

RELATÓRIU ANUÁL 2015

UNIDADE DE INFORMAÇÃO FINANCEIRA



TETUN

Vizaun

“Kontribui ba sistema finanseiru no laós-
finanseiru ida ne’ebé dinámiku, sólidu
no livre hosi brankeamentu kapital no
finansiamentu terorismu”

Misaun

“UIF nu’udar entidade independenti no kredível,
ativu hala’o funsaun prinsipal sira hodi fornese
informasaun ba parseiru; promove programa habelar
informasaun relevante ba públiku liu-liu ba entidade
sujeita sirahodi garante kumprimentu ba obrigasaun
legal; no promove koperasaun ho Autoridade
nasionál no internasionál iha asaun prevensaun
no kombate brankeamentu kapital, finansiamentu
terorismu no infrasaun subjasenti sira”

Mensagem Hosi Diretora Executiva

Ho ksolok, Diretora Ezekutiva Unidade de Informação Financeira (UIF) apresenta Relatóriu dahuluk ne'ebé deskreve atividade hirak instituisaun ida ne'e dezempeña ona durante tinan 2015, no atu kumpri obrigasaun hatur iha artigu 9 hosi Dekretu-Lei nú 16/2014. Relatóriu ne'e deskreve mós atividade seluk ne'ebé UIF hala'ó ona iha iha períudu ida ne'e hodi kontribui ba programa Comissão Nacional para a Implementação das Medidas Destinadas ao Combate ao Branqueamento de Capitais e ao Financiamento do Terrorismo (CNCBC) nian.

Maski Dekretu-Lei ne'ebé regula natureza, fursionamentu no organizaasaun UIF nian ne'e tama iha virgor desde 18 Juñu 2014, instituisaun ida ne'e foin hahú lolós jestaun operacional hosi 26 Setembru 2014, loron ne'ebé ofisialmente simu fiar ba knar lideransa UIF nian hosi Sr. Governador Banco Central Timor-Leste. Nu'udar instituisaun foun ne'ebé hahú atividade operacional hosi baze no ho número rekursus umanus limitadu, UIF konsidera tinan 2015 hanesan faze instalasaun. Alémda hala'ó knar prinsipal balu, UIF foka liu mós serbissu ihadezenvolvimentu instrumentu báziku hanesan: regulamentu internu; manual no prosedimentu operacional nu'udar matadalan ba fursionariu UIF dezempeña knar ho diak no responsabilidade; serbissu hamutuk ho BCTL iha prosessu rekrutamentu fursionariu foun atu kompleta estrutura organizaasaun UIF nian no mós iha prosesu inisial dezenvolvimentu sistema baze-dadus; dezenvolve relasionamentu koperasaun ho autoridade competente sira no UIF estrangeira balu; habelar informasaun konabáezisténsia no papel UIF nian iha rejime prevensaun no kombate brankeamentu kapital no finansiamentu terrorismu, ba públikuliu-liuba entidade sujeita

balu ne'ebé konsidera prioritáriu iha períudu ne'e, hodi assegura sira nia koñesimentu diak ba obrigasaun ne'ebé hatuur iha Lei.

Hau-ata rekonhese katak, seidak implementa hotu knar hirak ne'ebé kabe ba kompeténsia legal UIF nian, maibé esforsu atu kompleta prosessu tomak ne'ebe eziji UIF nia kontribuisaun iha nível nasional no internasional hahú dadauk ona no sei kontinua iha tinan tuir mai nudar knar prioritáriu.

Iha implementasaun knar hirak ne'e, Lei nú. 17/2011, konabá Rejime Jurídiku Anti Brankeamentu Kapital no Kombate Finansiamentu Terorizmu, fó kbit bot ba UIF atu rekolha informasaun adisional hosi entidade sujeita rasik, autoridade kompetenti sira no mós Instituisaun Estadu nian, wainhira konsidera nesessáriu iha prosessu análise informasaun. Lei refere, tau mós obrigasaun ba fursionáriu UIF sira tenki hakru'uk ba dispozisaun konfidensialidade no tenki proteje informasaun ne'ebé obtain ona, dissemina ka troka ho autoridade competente sira, nune'e UIF hala'ó prosessu tomak iha parámetru ne'ebé Lei defini ona.

Iha okaziaun espesial ida ne'e aproveita halo obseravasaun balu konabá situaasaun ne'ebé ema barak seidak hatene importánsia kombate brankeamentu kapital ka hamuti-osan, no papel UIF nian. Sira haré liu hanesan obrigasaun bai-bain ida ka prosessu automatiku ida atu monitoriza no relata movimentu/fluksu osan kas no tranzasaun suspeita. Realidade hatudu katak programa ba prevensaun no kombate BK/FT la'ós ida ne'e deit maibé konjuntu ida hosi programa oi-oin no instrumentu hotu ne'ebé ezisti iha rejime laran.



Nune'e, wainhira implementa didiak, ita sei hare katak rezultadu implementasaun, em jeral. proteje sidadaun sira nia interesse, no proteje ekonomia no sistema finanseiru nasaun nian hosi abuzu ka utilizausaun ba atividade kriminal sira.

Molak ramata, hodi UIF nia naran hakarak espressa agradesimentu sasukat-laek ba Excelência sira hotu ne'ebékontribui no fo apoiu ba prosessu hari'i UIF to'o implementasaun operacional. Iha biban ida ne'e, hau hakarak destaka partikularmente ba apoiu hosi Excelência Na'i-ulun sira: ex-Vice Primeiru Ministro Saudozu "Fernando La-Sama de Araújo"; Sr. Governador no Prezidenti Konsehu Administrasaun Banco Central Timor-Leste no Konsehu Jestaun; Sr. Procurador Geral da República; SenhoresPresidentes no Membrus Komissaun-A no Komissaun-C hosi Uma-fukun Parlamento Nacional; no Senhores Ministros Copresidentes CNCBC sira. Agradese mós ba Instituisaun Finanseira sira ne'ebé kontribui ba funcionamentu knar prinsipal UIF nian, no mós Grupu Asia Pasifiku; Unidade Intelijénsia Finanseira sira hosi Portugal, Indonesia (PPATK), Australia (AUSTRAC); no Doadores sira hanesan Banku Mundial no PSDI/Banku Dezenvolvimentu Aziátiku.

Nu'udarkordenadorbaimplementasaunprograma Avaliasaun Nasional ba Risku brankeamentu kapital no finansiamentu terorizmu, no mós Planu Estratéjiku Nasional, UIF espressa mós agradesimentu ba Sr. Dr. Richard Chalmers, péritu ABK/FT, ne'ebé konsege fasilita prosessu rua ne'e to'o ramata, liu-liu ba koñesimentu no esperiénsia importante balu ne'ebé pessoal UIF aprende hosi nia durante prosessu ne'e.

Ba oin, UIF sei kontinua kolabora no kopera nafatin ho Autoridade competente ka parseiru sira iha nível nasional, hodi alkansa objetivu UIF nian no mós iha realizasaun implementasaun planu asaun nasional ba prevensaun no kombate aktu kriminal hirak ne'ebé involve brankeamentu kapital no finansiamentu terorizmu. Hau iha konfiansa katak UIF sei funsiona diak liu tan ho Excelência sira nia esforssu no kontribuisaun.

Maria José J. Sarmento

Diretora Executiva
Unidade de Informação Financeira

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LISTA AKRONIMU

Akrónimu	Signifikadu
UIF	Unidade de Informação Financeira
BCTL	Banco Central de Timor-Leste
BK	Brankeamentu Kapital (Hamuti-osan)
FT	Finansiamentu Terrorismu
ABK/KFT	Rejime Jurídiku ba Prevensaun/Anti no Kombate Brankeamentu Kapital no Finansiamentu Terrorismu
CNCBC	Comissão Nacional para a Implementação das Medidas Destinadas a Prevenção e Combate ao Branqueamento de Capitais e ao Financiamento do Terrorismo
GAFI	Grupo de Ação Financeira
GAP (APG)	Grupo Ásia Pásifiku (Asia Pacific Group on Money Laundering)
MER	Mutual Evaluation Report
OTO	Operador Transfere Osan
ATO	Ajénsia Troka Osan
RTS	Relatóriu Tranzasau Suspeita
RTN	Relatóriu Tranzasau Numeráriu
RAI-P	Rezultadu Analiza Informasaun - Proativu
RAI-R	Rezultadu Analiza Informasaun - Reativu
ANR	Avaliasaun Nasional ba Risku
PEN	Planu Estratéjiku Nasional

A. Lian Maklokek

Prerensaun no kombate Brankeamentu Kapital (BK)ka ho dalen Tetun bele dehan “hamuti-osan”;no Finansiamentu Terorizmu (FT), ohin loron la’os preokupasaun nasaun ida ka balu nian deit, maibe sai ona preokupasaun eskala mundial. Kuaze nasaun hot-hotu iha kontinente lima nia laran preokupa, tau interesse no esforssu atu kriminaliza hahalok ka lala’ok sira nebe ema individu ka grupuhakarak hetan riku-soin ka vantajem ruma liu hosi dalan lalais no fásil, halo sira pratika krimi hodi prejudika estabilidade no integridade sistema finanseiru, setor ekonomia no sosial.

Organizasaun internasional hanaran Grupo de Ação Financeira (“GAFI”)¹ ne’ebé defini padraun

¹ GAFI, organismu inter-governamental ne’ebé funda iha 1989 ho objectivu atu defini padraun internacionalno promove implementasaun efetiva ba medidas legal, regulatória no operacional hodikombate brankeamentu kapital no finansiamentu terorizmu.

internasional koñesidu nu’udar “Rekomendasaun GAFI” rekomenda nasaun sira atu estabesele kuadru legal no medidas operacionais no implementa efetivamente hodi luta kontra brankeamentu kapital, finansiamentu terorizmu no krimi orijen² sira seluk nebe ameasa integridade sistema finanseiru internacional. Konsekuensia balu, wainhira nasaun ruma la implementa maioria hosi padraun internacional nebe rekomenda ona, sira hassoru difikuldade iha relasaun komérsiu, ekonómiku no tranzasaun finanseiru iha nivel internacional.

Timor-Leste nasaun independente ida nebe hola ona parte iha espasu internacional, iha mós preokupasaun ne’ebé hanesan. La’os tamba

² Infrasaun subjasenti, aktu ilísitu hirak ne’ebé fo orijen ba atividade brankeamentu kapital. Rekomendasaun GAFI 2012 estabesele lista ida ho infrasaun subjasenti hamutuk 21.



hakarak rame-rame banati tuir deit nasaun seluk iha rejiaun laran ne'ebe implementa ona padraun internasional hirak ne'e, maibe tamba Nai-ulun Timor-oan sira konsienti katak ida ne'e nesessidade Timor-Leste nian duni, presiza duni defini politika nasional rasik ne'ebé adekuaudu hodi adota no implementa padraun internasional GAFI nian, hodi proteje interesse nasional nasaun hosi risku aktu ilfisu sira ka infrausaun subjasenti ne'ebé fo fatin baatividade brankeamentu kapital.

