



DA AFGHANISTAN BANK
FINANCIAL INTELLIGENCE UNIT

ANNUAL REPORT 2021

FINANCIAL TRANSACTIONS AND REPORTS ANALYSIS
CENTER OF AFGHANISTAN





ACKNOWLEDGEMENTS

As the end of yet another successful year approaches, we are reminded of those who have helped us along our journey throughout the year 2021. At this special time, we express our deepest appreciation and are thankful to our colleagues at ONSC, AGO, DAB, MoF, NDS, MoI, AMA, ABA; The World Bank, UNODC, US Treasury, DoJ, INL, and NCA for supporting our practice with their cooperation and referrals. Your ever reliable support has been critical in the center's efforts to implement AML/CFT standards and planned activities.

A heartfelt thank you to all!



ABOUT US

Financial Transaction and Reports Analysis Center of Afghanistan (FinTRACA) is an operationally independent body established as the national Financial Intelligence Unit in accordance with the provisions of the Anti-Money Laundering and Proceeds of Crime Law (AML-PC Law).

The center is purposed to collaborate with LEAs, regulators, prosecutors and international counterparts to protect Afghanistan's financial system from exploitations for the purpose of money laundering, terrorist financing and other predicate offenses. Here at the center, we strive to collect, analyze and disseminate STRs and other financial information which lead to investigations, prosecutions, and convictions by criminal justice system.

The center plays an instrumental role in exchange of information with foreign FIUs as per mutual MOUs and Egmont group of FIU's principles. Afghanistan is observer state in EAG and a member state in APG. FinTRACA is a member in EGMONT group of FIU's.

OUR VISION

To become a center of excellence in fighting against money laundering and terrorist financing in the country by maintaining international best practices.

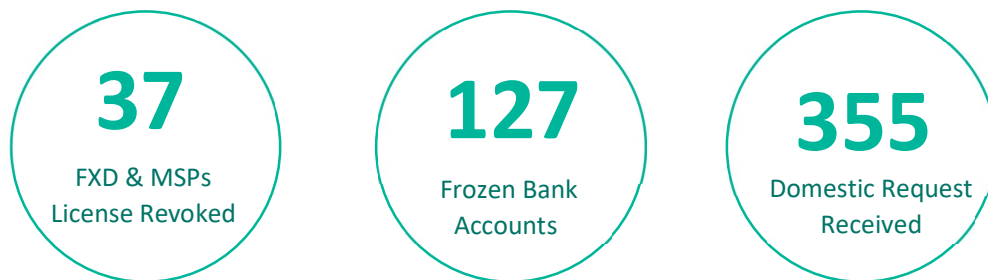
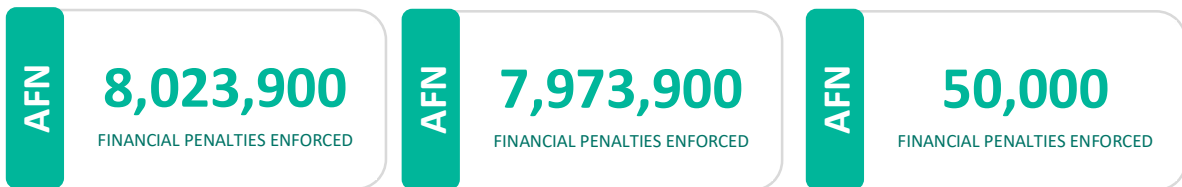
OUR MISSION

To safeguard the financial system of Afghanistan from money laundering, terrorist financing and other predicate offenses in collaboration with law enforcement agencies, regulators, prosecutors and international counterparts.

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HIGHLIGHTS



CRIMINAL JUSTICE AND ENFORCEMENT SNAPSHOT

CONVICTIONS REPORTED BY THE ANTI-CORRUPTION JUSTICE CENTER (ACJC)

CASES, SUSPECTS AND CONVICTED CASES BY SUPREME COURT			
ITEM	2019	2020	2021
Arrived Cases to CNJC	1,081	868	563
Total Suspects	1,287	1,094	719
Convicted Cases by Supreme Court	623	412	367

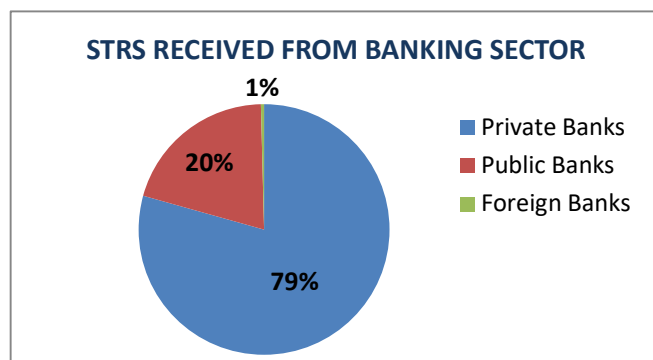
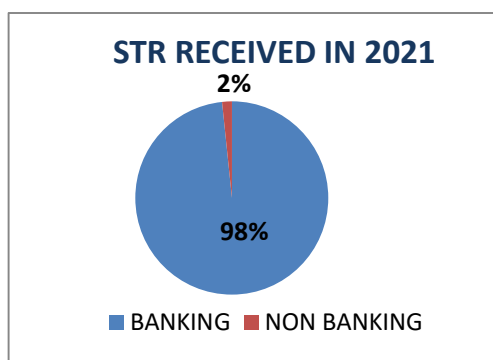
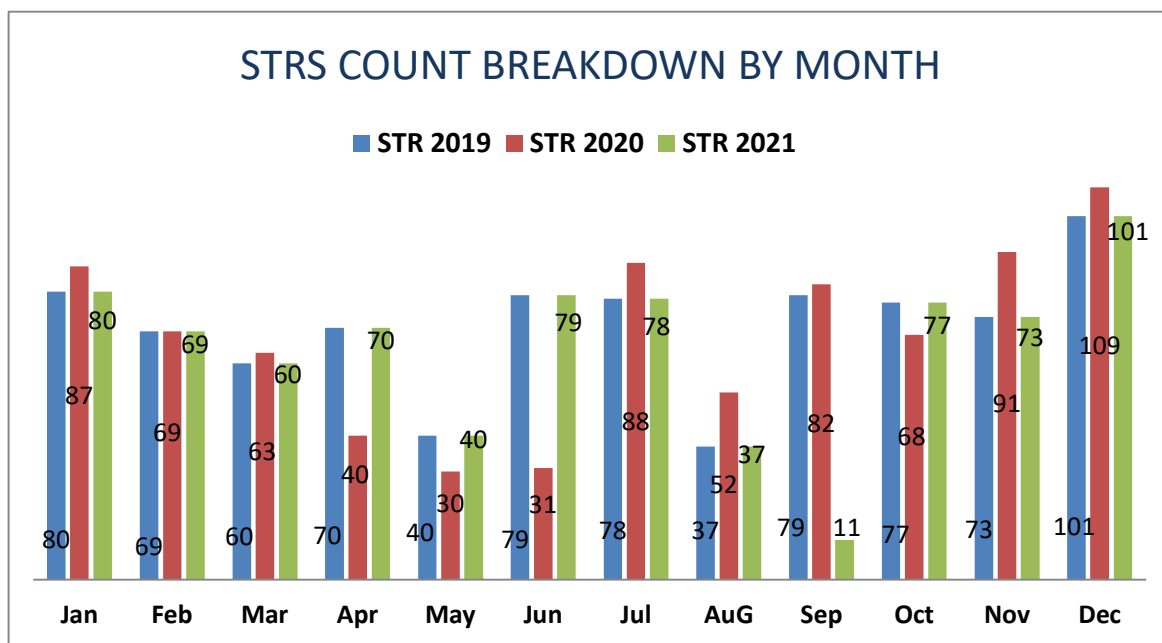
SEIZURES	
ITEM	QUANTITY
Heroin (KG)	1,860.72
Morphine (KG)	217.52
Opium (KG)	17,436.089
Hashish (KG)	92,889.359
Solid Chemical Precursor (KG)	32,292.97
Liquid Chemicals Precursor (L)	325.02
Tablet K (KG)	85.28
Bang Dana Henbane (KG)	139,895.7
Methamphetamine (Gr)	1,182.566
Acid Chloride (KG)	15,946.95
Poppy (Kg)	3,927

