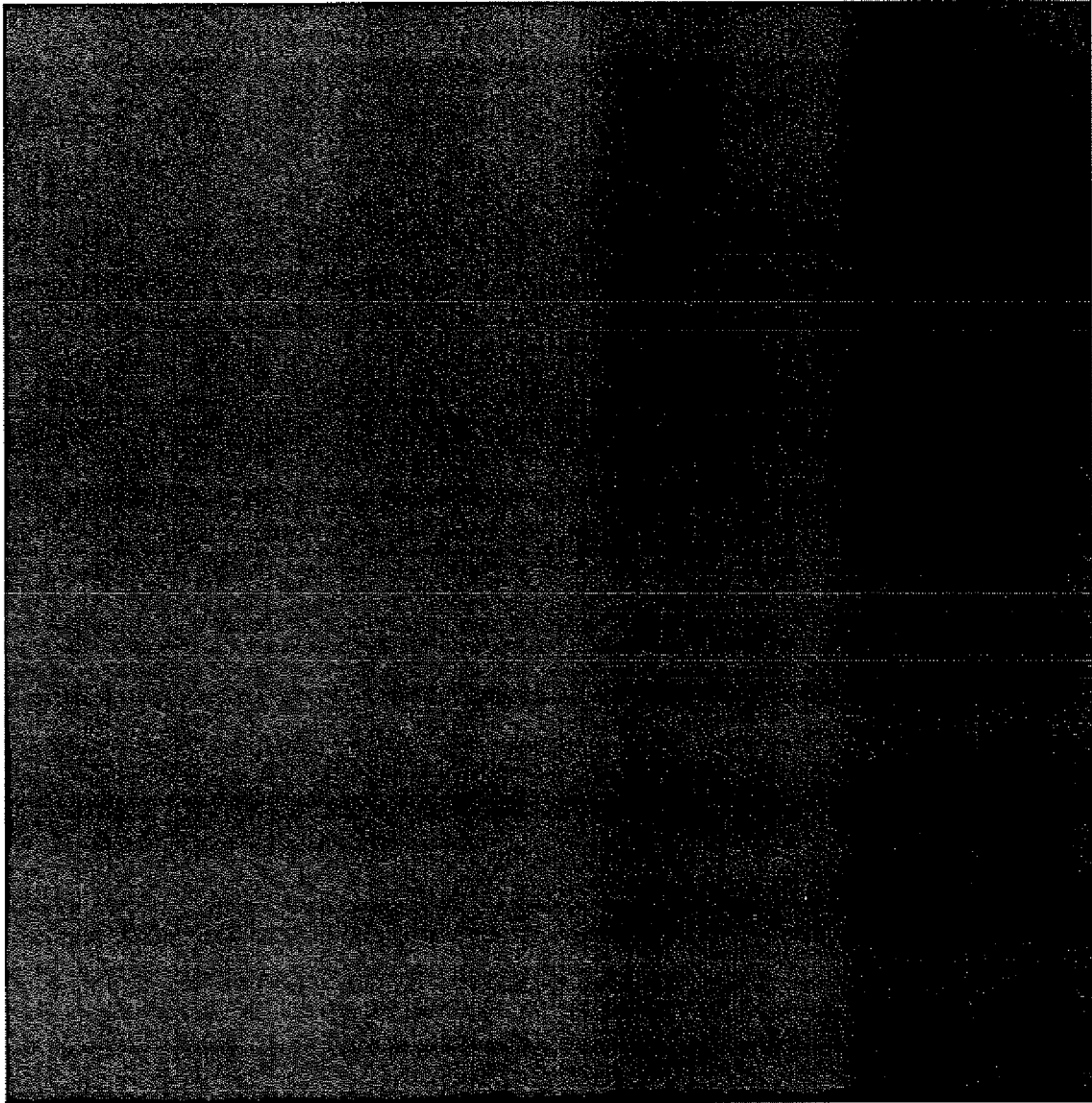
Publications

High-Risk Jurisdictions subject to a Call for Action - 25 October 2024

High-Risk Jurisdictions subject to a Call for Action - 25 October 2024

Publication details

Language	Country	Topic
English	Democratic Republic of Korea	High-risk and other jurisdictions
	Iran	
	Myanmar	