Timor-Leste halo politika no foti desizaun konabá matéria relevante hahú kedas hosi tinan 2009, sei temi balu hanesan: kriminaliza brankeamentu kapital no finansiamentu terorizmu iha Dekretu-Lei nú. 19/2009 loran 8 Abril -Kódigu Penál. Iha fulan Outubru 2007, S.Exa. Primeiro Ministro IV Governo Konstitusional RDTL, Sr. Kay Rala Xanana Gusmão, hasai Despacho hodi forma Grupu Trabalho Nacional (GTN) dahuluk ho objetivu atu prepara esbossu kuadru legal ruma ne'ebé akomoda medidas kontrolu adekuaudu hodi prevene no kombat brankeamentu kapital no finansiamentu terorizmu iha rai-laran inkluiatu prepara prosessu adezaun ba APG. Tuir mai Parlamentu Nasional aprova Lei nú. 17/2011, loran 28 Dezembru, konabá Rejime Juridiku kona-ba Prevensaun/Anti Brankeamentu Kapital no Kombat Finansiamentu Terrorizmu (Lei "ABK/KFT"³) habadak iha dalen ofisial Tetun). Lei ida ne'e, artigu 4, mak kria no hatur Unidade de Informação Financeira ("UIF" habadak iha dalen ofisial Tetun no Português) hamutuk iha Banco Central Timor-Leste (BCTL).

Haré ba nesessidade no importánsia assuntu global ida ne'e, Na'i-ulun Timor-oan sira ne'ebé

3 ABK/KFT, Lei Timor-Leste nian ne'ebe estabelese medidas prevensaun no kombat BK/FT hanesan obrigausaun jeral sira; detesaun BK/FT; poder autoridade supervizaun; sansaun administrativa; no medidas provizional; nst.

kaer ukun, halo mós desizaun politika hodi adere ofisialmente ba Grupu Ásia/Pasífiku ba Brankeamentu Kapital ("APG", habadak iha dalen Inglés) liu hosi enkontru anual APG nian realiza iha Bali, Indonézia, iha fulan Julho 2008. Nune'e Timor-Leste iha liu tan obrigausaun atu kumpri rekizitu ne'ebé APG in poin bapaís membru sira. Rekizitu ida mak programa avaliasaun mútua ne'ebé APG implementa ba Timor-Leste iha fulan Novembru 2011 hodi verifika oin-sá nivel kumprimentu ba rekomendasaun GAFI nian, hodi atribui mós klassifikasaun ka *rating* hat hanesan: Compliance (C); Largely Compliance (LC); Partially Compliance (PC) no Non-Compliance (NC) ba kada rekomendasaun. Rezultadu avaliasaun ne'ebé apresenta iha relatoriu avaliasaun mútua koñesidu ho dalen Inglés *Mutual Evaluation Report (MER)*⁵ hatudu progressu balu Timor-Leste halo ona maibe hatudu mós defisiensia no insufisiensia barak ka inkumprimentu ba Rekomendasaun GAFI nian, liu-liu Rekomendasaun chave no prioritária 16 ne'ebé Timor-Leste hetan klassifikasaun PC no NC hamutuk 11, no alista mós rekomendasaun lubuk ida ba Timor-Leste atu implementa hodi hadi'a defisiensia hotu ne'ebé identifika ona. APG tau mós obrigausaun ba Timor-Leste atu atualiza progressu ne'ebé halo nu'udar resposta ba rekomendasaun ne'e, liu hosi relatóriu "*follow-up progress report*" apresenta ona iha tinan Janeiro 2013 no Abril 2014.

Na'i-ulun Timor-oan sira, hatudu nafatin

4 APG, organismu inter-governamental iha rejiaun Ásia Pasífiku laran, ne'ebé hamrik iha 1997 ho objetivu atu assegura implementasaun no kumprimentu ba Rekomendasaun GAFI nian. APG iha obrigausaun atu fornese assistensia téknika ba país membru sira, enkoraja sira kopera ba malu hodi troka informasaun, no realiza avaliasaun mútua.

5 MER Timor-Leste, relatóriu ne'ebé diskuti no adota ona iha plenária APG nian, realiza iha Brisbane, Austrália, Julho 2012.



komitmentu polítiku liu hosi implementasaun planu asaun ne'ebé APG rekomena no iha relatóriu ne'e sei sita progressu balun ne'ebé iha impaktu diretu ba UIF hanesan tuir mai:

- a) Aprovasaun Lei no.5/2013/III lora 14 Agostu, konabá alterasaun dahuluk ba Lei ABK/KFT no alterasaun datuluk ba Kódigu Penál. Alterasaun Lei ne'e hatudu katak Governu RDTL fo atensaun maka'ashodi dezenvolve no adekua lejislasaun nasional atu bele sai efikáz liután hodi kombat krime brankeamentu kapital, finansimentu terrorizmu no krime relevante seluk, liu-liu mós tamba fo kbit ba UIF hodi implementa kompetensia inklui kbit atu obtain informasaun ne'ebé konsidera nesessariu hosi instituisaun Estado nian.
- b) Kriasaun Comissão Nacional para a Implementação das Medidas Destinadas ao Combate ao Branqueamento de Capitais e ao Financiamento do Terrorismo ("CNCBC" habadak iha dalen ofisial Portugés) liu hosi Rezolusaun Governo nú. 10/2014 lora 9 Abril hodi formaliza tiha GTN. Komissaun ne'e nu'udar mekanismu koperasaun no kordenasaun nivel nasional ho knar no

responsabilidade ne'ebé klaru liu tan. Tanba BK/FT sai hanesan fenómeno ho natureza no relevánsia tranznasionál, maka kriasaun CNCBC prezisa duni atu asegura kumprimentu norma internasionál sira ne'ebé iha relasaun ho krime hirak ne'e.

- c) Asaun fundamental ida mak Governu RDTL aprova Dekretu-Lei nú.16/2014 lora 18 Juñu, hodi defini natureza, governasaun no poder UIF nian. Passu markante ida ne'e, indika katak Timor-Leste implementa ona padraun internasionál ida tan ne'ebé eziji nasaun sira atu harii UIF independente ida; no mós hatudu komitmentu ba akordu internasionál hirak ne'ebé assina ona konabá prevensaun no kombat brankeamentu kapital no financiamento terrorizmu.

Haré ba progressu signifikativu ne'ebé Timor-Leste halo ona, mak iha soru-mutu anuál APG nian ba dala-17 iha Macau REA, China, iha Julhu 2014, plenária deside hasai Timor-Leste hosi estatutu "follow-up progress with expedited reporting" ba "regular follow up," ne'ebe signifika, obrigasaun atu submete relatóriu ba APG tinan ida, dala-ida deit.

B. Atividade UIF

KOMPETÊNCIA - Molok apresenta atividade ne'ebé UIF hala'o ona durante tinan dahuluk ne'e, uluk-nana'in sei haktuir kompeténsia jeral instituisaun UIF, no mós kbit no responsabilidade Diretor Ezekutivu nu'udar responsável másimu ba jestaun operacional tuir obrigasaun hatur iha artigu 2 no artigu 6 hosi Dekretu-Leinú. 16/2014, ne'ebé habadak deit hanesan tuir mai:

- a) Simu informasaun tranzasaun suspeita inklui informasaun relevante sira seluk hosi Entidade sujeita⁶ sira, husu informasaun adisionál ba instituisaun hirak ne'e ka instituisaun estadu nian ruma; no hala'o análise kle'an ba informasaun nebe obtain ona.
- b) Dissemina rezultadu análise ba Ministériu Públiku, wainhira iha indisius forte ba involvimentu krimi BK/FT ka infrasaun subjasenti ruma.
- c) Kolabora ho Autoridade sira ne'ebé mak iha kompeténsia ba prevensaun no kombate BK/FT no UIF estrangeira, liu hosi knar fornese informasaun disponivel, wainhira simu pedidu nebe iha fundamentu.
- d) Kordena no propoin mekanismu koperasaun (MOU) hodi serbissu hamutuk no troka informasaun atu permiti foti asaunprevensaun ka kombate BK/FT ho lalais no efisienti.
- e) Kordena ho autoridade competente sira hodi promove programa habelar informasaun ka eduka públiku em jerál atu hetan kuñesimentu dí'ak kona-ba risku BK/FT hodi garante seguransa iha setór finanseiru, setór ekonomia no sidadadun sira.
- f) Iha kbit atu aplika sansaun administrativa wainhira komete infrasaun ruma hosi ema individu ka koletivu ne'ebé seidak iha orgaun própriu atu regula no fiskaliza sira.

⁶ Entidade Sujeita, instituisaun finanseira no laós-financeira hotu ne'ebé defini ona iha artigu 3 hosi Lei ABK/KFT nú. 17/2011 lora 28 Dezembru.

- g) Garante manutensaun sistema baze-dadus apropriadu no aplikasaun informátika ne'ebé espesífiku hodi simu informasaun, hala'o prosesu análise no dissemina informasaun.

Iha ámbitu ezekusaun mandatu ne'e, funsionáriu UIF sira iha obrigasaun ka dever konfidensialidade ne'ebé hatur nanis ona iha artigu 20 hosi Lei ABK/KFT no mós artigu 7 hosi Dekretu-Lei. Funsionáriu UIF hotu-hotu sujeitu mós ba dever konfidensialidade no regra/kódigu konduta ne'ebé maka'as tuir Termus no Kondisaun Empregu BCTL nian. Ezemplu regra balu mak hanesan: eis-funsionáriu BCTL ka funsionáriu atual ne'ebé dezempeña hela funsaun labele permiti assessu ka halekar informasaun, ka utiliza sein autorizasaun própriu informasaun hotu ne'ebé klassifika laós-públiku ne'ebé sira obtain ona durante haknar-an nu'udar funsionáriu BCTL. Funsionáriu sira mós proibidu simu atu instrusaun hosi kualker entidade inklui instituisaun Governu nian, instituisaun finanseira ka ema fora hosi BCTL; funsionáriu sira labele hasai kualker dokumentu, dadus ka informasaun hosi BCTL, eseptu durante hala'o hela knar ofisial ruma.

ORGANIZASAUN – Artigu 3 hosi Dekretu-Lei, determina organizasaun UIF nian sei lidera hosi Diretor Ezekutivu ida nomeia hosi Governador BCTL no integra mós funsionário sira atu dezempeña funsaun ne'ebé delega ba sira, hodi alkansa objetivu UIF nian. Dekretu-ei haktuir momós katak UIF no BCTL sei kolabora no kopera ba malu hodi kumpri no alkansa ida-idak nia objetivu.

UIF ofisialmente hahu knar operacional iha lora 26 Setembru 2014, lora ne'ebé primeiru Diretor Ezekutivu nu'udar responsável másimu ba jestaun operacional instituisaun refere, ofisialmente simu kargu hosi Sr. Governador BCTL.