RECEIPT OF SUSPICIOUS TRANSACTION REPORTS

A key responsibility of reporting entities of the FIU is to file suspicious transaction reports where reasonable grounds for suspicion of involvement of a transaction in money laundering, terrorist financing, proceeds of crime, and other predicate offenses exist. The AML-PC law of the country obliges reporting entities to satisfy this requirement.

The STRs must be filed as soon as practicable as but no later than three days, once the suspicion is formed. Any additional information that might confirm, validate or be needed for analytical or other legal purposes must be provided by the reporting entities without delay.

To ensure confidentiality of the STRs, all documents exchanged between the FIU and reporting entities remain highly confidential, and to ensure confidentiality of the STRs, the reporting entities, including their employees and management boards, are prohibited from disclosing the contents or any other information concerning STRs to their customers or any other person. The center received a total of 743 STRs, which shows a decrease of 8% compared to the previous year (2020).

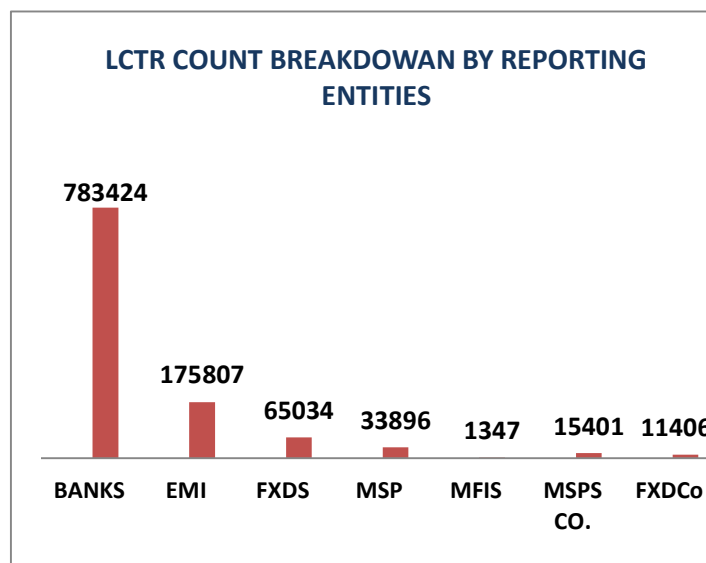
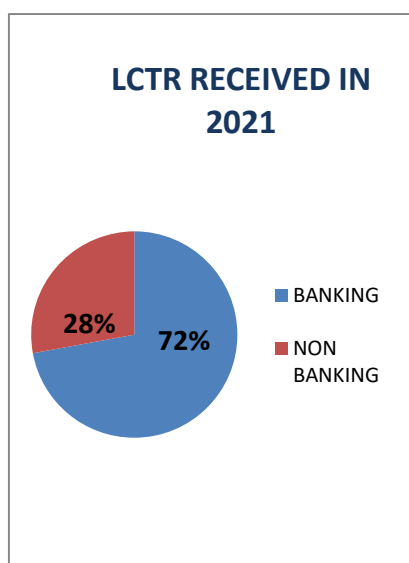


RECEIPT OF LARGE CASH TRANSACTION REPORTS

The residing AML/CFT legal framework of the country forms the legal basis for reporting of large cash transactions. The AML-PC law legally obliges all reporting entities of the financial intelligence unit to report any cash transaction that exceeds the threshold set by the relevant regulations to FinTRACA. The AML/CFT Responsibilities and Preventative Measures Regulations obliges banks to report particulars of transactions (deposits, withdrawals, or transfers) exceeding AFN 1, 000,000 or its equivalent in other currencies.