"black list"

Paris, 25 October 2024 -

High-risk jurisdictions have significant strategic deficiencies in their regimes to counter money laundering, terrorist financing, and financing of proliferation. For all countries identified as high-risk, the FATF calls on all members and urges all jurisdictions to apply enhanced due diligence, and, in the most serious cases, countries are called upon to apply counter-measures to protect the international financial system from the money laundering, terrorist financing, and proliferation financing (ML/TF/PF) risks emanating from the country. This list is often externally referred to as the "black list".

Since February 2020, Iran reported in January and August 2024 with no material changes in the status of its action plan.

Given heightened proliferation financing risks, the FATF reiterates its call to apply countermeasures on these high-risk jurisdictions.

Jurisdictions subject to a FATF call on its members and other jurisdictions to apply countermeasures

Democratic People's Republic of Korea (DPRK)

Building upon the FATF statements over the past decade, the FATF remains concerned by the DPRK's continued failure to address the significant deficiencies in its anti-money laundering and combating the financing of terrorism (AML/CFT) regime and the serious threats posed by the DPRK's illicit activities related to the proliferation of weapons of mass destruction (WMDs) and its financing.

The FATF has continually reiterated since 2011 the need for all countries to robustly implement the targeted financial sanctions in accordance with UNSC Resolutions and apply the following countermeasures to protect their financial systems from the money laundering, terrorist financing, and proliferation financing threat emanating from DPRK:

- Terminate correspondent relationships with DPRK banks;
- Close any subsidiaries or branches of DPRK banks in their countries; and
- Limit business relationships & financial transactions with DPRK persons.

Despite these calls, DPRK has increased connectivity with the international financial system, which raises proliferation financing (PF) risks, as the FATF noted in February 2024. This requires greater vigilance and renewed implementation and enforcement of these countermeasures against the DPRK. As set out in UNSCR 2270, DPRK frequently uses front companies, shell companies, joint ventures and complex, opaque ownership structures for the purpose of violating sanctions. As such, FATF encourages its members and all countries to apply enhanced due diligence to the DPRK and its ability to facilitate transactions on its behalf.

The FATF also urges countries to adequately assess and account for the increased proliferation financing risk with the greater financial connectivity reported, particularly since the next round of assessments requires countries to adequately assess PF risks under Recommendation 1 and Immediate Outcome 11. The ability to obtain reliable and credible information to support the assessment of PF risks relating to the DPRK is hampered by the recent termination of the 1718 Committee Panel of Experts mandate. Thus, the FATF will monitor the measures to comply with DPRK targeted financial sanctions and the implementation of countermeasures against DPRK.

Iran

In June 2016, Iran committed to address its strategic deficiencies. Iran's action plan expired in January 2018. In February 2020, the FATF noted Iran has not completed the action plan.^[1]

In October 2019, the FATF called upon its members and urged all jurisdictions to: require increased supervisory examination for branches and subsidiaries of financial institutions based in

Iran; introduce enhanced relevant reporting mechanisms or systematic reporting of financial transactions; and require increased external audit requirements for financial groups with respect to any of their branches and subsidiaries located in Iran.

Now, given Iran's failure to enact the Palermo and Terrorist Financing Conventions in line with the FATF Standards, the FATF fully lifts the suspension of countermeasures and calls on its members and urges all jurisdictions to apply effective countermeasures, in line with Recommendation 19.[2]

Iran will remain on the FATF statement on High Risk Jurisdictions Subject to a Call for Action until the full Action Plan has been completed. If Iran ratifies the Palermo and Terrorist Financing Conventions, in line with the FATF standards, the FATF will decide on next steps, including whether to suspend countermeasures. Until Iran implements the measures required to address the deficiencies identified with respect to countering terrorism-financing in the Action Plan, the FATF will remain concerned with the terrorist financing risk emanating from Iran and the threat this poses to the international financial system.