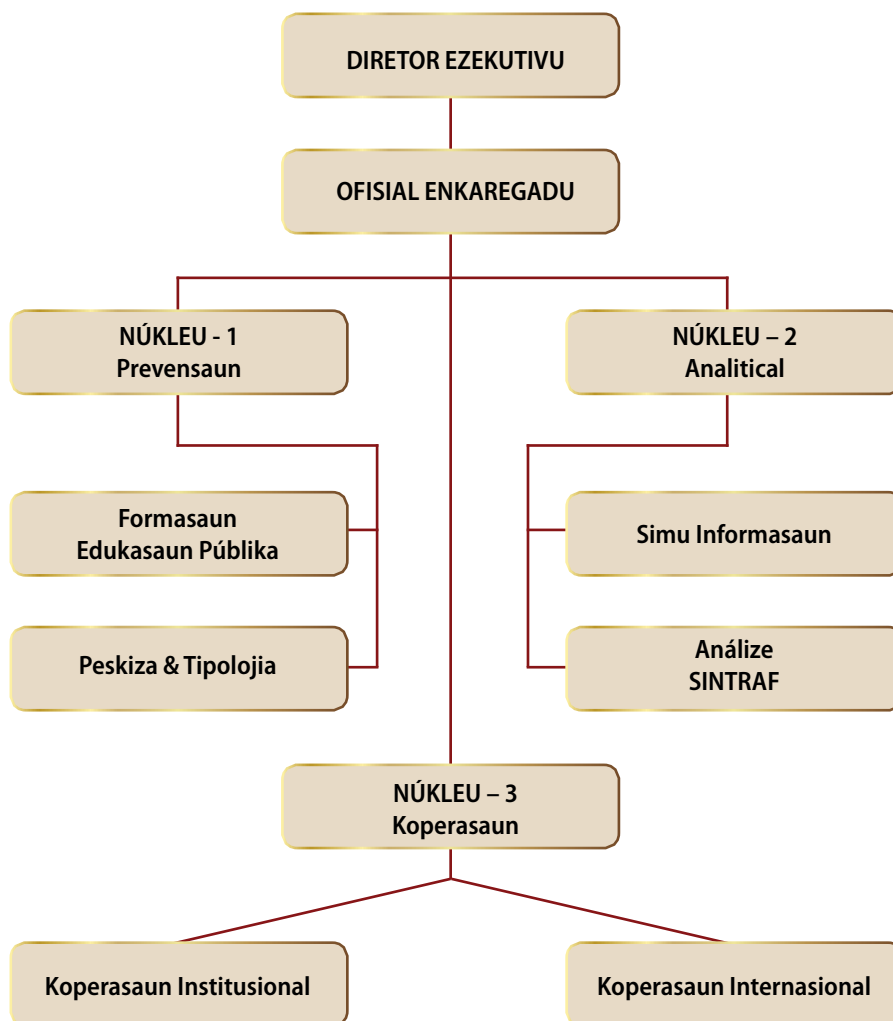
Hafoin inagurasaun, esforsu prinsipal mak tenki hahú realiza atividade sira hodi tau UIF

kompletamente operacional hodi hahú ezekeuta kedas knar prinsipal balu tuir Lei haruka. Maibé, nu'udar instituisaun foun ne'ebé hahú atividade operacional hosi baze no ho número rekursus umanus limitadu, konsidera tinan 2015 hanesan faze instalasaun tamba tenki koloka mós prioridade ba estabelesimentu elementus báziku ne'ebé nesessáriu hodi kapasita instituisaun no orienta knar ho diak.

Hahú hosi inísiu, UIF hala'o knar ho pessoal rua mak hanesan Diretora Ezekeutiva no Tékniku

Superior na'in ida transfere hosi Departamentu Supervizaun Bankária BCTL nian. Nun'e durante tinan 2015, knar prinsipal no prioritáriu sira akumula hotu iha pessoal rua deit.

Atu assegura efisiensia, makresponsabilidade ka kompetensia tomak UIF nianhaketak ba núkleu tolu ne'ebéreflete funsaun Prevensaun, Analitikal, no Koperasaun, hanesan apresenta ihaorganograma, no sei deskreve responsabilidade núkleu ida-idak nian molok apresenta atividade real.



1. Prevençaun

Haré ba situaun Timor-Leste nian nebe populaun em jeral seidak iha koñesimentu diak konabá risku BK no FT nian, liu-liu ba entidade sujeita sira nebe seidak iha koñesimentu kle'an konaba sira nia obrigaun atu identifika tranzasaun suspeita hodi hato'o relatóriu ba UIF, mak koloka núkleu ida ne'e atu responsável ba elaborasaun programa habelar informasaun ABK/KFT nian, implementasaun programa, no kordena ho autoridade competente sira iha realizaun tipu programa ne'ebé hanesan, hodi bele garante ezistencia koñesimentu públiku iha matéria ne'e, no kumprimentu ba rekizitus legais aplikável ba entidade sujeita sira. Tékniku ne'e sei servissu hamutuk ho Núkleu Análize hodi dezenvolve indikador suspeita potencial BK nian no hatutan informasaun konabá kestaun tékniku ruma ne'ebé Analista identifika ona ba entidade sujeita sira liu hosi enkontru periódiku ka asaun formaun ruma. Tékniku ne'e responsável mós ba peskiza no dezenvolve tipolojia lala'ok hamuti-osan.

Durante tinan 2015, programa habelar informasaun ABK/KFT ba públiku koloka nu'udar prioritáriu hoatividade hanesan tuir mai:

Semináriu Nasionál – UIF kopera serbissu hamutuk ho Procuradoria Geral da República hodi realiza semináriu nasional iha loron 29Abril2015. Partisipante alvu ba semináriu refere mak representante permanente CNCBC; Diretor-geral, Diretor-nacional no kuadru superior sira ne'ebé haknar-an iha jestaun pública ezekusaun orsamentu Ministériu no entidade públiko autónoma sira; representante sira hosi setor justisa, instituisaun akadémika, ONG; setor privaduno Média. Eventu nasional ne'e konta mós ho prezensa Na'i-ulun bot sira S.Exa. Sr. Primeiro Ministro, Prezidentino membru CNCBC balu.

Realizaun semináriu ne'e hanesan iniciativa UIF ba dahuluk, nune'e skolhatema prinsipal ida ne'ebé jeral no abranjenti hanesan Prevençaun no Kombate BK/FT. Objetivu prinsipál hosi eventu ne'e mak fahe informasaun no esperiensa ruma liu hosi aprezentasaun topiku balu ne'ebé konsidera iharelevánsia no importansiaba prosessu hasa'e koñesimentu partisipante sira nian hanesan:

- ❖ Knar UIF nian iha prosessu prevençaun no kombate BK/FT;



Semináriu Nasionál



ATO & OTO Workshop

- ❖ Perspetiva evolusaun, adaptasaun lejislasaun nasional no prátika internasional ne'ebé diak;
- ❖ Politika no estratéjia BCTL nian hodi assegura kumprimentu instituisaun finanseira sira nian ba rekizitu legal no regulamentar aplika ba sira;
- ❖ Enquadramentu legal (material no prosessual) no atuasaun Ministériu Públiku iha prosessu kombat BK/FT
- ❖ Esperienzia prátika setor bankáriu nian iha prosessu prevensaun.

Workshop ba Operadór Transfere Osan sira

Iha loron 18 Juñu 2015, UIF realiza workshop ba Operadór Transfere Osan (OTO) sira ne'ebé mak hetan ona lisensa hosi BCTL hodi fornese serbissu transfere osan iha Timor-Leste tamba sira nu'udar entidade sujeita ho obrigasaun atu hatoo' relatóriu tranzasaun suspeita no mós relatóriu tranzasaun numeráriu.

Programa workshop ka treinamentu báziku ba tipu instituisaun finanseira ida-ne'e importante tebes

atu eduka sira no assegura katak sira implementa duni medidas preventiva ne'ebé estabelese iha Instrusaun BCTL nian hanesan: identifkasaun kliente; mantein kópia identifkasaun no rejistu tranzasaun transferénsia eletrónika hotu maski la levanta suspeita; hatoo' relatóriu tranzasaun suspeita no tranzasaun numeráriu ba UIF.

Semináriu ida-ne'e partisipa hosi diretór no funsionáriu responsável ba identifkasaun kliente no preparasaun relatóriu; inklui mós Ajénsia Troka Osan sira (ATO)

Orador ba workshop ne'e hosi UIF rasik no mós Tékniku Supervizaun Bankária hosi Departamentu Supervizaun Sistema Finanseiru BCTL hodi apresenta tópiku prinsipal balu hanesan tuir mai:

- ❖ Enquadramentu legal ABK/KFT;
- ❖ Knar UIF nian iha prosessu prevensaun no kombat BK/FT;
- ❖ Obrigasaun iha implementasaun medidas preventiva tuir Lei ABK/KFT no Instrusaun BCTL nú. 01/2013 loron 27 Setembru, konabáLisensamentu no Supervizaun ba OTO sira.

Workshop ba Banco Nacional Comércio de Timor-Leste

Iha programa habelar informasaun ba instituisaun finanseira sira, UIF fo biban dahuluk ba BNCTL nu'udar banku nasional úniku ne'ebé ezisti iha sistema bankáriu Timor-Leste. Nia funsionáriu sira, hahú hosi jestaun topu to'o nível kraik Timor oan deit, no koñesimentu ba assuntu ABK/KFT sei limitadu.

Nune'e iha loron 19 Juñu 2015, UIF realiza workshop loron ida ba BNCTL no involve mós Tékniku Supervizaun Bankária hosi Departamentu Supervizaun Sistema Finanseiru BCTL hodi apresenta tópiku relevante tuir mai:

- ❖ Enkuadramentu legal ABK/KFT;
- ❖ Knar UIF nian iha prosessu prevensaun no kombat BK/FT;

- ❖ Obrigasaun instituisaun finanseira iha implementasaun medidas preventivatuir Lei ABK/KFT no tuir Instrusaun BCTL nú. BPA/B-2003/3 kona-bá abertura no manutensaun konta bankária; no Instrusaun nú. BPA/B-2004/2 kona-bá prevensaun brankeamentu kapitál, identifikasaun kliente no manutensaun rejistu.

Eventu ne'e hetan partisipasaun máxima hosi dirijenti nasonál banku nian no *Branch Manager* ka pesoál tékniku hosi sukursál hotu-hotu iha Munisípiu tomak.

Molok organiza eventu refere, UIF realiza enkontru dahuluk ho Membru Konseihu Administrasaun BNCTL sira hodi esplika objetivuno importánsia programa eduka no habelar informasaun ba instituisaun finanseira sira.