Breakdown of threshold reporting for non-banking financial institutions is as follows:

REPORTING ENTITY	LCTR THRESHOLDS
Money Service Providers (MSPs)	500,000 AFN
Money Service Businesses (MSBs)	500,000 AFN
Micro Finance Institutions (MFIs)	200,000 AFN
Electronic Money Institutions (EMIs)	50,000 AFN



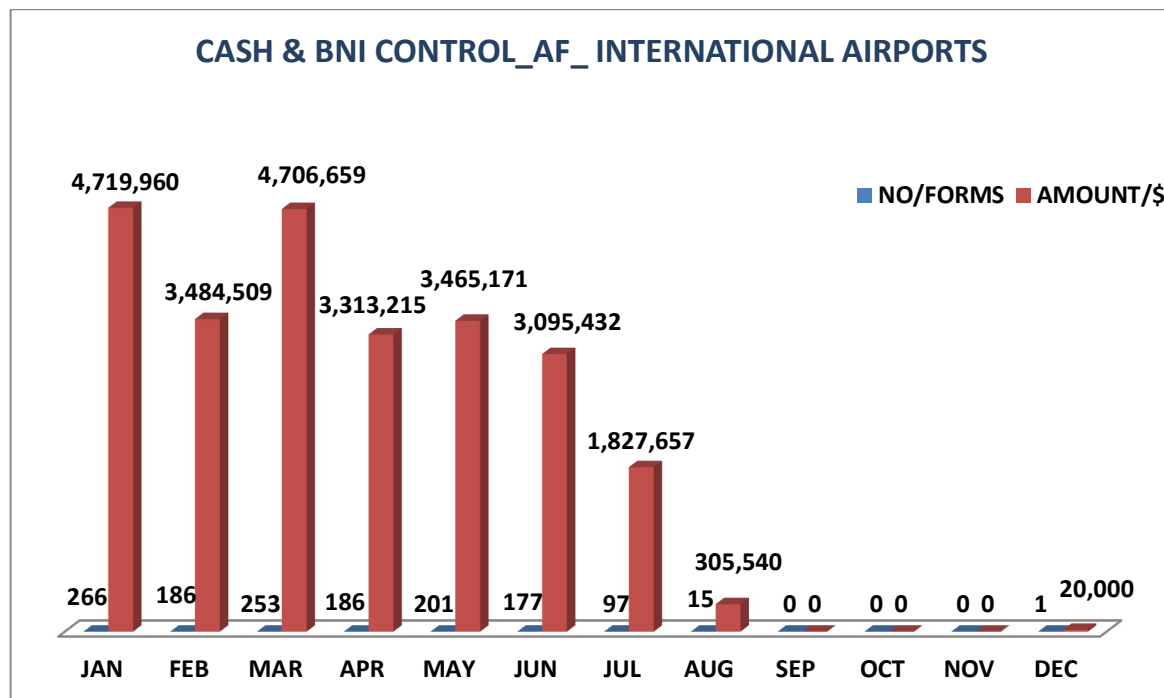
CASH AND BNI

As per the article # 7 of the Anti-Money Laundering and Proceeds of Crime law, the Regulation Governing the Reporting and Control of Physical Transfers of Currency, Bearer Negotiable Instruments, Gold, Other Precious Metals or Precious Stones through the Borders of Islamic Republic of Afghanistan provides the regulatory basis for cash and BNIs control at international airports and land borders.

FinTRACA proposed to amend the Regulation Governing the Reporting and Control of Physical Transfers of Currency, Bearer Negotiable Instruments, Gold, Other Precious Metals or Precious Stones through the Borders of Islamic Republic of Afghanistan, which is in its final stage. The need of the amendment is to better control the physical transfers of currency, bearer negotiable instruments, gold, and other precious metals, as well as preventing the illegal transfer of such items and illicit funds concerning money laundering and terrorist financing through the international airports and land borders of the country.

FinTRACA has delivered 6 technical training sessions regarding “The Regulation Governing the Reporting and Control of Physical Transfers of Currency, Bearer Negotiable Instruments, Gold, Other Precious Metals or Precious Stones through the Borders of Islamic Republic of Afghanistan” during the year 1400 to the Customs officials in order to improve their capacity for better implementation of the regulation, as per article # 12 of the above-mentioned regulation.

FinTRACA received a total of 1,382 Cash and BNIs declaration forms from International Airports and Land Borders through Customs ASYCUDA database with a value equivalent of USD 24,938,143 from January, 2021 till December, 2021.

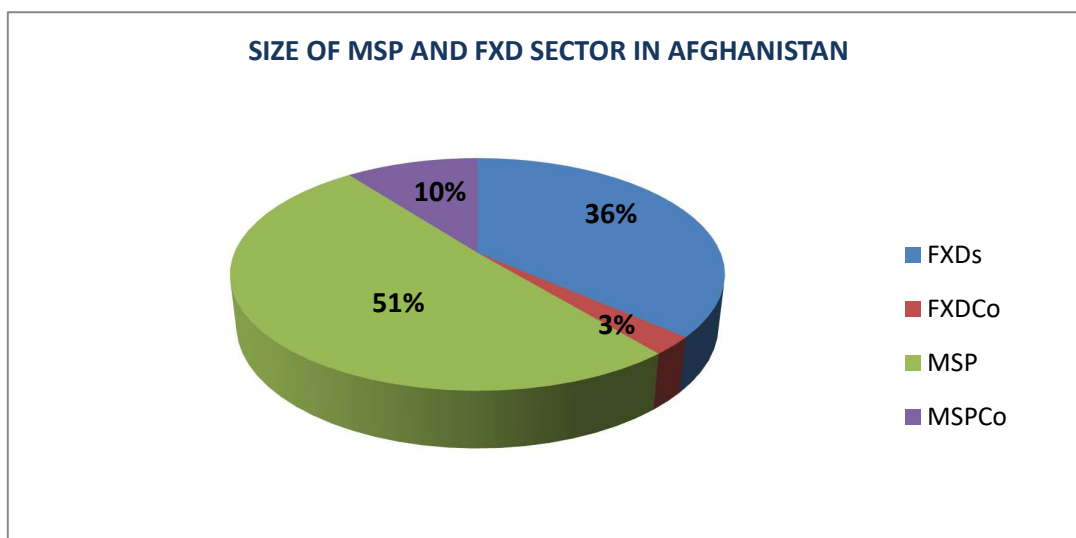


FOREIGN EXCHANGE HOUSES

Foreign Exchange Dealing means currency exchange service, currency pre-purchase contract, voluntary exchange contract, arrangements and other derivatives of currency dealings. In addition, foreign exchange dealer means a person holding a valid license or permit from DAB to engage in foreign exchange business.

SIZE OF THE MSP AND FXD SECTOR IN AFGHANISTAN

Since its development, 1763 MSPs, 1270 FXDs, 361 MSPCo and 87 FXDCo have been registered and are reporting in the FX-Portal as of 2021. Currently 82% of the sector provides their LCTRs electronically from across the country.

