



The Government of the Republic of Trinidad and Tobago

Ministry of the Attorney General and Legal Affairs

CORPORATE COMMUNICATIONS DEPARTMENT

Media Release

FINANCIAL ACTION TASK FORCE (FATF) INTERNATIONAL CORPORATION REVIEW GROUP (ICRG) MONITORING OF TRINIDAD AND TOBAGO

The Attorney General and Minister of Legal Affairs welcomes the update of the entry on Trinidad and Tobago contained in the Financial Action Task Force (FATF) Compliance Document, approved at the recently concluded February 2018 FATF Plenary Meeting in Paris, France. The publication of the updated Compliance Document reflects the concrete steps that Trinidad and Tobago has taken towards improving our AML/CFT regime since giving a high-level political commitment in November 2017 to work with the FATF and CFATF towards this goal. FATF notes that these steps include **(1) the approval of the Counter Terrorism Strategy by the National Security Council, (2) the issuance of a Case Prioritization Policy, and (3) advancing legislation in a number of areas.**

The Compliance Document is a step in the FATF ICRG procedure that flows from the CFATF 4th Round Mutual Evaluation process. Trinidad and Tobago underwent its 4th Round mutual evaluation between 2014 and 2015 and was one of the first countries in the world and the first in CFATF to be subjected to this process by the specific choice of the last Government, despite not being fully prepared for such assessment. Our Mutual Evaluation Report was approved by the FATF for publication in June 2016 after which our country entered into a one-year observation period by FATF primarily on the basis of the low levels of implementation of AML/CFT mechanisms and technical gaps existing up to **January 2015**. FATF then considered the progress made by Trinidad and Tobago in addressing these numerous technical and effectiveness deficiencies within the one-year period **June 2016-June 2017**. While noting the tremendous progress made and Government's high level political commitment to continue this work, FATF's procedures required the publication of the agreed measures to address remaining deficiencies in

the Compliance Document. Trinidad and Tobago was therefore first added to this document in November 2017.

The February 2018 updates to the Compliance document are testimony to the fact that Trinidad and Tobago has been expeditiously working towards addressing all key technical and effectiveness issues and is moving closer to no longer being subject to the FATF ICRG monitoring process. The progress Trinidad and Tobago has made in four short months since November 2017 reflects the continued commitment of the Government to working together with FATF and CFATF to address all identified deficiencies in our AML/CFT framework and other threats to the global financial system.

Our country is well on track to meeting the targets and timelines set for the actions identified in the Compliance Document, with continued cooperation in this process both from the FATF and CFATF. Government has taken a two-pronged approach to addressing our AML/CFT deficiencies by (i) operationalizing existing legislative and administrative mechanisms and (ii) identifying country-specific amendments to our legislative framework. Work continues apace with two key pieces of legislation aimed at addressing several deficiencies currently before the Parliament. First, the Anti-Terrorism (Amendment) Bill, 2018, which is now before a Joint Select Committee, specifically targets terrorist financing and terrorist related activities and constitutes an improved platform for Trinidad and Tobago's contribution to the fight against global terror. Second, the Miscellaneous Provisions (Mutual Assistance in Criminal Matters, Proceeds of Crime, Financial Intelligence Unit of Trinidad and Tobago, Customs and Excise and Exchange Control) Bill, 2017, debate on which is currently ongoing before the Senate, having been passed in the House of Representatives in January 2018. This Bill addresses several deficiencies highlighted in our Mutual Evaluation Report, including (i) removing restrictions on the provision of mutual legal assistance in respect of tax offences; (ii) providing significant measures towards the Financial

Intelligence Unit having improved access to information and proactively sharing same with law enforcement; and (iii) allowing for money laundering offences to be triable either on indictment or summarily. Providing the prosecution the option of summary trial will lead to the speedier conclusion of trials, improving effectiveness in the areas of money laundering investigations and prosecutions.

The Attorney General and Minister of Legal Affairs is also advancing several pieces of legislation essential to satisfying international observations and more particularly, advancing the fight against crime as it relates to corruption, money laundering and the financing of terrorism. This package of legislation is soon to be introduced in the Parliament and relates to (i) enhanced access to beneficial ownership information for companies and legal arrangements including trusts; (ii) the introduction of a civil asset recovery and asset management and disposal regime; (iii) a risk based approach with appropriate measures to regulate the non-profit organisation sector; (iv) completing the necessary legislative measures to enable law enforcement authorities to prioritise and speed up Money Laundering charges before the courts; and (v) introducing a framework to counter proliferation financing. On an operational level, the Trinidad and Tobago Police Service has refined internal procedures and its training strategy to better position the Service to address terrorist financing. Government also continues to give special priority to the provision of resources to agencies engaged in the fight against money laundering, terrorism and terrorist financing.

Government has taken care to ensure that the solutions to our FATF deficiencies are harmonized with the requirements of the Global Forum on Transparency and Exchange of Information for Tax Purposes, and takes us well on the way to satisfying those obligations as well as related observations from the Council of Europe. The Government is pleased to inform in this regard that the Attorney General and Minister of Legal Affairs and the Minister of Finance met last week in Trinidad together with full working teams from several agencies with the representatives of the

Global Forum who attended at the Government's request in the week beginning February 19th 2018. The Government continues to give urgent priority to the satisfaction of Trinidad and Tobago's international obligations so as to protect our country from de-risking and de-banking consequences, which flow from the negative listings and observations as well as from the mischaracterization of assessments by international bodies.

Trinidad and Tobago is expected to report to the FATF at its Plenary meeting in October 2018, all substantial progress in addressing strategic deficiencies identified in the Action Plan. The Government will continue with its collaboration and engagement with all our national and international partners engaged in this process in strengthening the AML/CFT framework of Trinidad and Tobago in the best interests of all our citizens and in keeping with our international obligations.

END

Dated: February 27th 2018