BNCTL Workshop

2. Analitikal

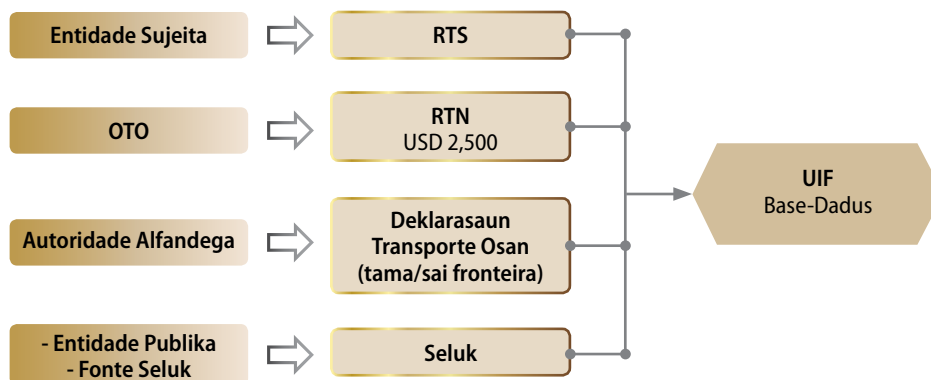
Tékniku iha núkleu ida ne'e responsabiliza ba ezekusaun mandatu prinsipal UIF nian hanesan: simu relatóriu tranzasaun suspeita (RTS) hotu hosi entidade sujeita sira, Relatóriu Tranzasaun Numeráriu (RTN) no informasaun hosi Autoridade Alfândega konabá deklarasaun lori osan numeráriu hosi ema ne'ebe tama-sai rai laran. Analista sei hala'ó análise ba RTS ne'ebe obtain ona hodi haré orijem no destinu fluxu finanseiru hodi determina karik iha indísiu aktu ilegal ruma, prepara relatóriu, no hato'ó rezultadu análise informasaun finanseira inklui rekomendasaun ba Diretor Ezekutivu wainhira indika, hodi fasilita Diretor Ezekutivu iha prosessu foti desizaun konabá disseminasaun. Artigu 26 hosi Lei ABK/KFT tau obligasaun ba UIF, wainhira rezultadu análise indika suspeita involvimentu atividade brankeamentu kapital, finansiamentu terorizmu ka infrasaun subjasenti ruma, tenki komunika kedas ba Ministério Público/Procuradoria Geral da República nune'e bele foti asaun apropiadu ruma.

Tékniku ne'e serbissu hamutuk ho núkleu koperasaun relasiona ho pedidu informasaun adisional ba autoridade competente ka instituisaun Estadu seluk ruma. Tékniku ne'e responsável ba sistema informátiku baze-dadus ne'ebé sei dezenvolve iha períudu oin mai, inklui dezeńu formatu relatóriu elekróniku ne'ebé *standard* aplikável ba entidade sujeita sira hodi uniformiza relatóriu tranzasaun suspeita ba UIF.

Atu ezekuta knar análise ho diak, Nune'e UIF tenki iha assessu ba ba informasaun finanseira, administrativa, informasaun indísius krimi hosi autotidade competente sira, inklui mos informasaun públiku ka fonte livre ruma. Informasaun mak elementu essencial liu hotu ne'ebé sai fonte primária no baze fundamental ba UIF hodi ezekuta nia mandatu.

Tipu no fonte informasaun hirak ne'e hanesan deskreve iha kraik:

- a) **Relatóriu Tranzasaun Suspeita (RTS)** – Bazeia ba artigu 23 hosi Lei ABK/KFT, entidade sujeita sira iha obligasaun atu komunika lalais ba UIF kualker tranzasaun ne'ebé sira iha razaun forte atu suspeita katak iha indísiu krimi BK/FT ka infrasaun subjasenti ruma. RTS ne'e laiha limite valor/montante. Lei tau mós obligasaun ida ne'e ba negociante fatuk no metal presioza (comerciantes de pedras e metais preciosos) atu hato'ó relatóriu ba UIF wainhira sira iha koñesimentu ba tranzasaun suspeita ruma ho valor US\$10.000,00 ka bot liu ba kada tranzasaun;
- b) **Relatóriu Tranzasaun Numeráriu (RTN)** – OTO sira alén de komunika RTS, iha mós obligasaun atu hato'ó RTN ba UIF ho valor mínimo US\$2,500.00 ka liu, ba kada tranzasaun ne'ebé kliente ida movimenta;
- c) **Deklarasaun transporte osan numeráriu**– Artigu 7 hosi Lei ABK/KFT, tau obligasaun ba ema hotu-hotu ne'ebé tama ka sai hosi teritóriu Timor-Leste no lori (transporte) osan numeráriu (kas) ho valor US\$10,000.00 ka liu, tenki deklara montante ne'e ba Autoridade Alfândega sira. Hafoin Autoridade Alfândega iha mós obligasaun legal atu apresenta kedas kópia deklarasaun hotu ba UIF;
- d) **Fonte seluk** – Lei fo kbit ba UIF atu husu informasaun adisional ruma tantu ba entidade sujeita rasik, autoridade competente sira no ba insituisaun públika seluk, inklui bele halibur informasaun hosi fonte livre ruma (*open source*);



Informasaun hotu ne'ebé obtain ona inklui hirak ne'ebé simu hosi BCTL hafoin UIF ofisialmente hamrik, armazena hotu iha baze-dadus manuál ida ne'ebé dezenvolve iha formatu *excel spread sheet* hodi bele utiliza iha prosessu análize.

Detalhu prosessu RTS too disseminasaun espontánea ba MP/PGR hanesan apresenta iha tabela ne'e:

Tabela 1
Relatóriu Tranzasau Suspeita

Entidade Sujeita (Instituisaun Finanseira)	Outuburu 2014 to'o Dezembru 2015			
	Prosessu RTS sira			
Banku sira	Nú. RTS simu ona	Análize	Disseminasaun Espontánea ba MP/PGR	Iha Prosessu Análize
	68	68	4	64

Relatóriu Tranzasau Suspeita

Bazeia ba padraun internacional mak wainhira UIF simu informasaun ka RTS sei dezempeña tipu análize rua hanesan: análize operacional⁷ no análize estratéjika⁸. Tamba número Analista seidakuf suficiente, mak durante perídu relatóriu, funsaun analitika ne'e limita deit ba análize operacional.

Durante perídu relatóriu, UIF simu RTS hosi instituisaun bankária sira hamutuk 68 RTS no halo análize, utiliza mós informasaun finanseira, administrativa, informasaun indísius krimi hosi autotidade competente sira. Rezultadu análize hatudu RTS 4 mak levanta suspeita maka'as ba brankeamentu kapital no infrasaun subjasenti balu, nune'e dissemina ba MP/PGR iha formatu manual. RTS seluk nia prosessu análize kontinua aberta hodi rekolha informasaun adisional no completa análize.

Relatóriu Tranzasau Numeráriu

Iha sistema finanseiru Timor-Leste nian, ezisti OTO 9 mak hetan ona lisensa hosi BCTL hodi halá'o atividade negosiu iha transferénsia osan maibé durante perídu relatóriu laiha MTO ruma mak hato'o RTS ba UIF, esepu RTN ne'ebe fornese regularmente, hafoin konsolida iha sistema baze dadus hodi utiliza nu'udar fonte informasaun importante iha prosessu análize.

RTN ne'be MTO sira fornese kontain número no valor tranferénsia osan tama no sai hanesan apresenta iha tabela 2.

⁷ Análize operacional, utiliza informasaun obtain ona hodi identifika alvu espesífiku ruma, buka tuir fluku tranzasau no determina ligasaun entre alvu ho possibilidade involvimentu BK/FT ka infrasaun subjasenti ruma.

⁸ Análize estratéjika, utiliza informasaun obtain ona hodi identifika trend ruma (determina ameasa no vulnerabilidade) ho objetivu ajuda UIF no autoridade sira ho kompeténsia iha ABK/KFT defini politika no metas.

Tabela 2
Relatoriu Tranzasau Numerariu

Entidade Sujeita (Instituisaun Financeira)	Jan 2014 - Dez 2015		Jan 2015 - Dez 2015		Total	
	OTO	Nu. RTN	Valor	Nu. RTN	Valor	Nu. RTN
Transferensia Sai	5,309	\$26,752,304.25	4,314	\$22,330,775.81	9,623	\$49,083,080.06
Simu Transferensia	649	\$2,564,348.98	1,367	\$5,227,784.71	2,016	\$7,792,133.69

UIF Halo Pedidu Informasaun Adisional

Durante períudu refere, UIF halo mós pedidu informasaun adisional hamutuk 32 hanesan: pedidu 27 ba entidade sujeita sira, no pedidu 5 ba instituisaun autónoma balu. Pedidu hirak ne'e ho razeun atu kompleta prosessu análise ba RTS no mós análise ba pedidu kolaborasaun hosi autoridade ho knar investigativu sira.

autoridade judisiária no entidade governu ne'ebe iha kompeténsia ba ABK/KFT, wainhira simu pedidu informasaun ka assisténsia perisial ruma.

Iha tinan 2015, total pedidu informasaun no assisténsia análise financeira ne'ebe UIF simu, hamutuk 27.

Pedidu Informasaun No Análize Hosi Autoridade Investigativu Sira No Mós Disseminasaun UIF Nian

Dekretu-Lei haktuir katak, UIF sei kolabora ho

Tabela nú. 3 iha kraik, hatudu número pedidu informasaun hosi autoridade sira relaciona ho prosessu investigasaun ba aktu kriminal tuir kategoria infrasaun subjasenti, no mós resposta ka disseminasaun hosi UIF:

Tabela 3
Pedidu Informasaun (Outubru 2014 – Marsu 2016)

Numeru pedidu hosi Autoridade Kompetente	Infrasaun Subjasenti tuir Categoria							Total infrasaun subjasenti
	Trafiku Ema & Explorasaun Seksual	Korrupsaun & Kazu Relasionadu	Falsification Aggravadu	Brankeamentu Kapital	Fraude	Droga	Infrasaun Seluk	
Nu. Pedidu Informasaun	0	2	0	2	0	0	0	4
Nu. Pedidu Halo Analize	0	1	0	3	0	0	2	6
Nu. Pedidu Informasaun no Halo Analize	1	2	1	1	3	3	6	17
Total Pedidu no UIF nia Resposta	1	5	1	6	3	3	8	27

3. Koperasaun

Konsiente ho importánsia koperasaun ho entidade relevante no bazeia ba Artigu 11 hosi Dekretu Leine'ebéfo kbit ba UIF atu hala'ó akordu koperasaun ho instituisaun konjénere iha nívelnasionál no internasionál hodi serbissu hamutuk iha luta ba kombate BK/FT, nun'eé koloka núkleu ida ne'e atu responsabiliza ba koperasaun institucional no internasionál. Tékniku ne'e serbissu hamutuk ho núkleu Analítikal relasiona ho pedidu informasaun adisional ba autoridade competente ka instituisaun Estadu nian. Elabora akordu koperasaun sira no diskuti esbossu akordu ho instituisaun ne'ebé identifika ona. Prepara relatóriu UIF hodi kontribui ba konsolidasaun relatóriu periódiku Timor-Leste tuir rekizitu APG nian. Prepara serbissu sira ne'ebé nesessáriu ba prosessu adezaun UIF iha Grupu Egmont.