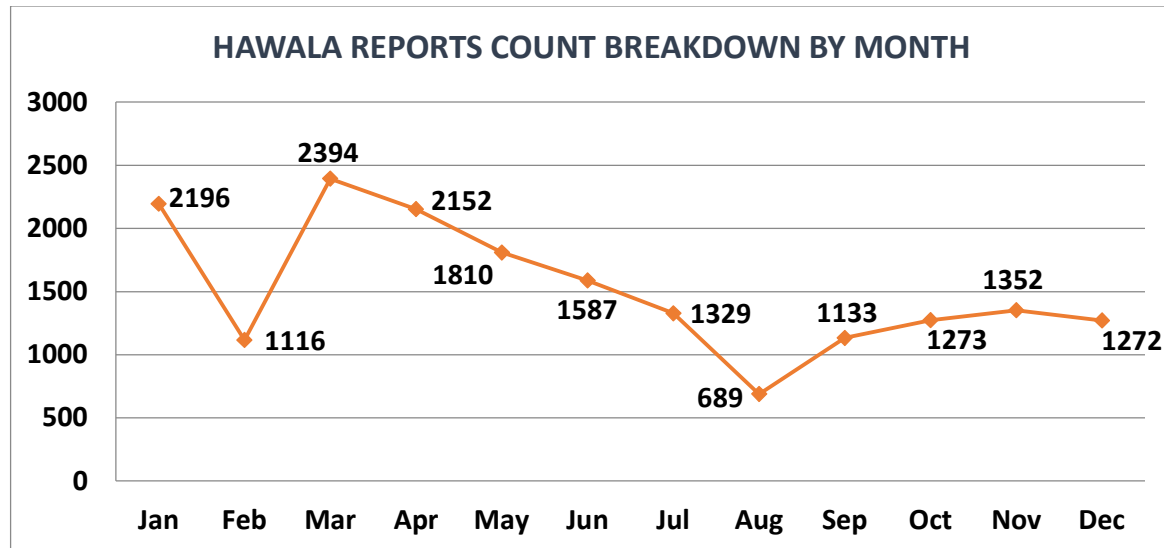


DAB initiated a process under which MSBs were split into two sectors namely, MSP Companies and FXD Companies. This measure was taken to segregate financial activities namely foreign exchange and money service provision.

The newly formed MSP companies and FXD companies are required to comply with financial reporting requirements of the AML/CFT legal and regulatory framework.

HAWALA ELECTRONIC AND MANUAL REPORTING

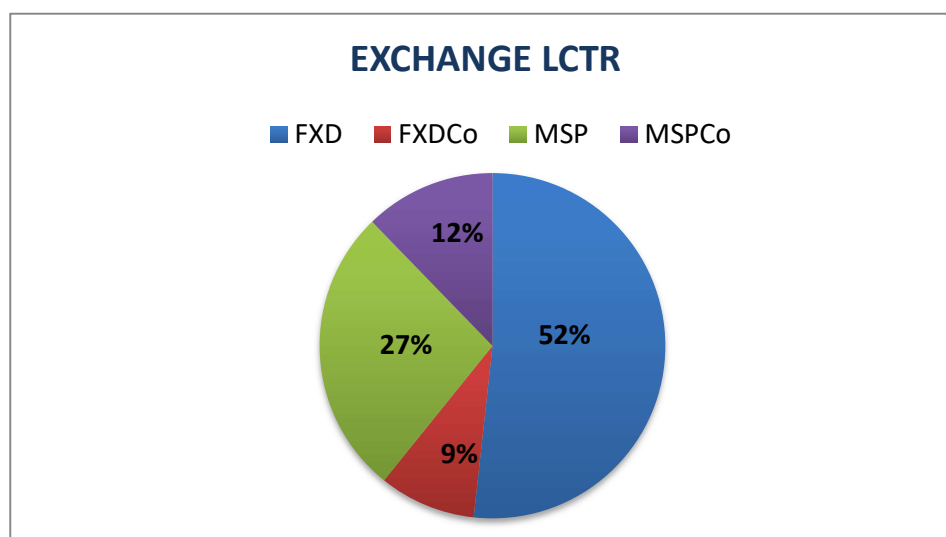
Money Service Providers and Foreign Exchange Dealers are required to report their large cash transaction reports (LCTR) to FinTRACA in compliance to article 17 of the AML-PC law and article 33 of FXDs-MSPs Regulation. As per the mentioned Regulation, MSPs and FXDs report the particulars of transactions (exchanges or transfers) in excess of AFN 500,000 or its equivalent to other currencies to the FinTRACA.



EXCHANGE REPORTS

As per article 17 of AML-PC law of the country and MSP-FXD Regulation, all license holders of MSP or FXD are required to report their exchange LCTRs to the FinTRACA. The threshold for reporting LCTRs is AFN (500,000) or its equivalent in other currencies.

Since the establishments of the FX Portal a total of 125737 exchange large cash transactions are reported via Portal to FinTRACA, of which FXDs reported 65034, MSP reported 33896, and FXDCo reported 11406 and 15401 are reported by MSPCo.