[1] In June 2016, the FATF welcomed Iran's high-level political commitment to address its strategic AML/CFT deficiencies, and its decision to seek technical assistance in the implementation of the Action Plan. Since 2016, Iran established a cash declaration regime, enacted amendments to its Counter-Terrorist Financing Act and its Anti-Money Laundering Act, and adopted an AML by-law.

In February 2020, the FATF noted that there are still items not completed and Iran should fully address: (1) adequately criminalizing terrorist financing, including by removing the exemption for designated groups "attempting to end foreign occupation, colonialism and racism"; (2) identifying and freezing terrorist assets in line with the relevant United Nations Security Council resolutions; (3) ensuring an adequate and enforceable customer due diligence regime; (4) demonstrating how authorities are identifying and sanctioning unlicensed money/value transfer service providers; (5) ratifying and implementing the Palermo and TF Conventions and clarifying the capability to provide mutual legal assistance; and (6) ensuring that financial institutions verify that wire transfers contain complete originator and beneficiary information.

[2] Countries should be able to apply appropriate countermeasures when called upon to do so by the FATF. Countries should also be able to apply countermeasures independently of any call by the FATF to do so. Such countermeasures should be effective and proportionate to the risks.

The Interpretative Note to Recommendation 19 specifies examples of the countermeasures that could be undertaken by countries.

Jurisdiction subject to a FATF call on its members and other jurisdictions to apply enhanced due diligence measures

proportionate to the risks arising from the jurisdiction

Myanmar

In February 2020, Myanmar committed to address its strategic deficiencies. Myanmar's action plan expired in September 2021.

In October 2022, given the continued lack of progress and the majority of its action items still not addressed after a year beyond the action plan deadline, the FATF decided that further action was necessary in line with its procedures and FATF calls on its members and other jurisdictions to apply enhanced due diligence measures proportionate to the risk arising from Myanmar. The FATF requires that as part of enhanced due diligence, financial institutions should increase the degree and nature of monitoring of the business relationship, in order to determine whether those transactions or activities appear unusual or suspicious. If no further progress is made by February 2025, the FATF will consider countermeasures.

While overall progress continues to be slow, Myanmar has made recent progress against several items in its action plan. Myanmar should continue to work on implementing its action plan to address these deficiencies, including by: (1) demonstrating enhanced use of financial intelligence in law enforcement authorities (LEAs) investigations, and increasing operational analysis and disseminations by the financial intelligence unit (FIU); (2) ensuring that ML is investigated/prosecuted in line with risks; (3) demonstrating investigation of transnational ML cases with international cooperation; (4) demonstrating an increase in the freezing/seizing and confiscation of criminal proceeds, instrumentalities, and/or property of equivalent value; (5) managing seized assets to preserve the value of seized goods until confiscation; and (6) addressing technical compliance deficiencies related to R.7 to ensure effective implementation of targeted financial sanctions related to proliferation financing.

When applying enhanced due diligence, countries should ensure that flows of funds for humanitarian assistance, legitimate NPO activity and remittances are neither disrupted nor discouraged. The FATF will also continue to monitor whether Myanmar's AML/CFT activities apply undue scrutiny to legitimate financial flows.

Myanmar will remain on the list of countries subject to a call for action until its full action plan is completed.

Related materials

25 Oct 2024

Jurisdictions under Increased Monitoring - 25 October 2024

Jurisdictions under increased monitoring are actively working with the FATF to address strategic deficiencies in their regimes to counter money laundering, terrorist financing, and proliferation financing. Additional countries, Algeria, Angola, Côte d'Ivoire and Lebanon, are now also subject to increased monitoring. Senegal is no longer subject to increased monitoring by the FATF.



25 Oct 2024

Outcomes FATF Plenary, 23-25 October 2024

The first Financial Action Task Force (FATF) Plenary under the two-year Mexico Presidency of Elisa de Anda Madrazo concluded today. Delegates discussed key issues including the promotion of financial inclusion and the risk-based approach, a key priority of the FATF under its Mexican Presidency.

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