Koperasaun Institucional

UIF konsiente ho importánsia koperasaun ho entidade relevante, tanba bainhira hahú hala'ó nia funsaun, imediatamente UIF halo kedan koperasaun ho entidade relevante sira seluk hanesan PGR no Polícia Científica e Investigação Criminal (PCIC). Tuir planu UIF sei formaliza koperasaun ho entidade hotu-hotu liu hosi akordu koperasaun ka MOU.

Iha nível doméstika UIF sidauk bele fornese informasaun ne'ebé mak bazeia ba koperasaun internasionál tanba informasaun hosi kontra-parte iha nasaun seluk bele asesu liuhosi *Egmont Secure Web* (ESW) ne'ebé mak hanesan kanál ba organizasaun UIF hosi nasaun hotu-hotu ne'ebé sai ona membru *Egmont Group* hodi troka informasaun. UIF Timor-Leste sidauk hola parte iha grupu ida-ne'e. MOU ne'ebé atu assina sei formaliza relasaun kolaborativu ne'ebé ezisti ona, tamba koperasaun institucional importante atu reforsa komponente chave iha desenvolvimento konfiansa ba sistema finanseiru no estabilidade ekonomia.

Iha períudu ne'e, UIF kolabora no kopera ho entidade relevante sira hanesan MP/PGR, Polícia Científica e Investigação Criminal (PCIC) hodi identifka fluksu

finanseiru iregular sira, inklui kolabora mós ho entidade administrativa balu hodi obtain informasaun adisional. UIF hahú ona diskusaun no prepara ona esbossu nota entendimentu ka Memorandum of Understanding (MOU), no espera atu formaliza relasaun kolaborativu ne'ebé ezisti ona entre UIF ho parseiru nível nasionál nian.

UIF halo mós parte Grupu Trabalho CAC nian konabá implementasaun Konvensaun UNCAC. Iha biban ne'e UIF halo apresentasaun ba investigador sira iha workshop ne'ebé organiza hosi CAC no mós PCIC, konabá matéria relevante ho knar inklui importánsia koperasaun entre UIF no autoridade competente sira.

Koperasan Internasionál

UIF identifka no hahú ona kontaktu ho instituisaun konjénere balu iha rejiaun Ázia Pasífiku, inklui nasaun seluk ne'ebé iha relasaun tranzasaun finanseira aas ho instituisaun Finanseira iha Timor-Leste, hodi formaliza relasaun no bele asina MOU.

Atu formaliza koperasaun internasionál, mak UIF Timor-Leste assina ona MOU ho UIF Portugal iha fulan juñu 2015.

Organizasaun GAFI rekomenda nasaun sira atu adere ba Grupu Egmont⁹. Vantajen sai membru ba Grupu ne'e mak sei fasilita serbissu hamutuk no trokra informasaun entre UIF sira liu hosi kanal seguru ida hanaran *Egmont Secure Web*¹⁰.

UIF Timor-Leste seidaun hola parte iha Grupu internasionál ida ne'e, maibé planu preparasaun hala'ó dadaun ona, no iha fulan Marsu 2015 haruka mós pedidu ofisial ba UIF Portugal, hodi husu apoiu no assisténsia téknika atu desenvolve kapasidade UIF no preparasaun prosessu adezaun UIF Timor-Leste ba Grupu Egmont. Pedidu hanesan hato'ó mós ba PPATK Indonesia durante UIF nia vizita estudu.

9 Grupu Egmont, organizasaun internasionál ida hari'i iha 1995 hodi halibur UIF sira ne'ebé priense ona kritéria membru nian, hodi estimula kooperasaun no troka informasaun, esperiénsia no formasaun.

10 Egmont Secure Website, rede internasionál Grupu Egmont nian hodi kopera no troka informasaun iha forma efisienti no seguru.



Tipology Workshop

4. Kapasitasaun Institucional

PROSEDIMENTU OPERASIONAL - Iha faze instalasaun ne'e, atividade fundamental idak instrumentu relevante sira atu utiliza nu'udar baze hodi dzempeña knar no responsabilidade sira. Atividade ne'e inklui elabora regulamentu internu hodi regula funsionamentu instituisaun nian em jeral, no prosedimentu operacional hodi orienta knar iha nukleu Analitikal no Koperasaun.

Implementasaun atividade ida ne'e, UIF konta ho assistensia teknika hosi PPATK durante loron 4 – 8 Abril 2015, ho apoiu finanseiru hosi fundus doadores nian nebe kanaliza liu hosi APG.

TEKONOLOJIA INFORMÁTICA (IT) – Nu'udar defini ona iha Dekretu-Leikatak, BCTL mak responsavel ba kustu ka despeza hotu-hotu hodi garante funsionamentu operacional UIF nian, nune'e relasiona honesesidade IT, UIF hetan apoiu tomak hanesan ekipamentu elektróniku hosi Banku Sentral no apoiu tékniu sira liu hosi Divizaun IT, BCTL nian.

Iha tinan 2015, implementasaun knar Analitikal (simu informasaun, analiza, no dissemina), sei dezempeña ho forma manual tamba sistema baze-dadus apropriadu no analítiku sistematizadu seidak iha.

Ba kestaun ida ne'e, UIF serbissu hamutuk ho BCTL, hahú ona diskussaun relasiona ho planu atu hari'i sistema apropriadu ba armazenamentu informasaun no dadus, jere no fasilita prosessu análise RTS, RTN, no transporte osan numer'ariu, iha forma efetivu no efisienti; inklui konsiderasaun ba karakterístika (*features*) sistema konabá seguransa informasaun.

REKURSU UMANU – Ai-rin importante ba funsionamentu kualker instituisaun mak rekursu umanu ne'ebé iha duni koñesimentu no esperiéncia sufisienti konabá funsaun ne'ebé atu dezempeña. Ho hanoin ida ne'e, pessoal UIF partisipa programa kapasitasaun rekursus umanus iha matéria ABK/KFT, no mós esperiéncia prátika sira hanesan tuir mai:

❖ **Novembru 2014** – Hafoin inagurasaun UIF, pessoal na'in rua hala'ó vizita estudu iha PPATK

Jakarta, Indonesia. Objektivu vizita ne'e atu harébesik oin-sa funcionamentu operational PPATK nian iha área hotu-hotu hahú hosi prosessu prevensaun; combate;koperasaun iha rai-laran no estranjeiru; noknar prinsipal liu hanesan prosessu simu relatóriu hosi entidade sujeita sira, hala'ó análise inklui tun ba terrenu hodi buka informasaun adisional, hafoin halo desizaun atu dissemina ba autoridade kompetentehamutuk na'in nen conforme rezultadu análise indika. Prosessu ida ne'e utiliza sistema informátiku (baze-dadus) ne'ebé PPATK rasik mak dezenvolve tuir nessesidade no kbit instituisaun nian.

- ❖ **22 – 23Juñu 2015**, pessoal UIF na'in ida realiza vizita estudo loron rua iha UIF Portugal. Objektivu vizita ne'e atu aprende esperiéncia Portugal nian iha matéria ABK/KFT, liu-liu eze-kusaun knar UIF nian, no koaliamós assuntu tékniku balu konabá koperasaun entre instituisaun rua.

Alén de vizita estudo, funcionáriu UIF ida participa mós formasaun no semináriu iha matéria ABK/KFT ne'ebé organiza hosi APG no parseiru desenvolvimentu Banku Mundial, ho detalhu tuir mai:

- ❖ **26 – 28 Agostu 2015**,workshop konabá metodolojia avaliasaun ne'ebé GAFI hasai iha 2013 no matéria avaliasaun nasional ba risku brankeamentu kapital no finansiamentu terorizmu, iha Seoul, Korea Sul.
- ❖ **15 Novembru 2015**, seminário conjunta organiza hosi APG no Grupo Egmont FIU nian, no hola fatin iha Kathmandu, Nepal.
- ❖ **16 – 20 Novembru 2015**, iha Kathmandu, Nepal, pessoal UIF kontinua participa workshop organiza hosi APG konabápreparasaun tipologia.

Hahú hosi Outubru 2015, kursu kontínua dalen ofisial Portugués. Alén de programa kapasitasaun iha matéria téknika sira, UIF iha mós komitmentu atu intensifika programa aprendizajem dalen ofisial Portugués hodi hariku-an iha dalen ida ne'e hamutuk ho dalen ofisial Tetun,nune'e bele tulun funcionáriu UIF dezempeña sira knar diak no eficienti liu tan. Lideransa UIF enkoraja funcionáriu sira atu proveita biban ne'ebé iha no pratika duni dalen ne'ebé aprende ona ba funcionáriu nia benefísiu rasik, no ba desenvolvimentu operacional UIF nian.

C. Atividade Seluk - CNCBC

Alén de dezempeña atividade prinsipal sira, UIF hala'ó mós atividade seluk hodi kontribui ba programa ne'ébe Governu RDTL atribui ba CNCBC, nu'udar mekanismu koperasaun no kordenasaun nivel nasional ho knar no responsabilidade ne'ebé klaru liu tan.

Komissaun nasional ne'é ko-prezide hosi Sr. Ministro Justisa no Sr. Ministro Negócios Estranjeirus & Koperasaun nia knar atu kordena implementasaun programa lubuk ida konabá prevensaun no kombate BK/FT no balu hanesan: konduz avaliasaun nasional risku no elabora planu estraéjiku nasional.

UIF rasik seidak tama hanesan membru CNCBC, maibé haré relevánsia knar UIF nian iha rejimi ABK/KFT nian mak UIF hola parte ativa tantu iha atividade periódika sira no mós atividade espesífiku seluk ne'ébe Ko-Presidente sira delega ba UIF.

Iha relatóriu ne'é sei deskreve kontribuisaun UIF iha atividade CNCBC nian ne'ébe sei hafahe ba parte rua hanesan tuir mai:

1. Kontribuisaun UIF Ba Atividade Periódika CNCBC Nian

13 to'o 17 Julho 2015 – UIF hamutuk ho representante permanente balu CNCBC, partisipa Enkontru Anual APG18° no Forum Assisténsia Téknika/Formasaun, iha Auckland, New Zealand. Enkontru anual ne'é Membru APG sira diskuti assuntu oi-oin hanesan, gastu finanseiru ba atividade tinan dahuluk, orsamentu no kuota país membru sira nian; rezultadu avaliasaun mútua; planu avaliasaun mútua ba tinan tuir mai; progressu no kumprimentu paíz membru

sira iha rekomendasaun GAFI nian, inklui apresentasaun tipolojia BK/FT no infrasaun subjasenti sira, no rezultadu avaliasaun nasional ba risku brankeamentu kapital no finansiamentu terorizmu hosi paíz membru sira ne'ebé foin finaliza prosessu ne'é. Iha sorin seluk, hala'ó mós soru-mutu bilateral entre doador sira no paíz membru ida-idak hodi koalia nesessidade ba assisténsia téknika ka programa formasaun ruma ne'ebé ajénsia doadorka nasaun ruma bele finansia.