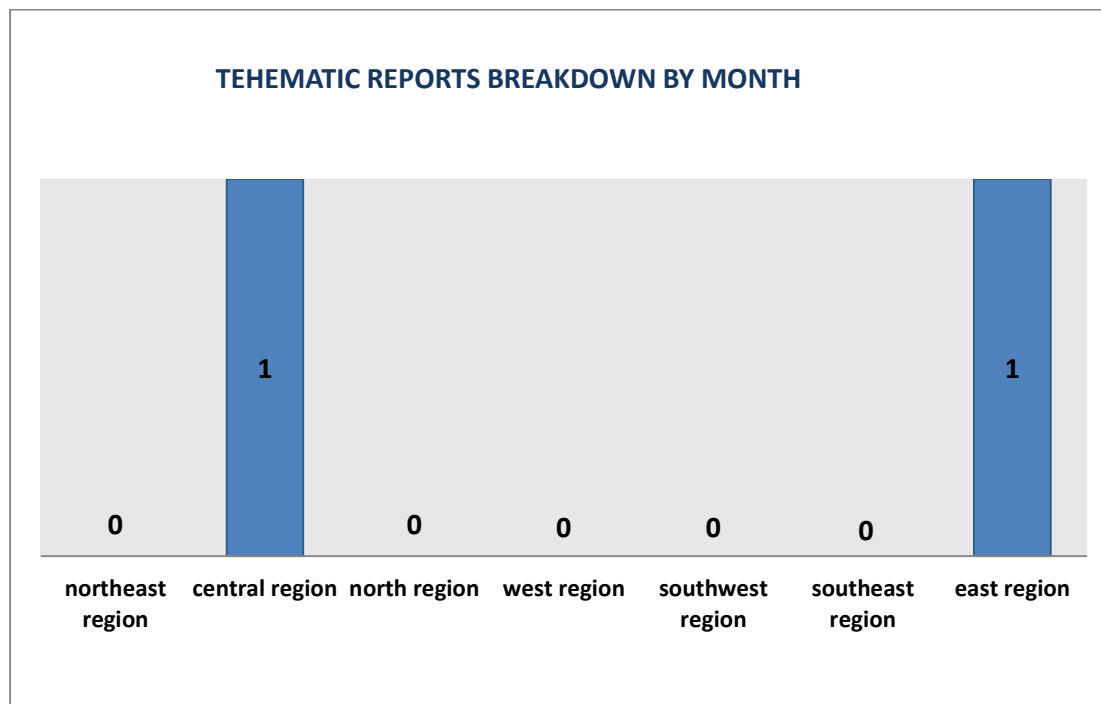
ENFORCING COMPLIANCE

In accordance to the article 24 of AML-PC Law and MSP-FXD regulation FinTRACA is empowered to take enforcement actions against the violated MSPs and FXDs. The enforcement actions are issuance of warning letters, financial penalties and suspension and revocation of business licenses.

By the year 2021, FinTRACA has issued 48 warning letters, suspended 43 licenses, and at the same time revoked 37 licenses of MSPs and FXDs and enforced 7,973,900 AFN financial penalties across the country.

THEMATIC REPORTS

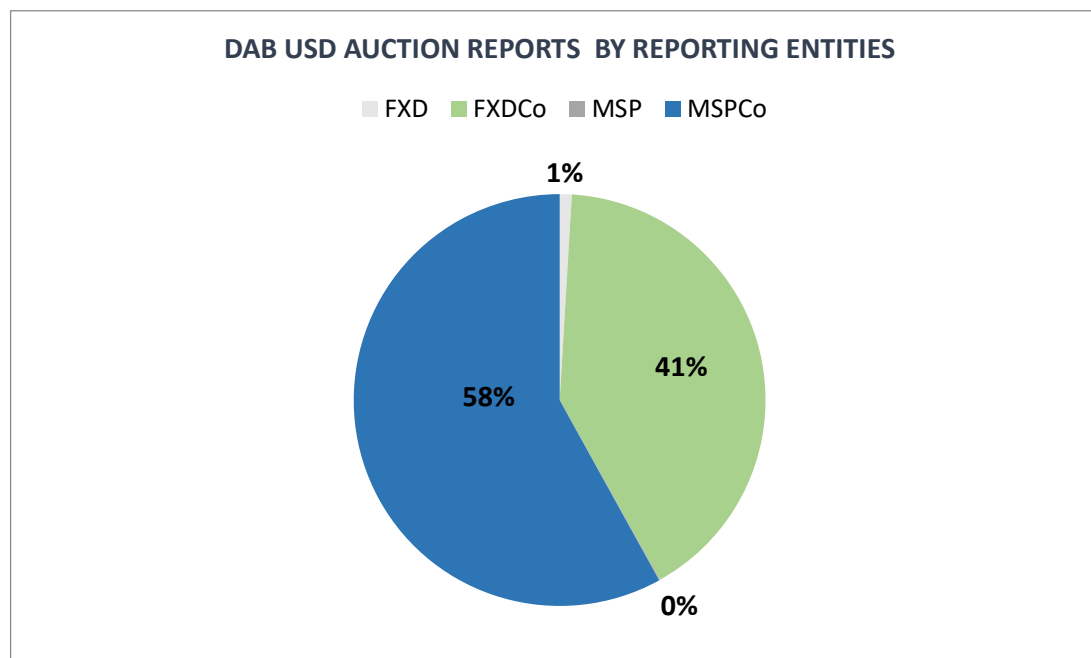
In accordance to the annual plan for the year 2021, thematic reports on regional level offices to assist effective analysis of the subjects by the analysis Department of FinTRACA. During the year 2021, 2 thematic reports were developed by regional offices and shared with analysis department of FinTRACA, which were further analyzed and disseminated to law enforcement agencies.



DAB USD AUCTION REPORTS RECEIPT

As per the provisions of article 5 of AML-PC Law of Afghanistan, Money Service Providers and Foreign Exchange Dealers are reporting entities to FinTRACA, hence these sectors are required to report all their transactions related to DAB USD Auction to FinTRACA via FX Portal. Reporting of DAB Auction transactions does not possess threshold. Given the sensitivities and significance of USD banknotes, and the impact of DAB Auction on the value of AFN, all amounts transacted in the DAB auction process must be reported to FinTRACA via the FX-Portal.

Presented in the chart below, 12,332 auction reports are received in FX-Portal during the year 2021, of which 117 are reported to the FX-Portal by FXDs, 8 are reported by MSPs. The newly formed MSPCo and FXDCo also participated in DAB auction and reported a total of 7,156 auction transactions.



NON-BANKING SECTOR

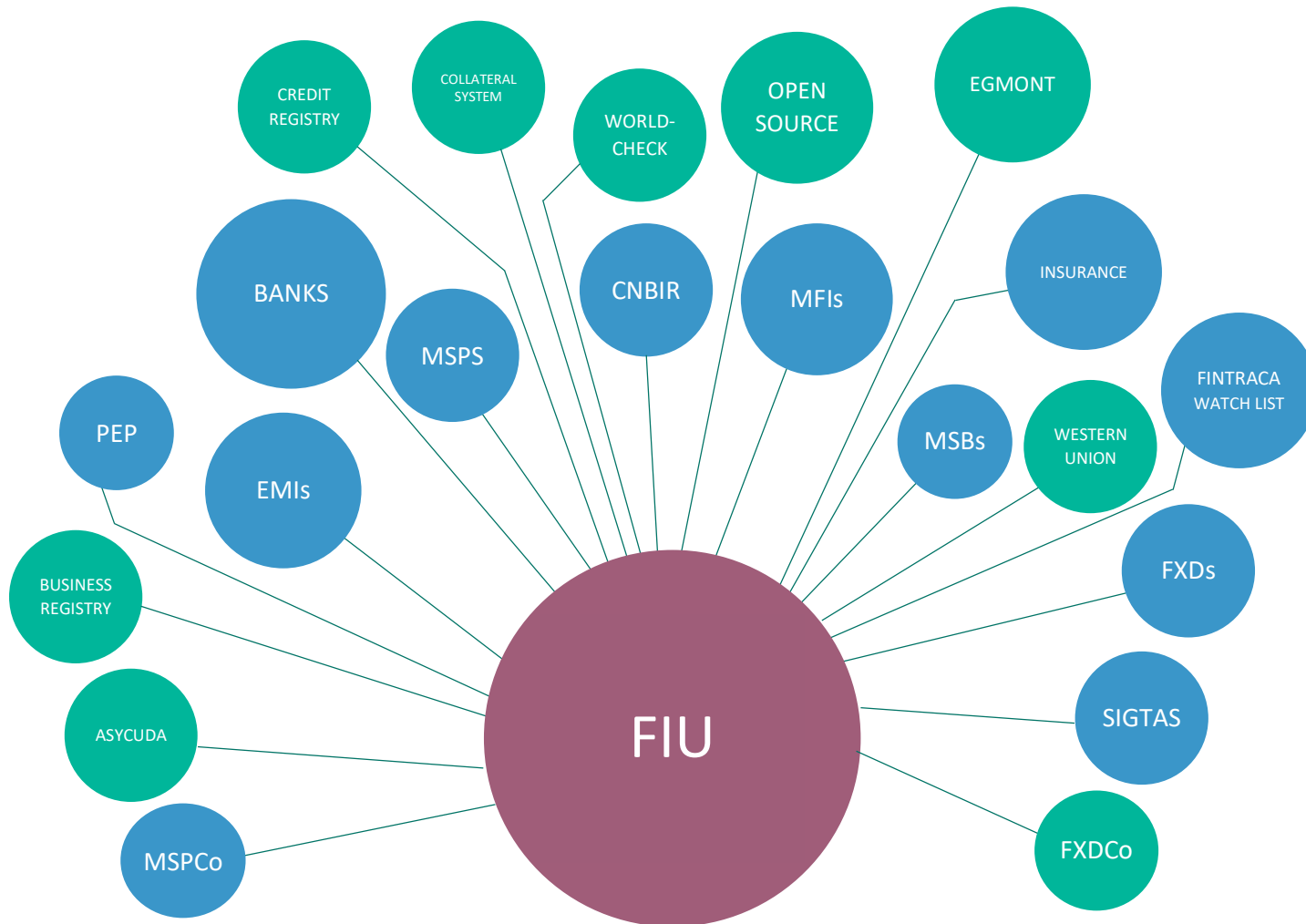
The Non-Banking Financial Institution Section observes AML/CFT compliance of insurance companies, EMIs and MFIs sectors. The breakdown of the actions of these sectors illustrated by tables in the below part of the section of the report.

MFIs UPDATES				
LCTRS	STRS	CIRCULAR	TRAINING	PENALTIES
1347	0	0	0	0

EMIs UPDATES				
LCTRS	STRS	CIRCULAR	TRAINING	PENALTIES
175,807	9	0	0	50,000

INSUTANC'S COMPANIES UPDATES				
LCTRS	STRS	CIRCULAR	TRAINING	PENALTIES
0	0	4	0	0

DATA COLLECTION SOURCES



SPONTANEOUS DISCLOSURES

During the year 2021, the Analysis Section of the Center has disseminated 34 cases out of 51 analyzed cases, which included 56 STRs. Six of these cases were proactive and 28 were reactive cases. These cases include terrorist financing, money laundering, fraud, human trafficking, ghost police, cash smuggling, gold smuggling, drug trafficking and other red flags/predicate offences.

Breakdown Of Spontaneous Disclosures Disseminated By Fintraca In The Year 2021

ENTITY	NO OF CASES	STRS	SUBJECTS
Attorney General Office (AGO)	7	9	16
Ministry of Interior Affairs (MOI)	12	15	29
National Directorate of Security (NDS)	13	18	74
Ministry of Foreign Affairs (M _o FA)	1	0	2
Da Afghanistan Bank (DAB)	1	1	2

Breakdown Of Disseminated Cases By Red Flags

NO	RED FLAG/PREDICT OFFENSE	NUMBER OF CASES
1	Corruption and Bribery	3
2	Money Laundering	11
3	Drug Trafficking	2
4	Terrorist Financing	11
5	Gold Smuggling	1
6	Human Trafficking	2
7	Kidnapping	2
8	Counterfeiting Currency	1
9	Forgery	1

The STRs dissemination ratio for the year 2021 has decreased by 8% compared to the dissemination of STRs during the year 2020. This is illustrated in the table below.

STRS	2019	2020	2021	CHANGE (%)
Case Count	40	57	51	-11%
STRs Received	843	810	743	-8%
STRs Analyzed	56	49	56	14%
Spontaneous Disclosures	31	34	34	0%

NATIONAL COOPERATION

During the year 2021, FinTRACA has received 355 requests for financial intelligence information from law enforcement agencies, AGO and other government relevant agencies. FinTRACA responded to 347 requests, which included 1,330 subjects. The basis for the exchange of financial intelligence information is provided in article 28 of the AML-PC law and the domestic MOUs signed with these entities.