Molok partisipa soru-mutu ne'é UIF kordena preparasaun relatóriu periódiku Timor-Leste nian, tinan Julho 2014 – Juñu 2015, hafoin submete ba APG hodi kumpri obrigasaun paíz membru nian.

11 Novembru 2015 – UIF partisipa soru-mutu kordensaun CNCBC nianho S.Exa. Senhor Primeiro-Ministro VI Governu Konstitusional. Assuntu sira koalia iha biban ne'é relasiona ho implementasaun programa ANR ne'ebé hahú ona iha fulan juñu 2015, no foka mós questão estatística inklui nesessidade prioritária ba kriaun sistema baze-dadus hodi armazena no valida dadus estatístiku iha setor justisa, nune'é dadus estatístiku ba krimi subjasenti sira bele reflète duni situasaun real konabá setor ne'ebé potensial ba risku brankeamentu kapital no prátika krimi.

17 Novembru 2015 – CNCBC hala'ó soru-mutu ba dala rua ho partisipasaun representante permanente sira. UIF nia partisipasaun iha biban ne'é hodi apresenta atividade jeral sira ne'ebé realiza iha períudu anterior, inklui atividade prinsipal balu ne'ebé hala'ó ona wainhira knar kordenador ba Komissaun Nasional ne'é sei iha Banku Sentral. Durante soru-mutu ne'é UIF apresenta mós rezultadu dahuluk hosi avaliasaun nasional ba risku.

Iha períudu ne'é, UIF kontribui mós baknar Sekretariadu CNCBC nian hodi prepara

proposta regulamentu internu konabá funsionamentu Komissaun nian, proposta alterasaunba Resolusaun Governu n.º 10/2014 hodi inklui instituisaun seluk ne'ebé iha mós kompténsia iha assuntu ABK/KFT, inklui elaborasaun relatóriu CNCBC ba tinan 2015 atu submete ba Konseihu Ministru.

2. Avaliasaun Nasional Ba Risku BK/FT No Elaborasaun Pen

Iha Rekomendasaun foun 2012 nian, GAFI husu nasaun membru sira atu identifika no avalia risku brankeamentu kapital no finansiamentu terorizmu, foti medidas nesessáriu hodi responde ba risku hirak ne'ebe identifika ona hafoin halo aproximasaun bazeada iha risku.

Atu prevene no kombate aktu ilísitu sira ne'e, Na'i-ulun Timor oan sira iha mós interesse atu komprende uluk risku BK/FT ne'ebé nasaun Timor-Leste espostu ba, ka iha poténsia bot atu akontese no bele prejudika nasaun. Konsienti ho

importánsia avaliasaun ba risku iha rai-laran, Na'i-ulun Ko-Presidente CNCBC, Sr. Ministro Justisa no Sr. Minstro Negócios Estranjeirus & Koperasaun, liu hosi karta ofisial loraon 15 Maiu 2015, fo fiar ba UIF atu sai kordenador ba implementasaun programa Avaliasaun Nasional ba Risku (ANR¹¹, habadak iha Tetun) ho objetivu identifika uluk fator ameasa no vulnerabilidade inklui nia konsekuénsia sira ba sistema finanseiru no ekonomia nasaun Timor-Leste nian, molok atu defini polítika nasional no prepara planu asaun ruma hanesan Planu estratéjiku Nasional (PEN). ANR hanesan mós pontu inisial ida essensíal tebes atu ajuda Nai-ulun sira ne'ebé iha kompténsia atu kombate krime BK/FT, Entidade Supervisorora no setor privadu sira, iha prosessu define polítika atu oin sá aplika rekursus disponiveis hodi responde ba risku hirak ne'ebe identifika ona.

Detalhu hosi implementasaun programa refere hafahe iha faze rua hanesan deskreve tuir mai:

8 to'o 12 Juñu 2015 – Iha faze dahuluk ne'e, UIF organiza seminar loraon baluk ne'ebé hola fatin iha Salaun *Knowledge Centre* Ministériu Finanzas, no halibur membru CNCBC no representante



permanente sira; setor privadu; advogadu; Defensor Públiku; instituisaun akadémiku no sociedade sivil. Objetivu seminar refere, atu uluk nana'in esplika padraun internasional hosi rekomendasaun GAFI; importánsia ANR; nia metodolojia no nia prosessu rasik.

Hafoin, UIF no Konsultor continua hala'ó soru-mutu ho instituisaun ida-idak hodi dada-lia no rekolha informasaun relevante ka dadus estatístiku balu nu'udar baze esensial ba análise hodi bele identifika poténsia ameasas no vulnerabilidade sira.

29 Outubru to'ó 6 Novembru 2015 – Iha faze daruak ne'e, UIF organiza tan soru-mutu individual dala-nen ho instituisaun xave sira atu hodi obtain informasaun adisional no husu klarifikasaun balu, tuir ba mak hala'ó *workshop* loron rua ba membru CNCBC no nia representante permanente sira hodi fo biban ba Konsultor apresenta rezultadu preliminar hosi ANR. Iha biban ne'e hakarak hetan mós konfirmasaun hosi Autoridade sira konabá konteúdu hosi dokumentu ANR ne'e no oin'sá konabá risku hirak ne'ébé identifika ona, inklui komentáriu konstrutivu ruma ne'ébé relevante hodi kompleta ANR ne'e. Avaliasaun nasional ba risku dahuluk ne'e, prosessu ida esplorativu tebes, no presiza halo tan esforsu ruma hodi reforsa informasaun ne'ébé avaliasaun ne'e bazeia bá. No entantu iha relatóriu ida ne'e, konsidera nesessáriu apresentadadauk assuntu importante ka risku balu ne'ébé identifika ona hosi prosessu avaliasaun refere hanesan deskreve tuir mai:

- a) Koñesimentu báziku ba assuntu brankeamentu kapital no finansiamentu ba atividade terrorismu, tantu iha setor públiku no setor privadu, sei limitadu tebes, liu-liu

11 ANR, hanesan GAFI nia Rekomendasaun 1, ne'ebe haruka nasaun sira tenki identifika, avalia no komprende didiak risku BK/FT ne'ébé nasaun ne'e espostu ba, tau rekursu adequadu hodi responde ba risku ne'ébé identifika ona, no aplika aprosimasaun bazeada iha risku.

tamba lejislasaun mós sei foun foin aprova iha 2011 no hetan alterasaun iha 2013. Nível kumprimentu hosi entidade sujeita konabá obrigasaun atu komunika relatóriu tranzasaun suspeita ba UIF sei limitadu;

- b) Moeda oficial dolar Estados Unidos Amerikanu (USD) nu'udar instrumentu pagamentu ba kualker tranzasaun. Pagamentu hala'ó barak liu iha forma numeráriu/kas (*cash based economy*) no laiha sistema diak hodi rejistu osan kas tama-sai fronteira, tuir obrigasaun iha artigo 7 hosi ABK/KFT. Situasaun real ida ne'e sai hanesan ambiente atrativu ida no permiti ema sira ho intensaun atu subar orijen produktu krimi nian (ne'ébé hetan iha rai laran ka hosi estranjeiru) mistura fundus empreza ho fundus pessoal nian;
- c) Dadus estimativu konabá valor produktu krimi no informasaun ne'ébé atualmente disponível ba infraun subjacenti sira iha Timor-Leste limitadu tebes. Maibé estatística hatudu duni número krimi subjacenti balu as liu hotu no sai hanesan fonte primária ba produktu krimi no benefísiu finanseiru, no indika mós vulnerabilidade ne'ébé significativu.
- d) Knar investigasaun paralela ba brankeamentu kapital ka aspetu finanseiru hosi infraun subjacenti sira seidak adequadu. Wainhira investiga kazu sira ralasiona ho korrupsaun, trafiku droga, evazaun fiskal, fraude, nst, ne'ebe iha poténsia ba benefísiu finanseiru ruma tenki halo duni investigasaun paralela tuir rekomendasaun internacional.
- e) Instituisaun finanseira sira mak sai alvu ba tentativa brankeamentu kapital iha ekonomia formal, maibé persepsaun geral indika katak, atualmente lala'ók brankeamentu kapital/hamuti-osan seidak hatudu eskala bot tamba setor finanseiru sei ki'ik no mekanismu

atrativu seluk atu halo brankeamentu ka hamuti-osan hosi produdu krimi sei limitadu. Maibé tenki foti duni medidas ruma, tamba fator ameasa no vulnerabilidade ezisti ona, no fásil ba ema hanoin-at sira, tantu iha rai laran no hosi estranjeiru, atu esplora no utiliza. Nesessáriu atu serbissu maka'as no estabese medidas adekuaudu ruma nu'udar salva-guarda báziku hodi bele reponde ba risku;

- f) Enkuadramentu legal ABK/KFT ezistenti, iha aspetu balu seidauk kumpri didiak padraun internasional sira. Konsekuénsia hosi ida ne'e mak kria vulnerabilidade ba BK no FT.

Hafoin hala'ó tiha ANR, UIF kontinua serbissu hamutuk ho Konsultor iha prosessu elaborasaun planu estratéjiku hodi trasa planu asaun prioritáriu, atu CNCBC bele implementa durante períudu 2016 – 2020. Espera katak Planu refere sei ajuda Autoridade Nasional sira, Autoridade Supervizaun no setor privadu sira bele defini polítika no aloka

rekursus adekuaudu hodi responde ba risku ne'ebe identifika ona.

Em jeral, Timor-Leste hatudu ona progressu barak iha implementasaun programa prevensaun no kombate BK/FT maibé seidauk efetivu no adekuaudu. Serbissu maka'as ba dezvoltimentu programa refere tenki kontinua nafatin wainhira Autoridade nasional sira hakarak luta kontra brankeamentu kapital nesessáriu tebes atu konsidera assuntu hirak ne'e prioritáriu no assegura implementasaun medidas preventivas nebe forte no rígido, aplikável ba entidade sujeita sira liu-liu ba instituisaun finanseira tamba sira mak sai alvu prinsipal ba tentativa brankeamentu kapital.

Programa rua refere, ANR no PEN, ne'e bele implementa ho apoiu finanseiru hosi parseiru dezvoltimentu PSDI/ADB hodi kontrata peritu internasionál Sr. Richard Chalmers ne'ebe facilita no kompleta dokumentu ANR inklui mós PEN ne'ebe sei iha prosessu laran. Tan ne'e UIF apresia apoiu tomak iha prosessu ida ne'e.