The table below illustrates total financial intelligence information requests received by FinTRACA in the 2021

No	AGENCIES	TOTAL NUMBER OF REQUESTS
1	Attorney General's Office (AGO)	192
2	Ministry of Interior (Police)	34
3	National Directorate of Security (NDS)	89
4	Asset Registration and Verification Office	34
5	National Procurement Authority (NPA)	4
6	Other State Authorities	2
TOTAL ASSIGNED REQUEST OF INFORMATION		355
TOTAL EXECUTED REQUEST OF INFORMATION		347
TOTAL NUMBER OF SUBJECTS INCLUDED		1464

PREDICATE OFFENCES RELATED TO UPON REQUEST DISCLOSURES

PREDICATE OFFENCE	YEAR					
	2016	2017	2018	2019	2020	2021
Money Laundering	4	7	8	10	7	8
Terrorist Financing	43	22	46	53	78	81
Asset Registration &	9	3	14	35	37	40
Corruption & Bribery	44	20	27	24	85	130
Drug Trafficking	16	81	99	61	48	31
Tax Crime	10	13	25	5	2	-
Fraud	2	1	2	2	2	-
Kidnapping and Hostage	4	4	4	6	1	1
Organized Crime	2	1	1	-	-	-
Extortion	-	-	-	1	-	-
Forgery	1	1	1	7	5	4

Robbery and Theft	-	-	-	2	-	2
Wired Fraud	-	-	-	4	1	-
Murder, Grievous Bodily	-	-	-	-	2	-
Human Trafficking	-	-	-	-	5	-
Smuggling	-	1	-	-	2	-
Other	10	26	24	78	39	58
TOTAL	145	180	251	288	314	355

ACCESS TO EXTERNAL DATABASES

The AML/CFT legal framework of Afghanistan grants FinTRACA access to external databases which is prescribed in Article 28 of the AML-PC law of Afghanistan. As per this article, 'to exercise its duties under the AML-PC law, FinTRACA shall have, where possible, direct access to the databases of government agencies and competent authorities.'

Complying with the exceeding article, in order to increase its analytic capabilities and extend its information platform, FinTRACA has worked closely with the Supreme Court.

CMS (Case Management System)

FINTRACA through this system can have technical and informational access to the information database of the Supreme Court to fight against money laundering and terrorist financing.

INTERNATIONAL COOPERATION

Complying with the legal obligation assigned to FinTRACA in the legal framework of the country, with international partners to combat money laundering and terrorist financing, the center exchanged 25 analytical reports with foreign counterparts FIUs during the year 2021. These requests included 14 outbound requests, and 11 requests responded. A total number of 69 subjects were included both in inbound and outbound international requests.

COMPLIANCE ENFORCEMENT

Compliance enforcement measures are imposed in accordance with the powers designated to FinTRACA in Afghanistan's AML-PC law. The range of compliance enforcement measures undertaken by FinTRACA varies from issuing warning letters, revocation and suspension of business licenses and imposition of fines to removal of staff or administrator of reporting entities.

REVOCATION AND SUSPENSION OF BUSINESS LICENSES

The revocation and suspension of business licenses of reporting entities are influenced by factors including the degree of ML/TF risk exposures, and regulatory violations committed by reporting entities. As reflected in the table below, the number of revoked business licenses in 2021 increased by 185% compared to 2020, while the number of suspended business licenses decreased by 39%.

The reason for decline of suspended business licenses is improved compliance by the relevant sectors. As reporting entities have developed the required skills to report promptly to FinTRACA, administrative violations associated with misreporting have reduced.

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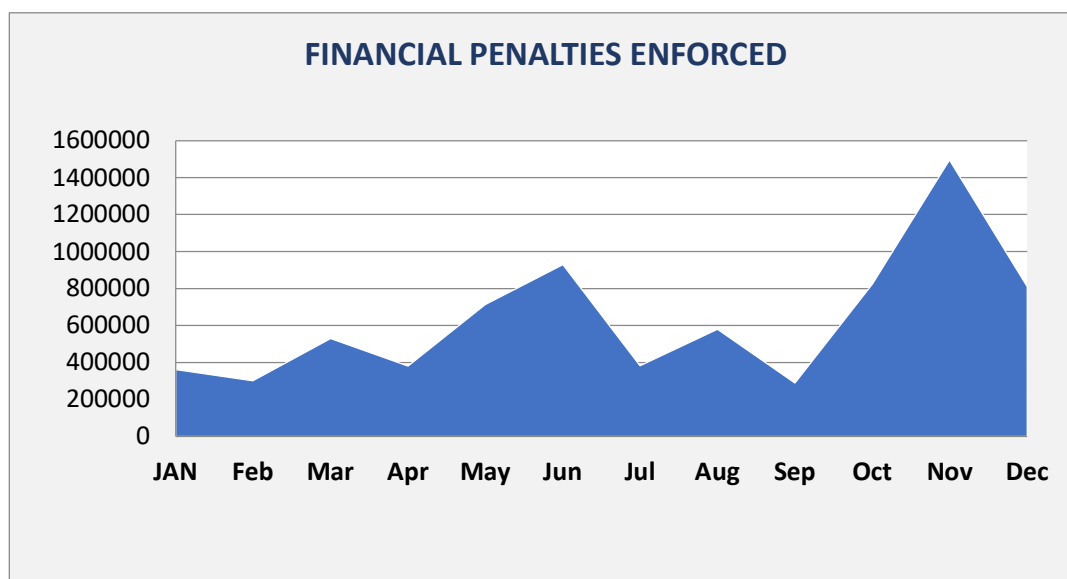
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REVOCATION/SUSPENSION OF BUSINESS LICENSES	2018	2019	2020	2021	CHANGE %
suspended business licenses	8	21	71	43	-39.44%
revoked business licenses	17	47	13	37	185%

ISSUANCE OF NOTIFICATIONS TO SUPERVISORY BODIES

In the year 2021, FinTRACA submitted a total number of 8 reports to the Financial Supervision Department of Da Afghanistan Bank in line with FIU Governance Regulation where the on-site examination was deemed necessary on observation of AML/CFT measure in certain commercial banks or money service providers operating in Afghanistan.

IMPOSING FINANCIAL PENALTIES



FREEZINGS

127 corporate and individual bank accounts were frozen by FinTRACA in the year 2021 from January to July. The total frozen amounts sums in these accounts equate to 34,913,197 AFN and 1,311,381 US Dollars. These amounts were frozen in commission of terrorist financing, corruption, drug trafficking, embezzlement, misuse of duties, bribery, concealment, land grabbing, violation of regulations, illegal increase of assets and forgery.

LEAs including AGO, NDS, MOI and FinTRACA conducted these freezings either proactively or as per request for freezing submitted to FinTRACA. The legal basis for freezing of bank accounts by FinTRACA is provided in Article 37 of AML-PC Law.

The table below illustrates the total amounts frozen during the year 2021

YEAR	FROZEN ACCOUNTS	FROZEN AMOUNTS	
		AFGHANI	US DOLLARS
2021	127	34,913,197	1,311,381

Apart from the FinTRACA, other government agencies such as DAB, MoF, AGO, MOI and NDS might have also taken enforcement measures, which are not included herein.

In addition to the measures taken by the regulator (DAB), FinTRACA enforced the following financial penalties on reporting entities. The following chart displays comparative analysis of the amount of monetary penalties imposed on the banking and non-banking sectors in the years 2017, 2018, 2019, 2020 and 2021.

YEAR	FROZEN ACCOUNTS	FROZEN AMOUNTS	
		AFN	USD
2017	91	6,791,783	792,976
2018	29	336,818	5,279
2019	35	51,552,279	2,466,984
2020	86	1,921,351	120,997
2021	127	34,913,197	1,311,381
TOTAL	283	85,755,611	3,625,729

NATIONAL ML/TF RISK ASSESSMENT

The NRA is conducted to identify, assess and understand ML and TF risks faced by different sectors. The NRA facilitates allocation of resources and adoption of Risk-Based Approach. The NRA Action Plan is also developed to implement measures to strengthen the AML/CFT regime of the country.

The legal basis for conduction of NRA is provided in Anti Money Laundering and Proceeds of Crime Law, while the conduction of NRA is instructed by ONSC and recommended by FATF recommendation 1.

As per its strategic plan, DAB conducted the NRA process, NRA working groups were formed and composed of Threat, Vulnerability, Banking Sector, DNFBPs, Financial Inclusion and other FIs teams. The FIU coordinated the NRA.

PROGRESS REPORT ON IMPLEMENTATION OF NATIONAL ACTION PLAN

FinTRACA dispatched the NRA findings' report and the Dari version of national HLCC instructed the relevant entities to start the implementation of the national action plan on the second quarter of the fiscal year 1399.

The external entities have formed internal committees regarding the implementation of Action Plan and they have introduced the focal points to FinTRACA as well.

FinTRACA has thus far only received updates from MOF, NDS, MOI, ONSC, and ACCRA. These entities have only initiated implementation of NRA Action Plan.

FinTRACA is working closely with all external entities and internal departments to fulfill all the requirements of NRA by effective manner, 88 benchmarks have been outlined for external entities for the year 2020 and 109 benchmarks for the year 2021 out of which some are completed and the rest are in progress.

DAB entities had a total of 26 benchmarks for the year 2020, which almost all are completed. For the year 2021 DAB have entitled a total of 28 benchmarks out of which some are completed and the rest are under progress.

HIGH LEVEL COORDINATION COMMISSION

FinTRACA coordinated the fourth and fifth meetings of the High-Level Coordination Commission (HLCC) on 1st March and 29th July 2021. The establishment of the HLCC is in line with the FATF recommendation and is purposed to establish an effective inter-governmental agency coordination mechanism between 9 member ministries and government agencies to enhance collective efforts of the Afghan government to combat terrorist financing, money laundering and other predicate offences and increase effectiveness and outcomes of AML/CFT regime in the country.

The fourth and fifth meetings of HLCC were held in Supreme Council Hall of Da Afghanistan Bank and chaired by Ex-Acting Governor of Da Afghanistan Bank, and attended by deputy ministers and high-ranking representatives of the member agencies.

The main purpose of these meetings was to coordinate the efforts of the government and other government agencies to combat all types of financial crimes including money laundering and the financing of terrorism and supervise the application of AML/CFT regime in the country.

CAPACITY BUILDING PROGRAMMS

Fulfilling duties designated to FinTRACA in the AML/CFT legal and regulatory framework of Afghanistan, FinTRACA worked with related law enforcement agencies, reporting entities and international counterparts in areas regarding technical assistance and training and capacity building programs.

The Center delivered 5 training programs to LEAs, and also 6 training workshops have been given to the employees of FinTRACA by international counterparts (EU):

1. Training workshops for insurance companies and foreign insurance companies' branches.
2. EU Global Facility Client Notes for Turning Financial Intelligence into Evidence.
3. Training workshop regarding trends of combating money laundering, terrorist financing and introducing United Nations Security Council sanctions lists and an introduction to FinTRACA for the employees of sensitive investigation unit (SIU) of MOI.
4. Training workshop regarding trends of combating money laundering, terrorist financing and introducing United Nations Security Council sanctions lists and an introduction to FinTRACA for the employees of Internal Security Unit of MOI.
5. Training workshop regarding trends of combating money laundering, terrorist financing and introducing United Nations Security Council sanctions lists and an introduction to FinTRACA for the employees of Information and investigation Unit (IIU) of MOI.
6. EU Global AML/CFT Facility training on Parallel Investigation.
7. Training workshop regarding trends of combating money laundering, terrorist financing and introducing United Nations Security Council sanctions lists and an introduction to FinTRACA for the Money Service Businesses and for new FXDs who have taken their licenses.

ACRONYMS

AFN	Afghani
ABA	Afghanistan Banks Association
AGO	Attorney General's Office
AML/CFT	Anti-Money Laundering and Combating the Financing of Terrorism
AML/CFT RPMR	AML/CFT Responsibilities and Preventative Measures Regulation
AML-PC Law	Anti-Money Laundering and Proceeds of Crime Law
AOP	Administrative Office of the President
APG	Asia Pacific Group
ARD	Afghanistan Revenue Department
BNI	Bearer Negotiable Instrument
CDD	Customer Due Diligence
CFT Law	Law on Combating the Financing of Terrorism
CNPA	Counter-Narcotics Police of Afghanistan
DAB	Da Afghanistan Bank (Central Bank)
DNFBP	Designated Non-Financial Businesses and Professions
DOJ	Department of Justice (US)
FATF	Financial Action Task Force
FI	Financial Institution
FSD	Financial Supervision Department of Da Afghanistan Bank
FT	Financing of Terrorism
FXDCo	Foreign Exchange Dealers Companies
HKIA	Hamid Karzai International Airport
LCTR	Large Cash Transaction Report
ML	Money Laundering
MOF	Ministry of Finance
MOI	Ministry of Interior
MOU	Memorandum of Understanding
MSB	Money Service Business
MSP	Money Service Provider
MSPCo	Money Service Provider Companies
NDS	National Directorate of Security
NRA	National ML/TF Risk Assessment
PKR	Pakistani Rupees
STR	Suspicious Transaction Report
UNODC	United Nations Office on Drugs and Crime
WG	Working Group
AFN	Afghani
ABA	Afghanistan Banks Association
AGO	Attorney General's Office



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