D. Planu Asaun UIF Nian

Iha tinan tuir mai, UIF tau prioridade ba planu asaun hat hanesan instalasaun sistema SINTRAF; reforssu kapasitasaun institucional; reforssu koperasaun iha nível nasional no internasional, no kontinua programa habelar informasaun ABK/KFT ba entidade sujeita no ba públiku em jeral. UIF sei serbissu maka'as atu implementa planu asaun hirak ne'e nu'udar preparasaun ida mós iha prosessu adezaun ba Grupu Egmont.

Detalhu planu asaun hirak ne'e deskreve iha kraik:

1. Hari'i Sistema Sintraf

Planu prioritáriu dahuluk ba períudu oin mai mak instalasaun sistema baze-dadus apropriadu no seguru. Tuir planu ne'ebé hahú ona, sistema ida ne'e sei hanaran SINTRAF (Sistema Informátiku ba Analiza Tranzasaun Finanseira). Sistema ne'e hanesan elementu fundamental atu garante implementasaun knar UIF ho efikás no eficiente tanba sistema ne'e sei fasilita prosessu simu relatóriu liu hosi meiu eletróniku seguru no hala'ó funsaun analítiku sistematizadu.

Planu ida ne'e prioritáriu duni atu fasilita ezekusaun knar hirak temi ona, no sai mós rekizitu prinsipal ida hosi Grupu Egmont, wainhira UIF iha duni interesse adere ba Grupu internacional ida ne'e.

2. Reforsu Kapasitasaun Institucional

UIF nu'udar instituisaun foun, nesessáriu atu kontinua reforssa kapasitasaun, nune'e planu tuir mai mak rekrutamentu funsionáriu foun na'in tolu hodi garante funsionamentu

área Analitikal no Koperasaun, hafoin sei organiza treinamentu báziku ba sira molok hahú assumi knar.

Liu hosi assisténsia téknika ne'ebé APG ka doadores sira disponibiliza, UIF sei implementa programa formasaun ba funsionáriu sira hodi dezenvolve kapasidade liu-liu iha prosessu ezekusaun knar prinsipal UIF nian hodi hasa'e qualidade informasaun intelijénsia, no bele fasilita diak liu tan prosessu investigasaun ba kazu sira involve brankeamentu kapital, finansiamentu terorizmu no infrasaun subjacenti sira.

UIF sei kontinua kompletano finaliza prosedimentu operacional ba área ne'ebé seidauk iha.

3. Hametin Koperasaun

Planu prioritáriu tuir mai mak realiza akordu koperasaun hodi assina MOU ho instituisaun relevante sira ho objetivu atu formaliza relasaun kolaborativu ne'ebé ezisti ona, tamba koperasaun institucional importante tebes atu reforsa komponente chave iha dezenvolvimentu konfiansa ba sistema finanseiru no estabilidade ekonomia.

4. Programa Habelar Informasaun ABK/KFT

Iha períudu tuir mai UIF kontinua fo prioridade ba programa habelar informasaun ba públiku liu-liu eduka entidade sujeita sira ne'ebé koñesimentu ba ABK/KFT em jeral no sira nia obrigasaun rasik seidauk sufisienti.

ANEKSU I

Lista kategoria infrasaun subjasenti tuir Rekomendasaun GAFI

Nú.	Tipu Infrasaun Subjasenti
1.	Partisipasaun iha grupu krimi organizadu no estorsaun
2.	Terrorizmu, inklui finansiamentu terrorizmu
3.	Tráfiku ba ema no kontrabandu ba imigrante
4.	Esplorasau seksuál, inklui esplorasau seksuál ba labarik idade ki'ik
5.	Tráfiku ilegál ba estupefisiéti no substánsia psikoatrópika
6.	Tráfiku ilegál ba arma
7.	Tráfiku ilegál ba merkadoria ne'ebé na'ók ka propriedade sira seluk
8.	Korupsaun no subornu
9.	Fraude
10.	Kontrafasaunosan (osanfalsu)
11.	Kontrafasaun no piratariaproduutu
12.	Krimiambientál
13.	Oho ema no hakanek ema ne'ebé grave
14.	Raptu, sequestru no detensaun ilegál
15.	Estorsaun no Roubu
16.	Kontrabandu (inklui álfandega no impostu no taxa)
17.	Infrasaun fiskál (relasiona ho impostu direita no indireita)
18.	Estorsaun
19.	Kontrafasaun
20.	Pirataria
21.	Uza sala informasaun konfidensiál no manipulasau iha merkadu kapital

ANEKSU II

Lista Entidade Sujeita

NÚ.	ENTIDADE SUJEITA - RTS	OBSERVASAUN
	INSTITUISAUN FINANSEIRA:	
	Banku	
1.	CGD/BNU Timor, Sukursal Timor-Leste	
2.	Banku ANZ, Sukursal Timor-Leste	
3.	Banco Nacional de Comércio Timor-Leste	
4.	Banku Mandiri, Sukursal Timor-Leste	
	Kompañia Segurus (Ramu Vida)	Seidauk iha
	Operador Troka Osan (Casa de Câmbio):	
5.	GlobaEx Limited, Pacific Holdings (Timor) Ltd	
6.	Island Dream Money, Lda	
	Operador Transfere Osan:	
7.	Western Union, Pacific Holdings (Timor) Ltd	
8.	Sahabat Loro Sa'e, Unipessoal Lda	
9.	Island Dream Money, Lda	
10.	Sister Motor II Unipessoal, Lda	
11.	Boa Ventura, Unipessoal Lda	
12.	Baratu Group, Lda	
13.	Istana Group Lda	
14.	Foho Osan Mean, Unipessoal Lda	
15.	Forte Group, Unipessoal Lda	
	Instituisaun Seluk Simu Depóztu (OIRD)	Seidauk iha
	INSTITUISAUN LAÓS-FINANSEIRA (Advogado, Casinos, Contabilistas, Auditor Fiscal, etc)	Balu seidauk iha
	ENTIDADE SUJEITA - RTN	

ANEKSU III

Glossáriu

Brankeamentu Kapital ka hamuti-osan –

Prosesu ne'ebé kriminozu sira uza osan ka riku-soin ruma ne'ebé obtain hosi rezultadu atividade kriminál, hafoin tenta atu hamuti tiha ka halo brankeamentu hodi hadook, hasubar no halakon osan nia orijin ilísitu hodihamosu imajen katak osan ne'e mai duni hosi fonte lejítimu ida.

Finansiamentu Terorizmu –

Aktu krime ida ne'ebé wainhira ema ka grupu ruma disponibiliza fundu, propriedade ka riku-soin ruma ba terorista ka organizasaun terorista, direta ka indiretamente, ho intensaun atu finansia hahalok ka atividade terrorizmu nian. Osan ka riku-soin ne'ebéle mai hosi fonte lejítimu no mós ilejítimu.

Prosesu brankeamentu kapital(hamuti-osan):

Kolokasaun–konsiste hosi introdusaun riku-soin ka produ tu ruma iha sistema finanseiru no ekonomia, liu hosi instituisaun finanseira sira hanesan banku, operador troka osan (casa de câmbio), kasino sira, nst. Faze ida-ne'e konsisti restruturasaun, signifika tau osan iha konta bankária barak ho titular konta ne'ebé hanesan, no *smurfing* liu hosi ema barak hodi tau osan iha konta bankária ho titular konta diferenti.

Kamouflajen – produ tu ilegal ne'ebé obtain ona konverte ka transforma tiha hodi halakno nia orijin liu hosi tranzasaun transferénsia oi-oin no halo dala

barak, involve mós titular konta bankária barak hodi kria konfuzau n para difíkulta identifikaun no buka tuir orijin lolóshodi hamossu hanesan osan lejítimu.

Integrasaun –

osan ka fundus ne'ebé hamuti ona investe fali iha tipu atividade ekonómika lísitu sira, ezemplu hanesan sosa riku-soin ne'ebé luxu, halo investimentu bot ruma, nst.

Infrasaun subjasenti –

kualker krimi ho pena prizaun bot liu tinan rua nu'udar fonte hetan osan hafoin hamutin tiha ka halo brankeamentu kapital. Infrasaun subjasentine'e elementu materiál ida ba krimi brankeamentu kapitál, ezemplu: autoridade kompetente sei labele kastigu ema ne'ebé halo brankeamentu kapital ba vantajen finanseiru ruma hetan hosi aktu hases-an hosi obrigasaun selu impostu (evazaun fiskal)wainhira aktu ilísitu ida ne'e la defini nu'udar infrasaun subjasenti ida.

Tranzasaun Suspeita –

kualker tanzasaun finanseira ida bele levanta suspeitawainhira entidade sujeita sira iha razaun forte atu konklui katak tranzasaun ne'e laiha justifikasaun ekonómika no objetivu legal. Relatóriu tranzasaun suspeita laiha limite valor ka montante.

Pessoa Políticamente Exposta –

Ema individu ne'ebé assumi kargu bot ruma ho natureza política ka públka, inklui sira nia membru família rasik, hanesan defini ona iha artigu 1 hosi Lei ABK/KFT.

ANNUAL REPORT 2015

FINANCIAL INFORMATION UNIT



ENGLISH

Vision

“Contribute to a dynamic and solid financial and non-financial system which is free from money laundering and financing of terrorism”

Mission

To be an independent and credible center, supplying high quality intelligence reports to UIF partners; actively promote public awareness raising program concerning related topics, prioritising reporting entities to promote their compliance with applicable legal obligations; and promote effective domestic and international cooperation in the fight against money laundering, terrorist financing and associated predicate offenses.

Message From The Executive Director

The Executive Director of Unidade de Informação Financeira is delighted to present the first annual report which describes overall activities performed during the year 2015 in order to comply with the UIF's obligation set out in article 9 of Decree Law no.16/2014. This first report also describes other activities that have been performed during the year to contribute to the program of National Commission for the implementation of measures against money laundering and terrorist financing.

Although the Decree Law which regulates the nature, functioning and organisation of the UIF entered into force since 18 June 2014, its operational management commenced in 26 September 2014, the day when the Executive Director was appointed by H.E. Governor of BCTL and officially took the oath of office. As a newly established institution, which commenced its activities from scratch with limited human resources, the UIF considers 2015 as a developmental installation phase. Besides executing its principal functions such as receiving suspicious transactions reports from reporting entities; analyse all information that has been obtained; and disseminate intelligence reports to competent authorities; building up relationship with competent authorities; awareness raising program to the public and some financial institutions that the UIF considers a priority;

UIF also focused its work on drafting internal regulations; standard operating procedures for guiding duties and responsibilities; and identification of important features in designing new database and analytical software system for the UIF's core business.

It is recognised that the UIF has not yet fully implemented its assigned duties and responsibilities however, efforts to complete pending activities which require UIF contribution in the AML/CFT regime have commenced and will continue to be performed in the coming period as a priority activity.

In the implementation of the UIF's mandate, the Anti-Money Laundering and Combating the Financing of Terrorism legal regime no. 17/2011 gives wider power to this institution to request additional information from the reporting entities, competent authorities and other state institutions as it deems necessary during an information analysis process. The Law also provides a confidentiality provision applicable to all UIF staff to protect information that they have obtained, disseminated or exchanged with competent authorities. Thus, so that the overall process of the UIF's core business is done within the parameters defined under the applicable Law.

On this special occasion, I would like to make an observation on the role of a Financial Intelligence Unit. While initial reactions might



be that AML/CFT obligations may seem to be a mechanical process of monitoring and reporting cash flow transactions to the Unit, in fact AML/CFT programs are actually much more. When all relevant stakeholders are willing to cooperate and the programs are well and effectively implemented, they provide protections against misuse of the nation's financial system and economy for criminal activity.

To close, I would like on behalf of the UIF, to express my sincere appreciation to the Authorities who supported the process of the establishment of the UIF and to its operational implementation in particular: dearly departed Vice-Prime Minister "Fernando La-Sama de Araújo"; Governor and President Board of Directors of BCTL and the Management Committee members; Distinguished members of Commission A and C of the National Parliament; Prosecutor General; and the Co-Chairs of CNCBC. Similar appreciation is extended to Financial Institutions who contribute to the UIF core functions; the Asia Pacific Group on Money Laundering (APG); Financial Intelligence Units of Portugal, Indonesia (PPATK) and Australia (AUSTRAC); Donors like the World Bank and PSDI/ Asian Development Bank (ADB).

As the Coordinator of national risk assessment implementation program, and the national strategic plan, I would also like to extend my appreciation to Mr. Richard Chalmers, the international expert in AML/CFT, who provided assistance to complete the national risk assessment of Timor-Leste and has helped programs particularly for sharing his knowledge and experiences to UIF staff during the whole process.

I look forward to working closely with our domestic partners in achieving the strategic objectives of the UIF and also in the implementation of our national action plans for the prevention and combating of money laundering and terrorist financing. I am confident that the UIF of Timor-Leste will continue to benefit from partners' efforts and contributions in the coming years.

Maria José J. Sarmento

Executive Director
Unidade de Informação Financeira

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LIST OF ACRONYMS

Acronyms	Meaning
UIF	Unidade de Informação Financeira (The official name of Financial Intelligence Unit of Timor-Leste)
BCTL	Banco Central de Timor-Leste
ML	Money Laundering
FT	Financing of Terrorism
AML/CFT	Legal Regime for Prevention/Anti and Combating Money Laundering and Financing of Terrorism
CNCBC	National Commission for the implementation of measures against money laundering and financing of terrorism
FATF	Financial Action Task Force
APG	Asia Pacific Group on Money Laundering
MER	Mutual Evaluation Report
MTO	Money Transfer Operators
CEB	Currency Exchange Bureau
STR	Suspicious Transaction Report
CTR	Cash Transaction Report
RAI-P	Rezultadu Analiza Informasaun-Proativu (Result of Analysis - Proactive)
RAI-R	Rezultadu Analiza Informasaun-Reativu (Result of Analysis - Reactive)
NRA	National Risk Assessment
NSP	National Strategic Plan

A. Introduction

Nowadays, prevention and combating Money Laundering and Terrorist Financing (ML/TF) is not a matter of concern in a few countries only but it is a global concern. Most countries in the world have an interest and have made efforts to criminalize illicit acts committed by individuals or groups in obtaining assets/properties or any benefit through easy ways, consequently makes them commit crime and prejudice stability and integrity of the financial system, economy and society.

The international organisation named the Financial Action Task Force ("FATF") which defined international standards known as

¹ FATF, inter-governmental organisation founded in 1989 with objective to set international standards and to promote effective implementation of legal, regulatory and operational measures for fighting against money laundering and financing of terrorism.

"FATF Recommendations" has recommended countries to put in place legal framework on Anti Money Laundering and Combating Financing of Terrorism (AML/CFT) and effectively implement operational measures for the fight against these type of crimes and other predicate offences² that threaten the integrity of the financial system at the international level. The consequences of non-compliance by any country may result in difficulties in international business relationships, economic and close scrutiny of financial transactions.

Timor-Leste as an independent nation is not simply imitating the practices of AML/CFT programs that had been implemented by other countries in the region but it is a real need to

² Predicate Offence, illicit acts that give raise to money laundering activity. The revised FATF recommendation 2012 has included a list of 21 predicate offences.



protect national interest of the country against money laundering and other risks or illicit acts that gives rise to money laundering activities and therefore committed to setting up its own national policies to adopt and implement international standards recommended by the FATF.

Timor-Leste, since 2009 has established policies and made decisions concerning relevant matters for example: approval of the Decree Law no. 19/2009 of April 8th on Penal Code in which criminalised money laundering and financing of terrorism. Furthermore, H.E. Prime Minister of the RDTL IV Constitutional Government, Mr. Kay Rala Xanana Gusmão, through a Dispatch issued in October 2007, for the first time formed a National Working Group on Money Laundering (NWG) with the objective to prepare a legal framework accommodating adequate measures for prevention and combating money laundering and financing of terrorism including necessary preparation for the Asia Pacific Group on Money Laundering (APG) membership process. Consequently, on 28 December 2011 the National Parliament approved Law no. 17/2011 on the legal regime of AML/CFT Law³ that consolidates a number of measures previously covered only by regulation, and provides for a series of preventive measures including customer due diligence and suspicious transaction reporting. The Law, in its article 4, created Unidade de Informação Financeira (UIF, Tetun and Portuguese abbreviation) within the Central Bank of Timor-Leste (BCTL).

³ Timor-Leste AML/CFT Law, establish measures for prevention and combating ML/FT such as general obligations; detection of ML/FT; power of supervisory authority; administrative sanctions; provisional measures; etc.

Considering the needs and importance of such a global issues, the national authorities decided Timor-Leste should join the Asia Pacific Group on Money Laundering ("APG⁴) which was endorsed by APG in its 11th Annual Meeting and Training & Technical Assistance Forum held in July 2008, in Bali, Indonesia.

As a member of the APG, Timor-Leste is routinely subject to a peer review for compliance with the FATF recommendations and assigning ratings: "Compliance (C); Largely Compliance (LC); Partially Compliance (PC) and Non-Compliance (NC)". Timor-Leste's first review took place in 2012, when the country was assessed to fall below an acceptable level of compliance with 31 of the 49 Recommendations, including 11 of the 16 core and key Recommendations as presented in the Mutual Evaluation Report ("MER⁵"). As a consequence, Timor-Leste was placed in an expedited follow-up with expedited reporting process that required it to report back on its progress of reform to the APG plenaries in 2013 and 2014.

The National Authorities remained committed to implement the APG recommended action plans. This can be seen through the following actions particularly those affecting UIF:

⁴ APG - inter-governmental organisation founded in 1997 with objective to ensure member countries within the region are universally adopts and implement FATF recommendations, provide technical assistance, and encouraging domestic and international cooperation, undergoing mutual evaluation to determine level of compliance by APG members, etc.

⁵ MER, the first mutual evaluation report of Timor-Leste was formally adopted by APG plenary during the 15th APG Annual Meeting, July 2012, in Brisbane, Australia.



- a) Approval of Law no. 5/2013/III of 14 August, concerning the first amendment to AML/CFT Law and the third amendment to Penal Code specifically article 133 concerning financing of terrorism and article 313 on money laundering as well as lowering the threshold for a predicate crime to be considered money laundering from 4 years to two years imprisonment. The amendment was subsequently made to address deficiencies identified during the mutual evaluation.
 - b) The creation of National Commission on the implementation of measures to fight against money laundering and financing of terrorism (CNCBC, Portuguese abbreviation) as per RDTL Government Resolution no.10/2014 of April 9th. The Commission is a cooperation and coordination mechanism at the national level and responsible for a series of programs. The two main programs between others are: (i) to undertake national risk assessment and development of a national strategy to combat money laundering and financing of terrorism.
 - c) Further important action was approval of Government Decree Law no. 16/2014 of 18 June, addressing the governance and powers of the UIF. This was one key step and a clear sign of Timor-Leste's compliance with the international rules and standards requiring each country to institute its own UIF, independently run and operating autonomously as well as commitment to meeting the international agreements signed by the Timor-Leste in the area of prevention and combating money laundering and financing of terrorism.
- Considering significant progress made by Timor-Leste, the APG in its 17th Annual Meeting held in Macau SAR, China, July 2014, decided to release Timor-Leste from "follow-up progress with expedited reporting" to "regular follow up" status.

B. Activities of Financial Information Unit

COMPETENCES – Before describing activities performed by the UIF during the first year of operation, it is necessary to highlight the general competences of the UIF as well as the specific powers of the Executive Director who is responsible for the overall operational management of the UIF pursuant to article 2 of the Decree Law no. 16/2014, as follows:

- a) Receive suspicious transaction report and other relevant information from the Reporting Entities⁶; undertake proper analysis; and may request additional information;
- b) Disseminate information to Public Prosecutor Office (PPO), whenever there is suspicion that a transaction is related to money laundering activity, financing of terrorism or commission of any type of predicate offences provided in the Law;
- c) Collaborate with judicial authorities and other authorities with competences in AML/CFT matters upon receiving any request for information including request for assistance concerning technical issues;
- d) Coordinate and propose cooperation agreement mechanism with relevant authorities at national level as well as foreign UIFs, for cooperation and information exchange, in order to combat ML/FT in an effective and efficient manner;
- e) Cooperate with relevant authorities to promote public awareness raising to

guarantee people have basic knowledge on AML/CFT;

- f) Power to apply administrative sanction if infractions are committed by those reporting entities that are not subject to any supervision of regulatory and supervisory authority;
- g) Responsible for maintenance of an appropriate database system and analytical software for storing information received and processing accordingly, including for dissemination of information.

In fulfilling the UIF mandate, all staff shall focus on safeguarding the information under his/her control. Under article 20 of AML/CFT Law no.17/2011 and article 7 of the Decree Law, UIF staff members are subject to a confidentiality duty with respect to information to which they have had access in the performance of their duties, violating this confidentiality policy could result in disciplinary action and possible criminal liability.

Besides that, UIF staff members are also subject to the confidentiality obligation and other strict standards on various aspects of the employee's behaviour as set out in the BCTL Employment Terms and Conditions. For example, staff that are performing or having performed duties at BCTL shall not allow access, disclose or disseminate non-public information obtained while performing his/her duties at BCTL, or use such information without proper authorization; staff members are forbidden to receive instructions from any entities, including government bodies, financial institutions or persons outside of BCTL; staff members shall refrain from removing any documents, data or information from BCTL's

⁶ Reporting Entities are those financial and non-financial institutions determined under article 3 of AML/CFT Law no.17/2011 of 28 December.

facilities, except over the normal course of their duties.

ORGANISATION – Pursuant to article 3 of the Decree Law, the UIF of Timor-Leste is under the leadership of an Executive Director and supervises an integrated staff of both UIF and BCTL considered necessary in order to carry out its required duties and to achieve its objectives. The relationship between the UIF and BCTL in carrying out competences is limited to the requisite collaboration and cooperation while maintain the operational independence as required by international standards.

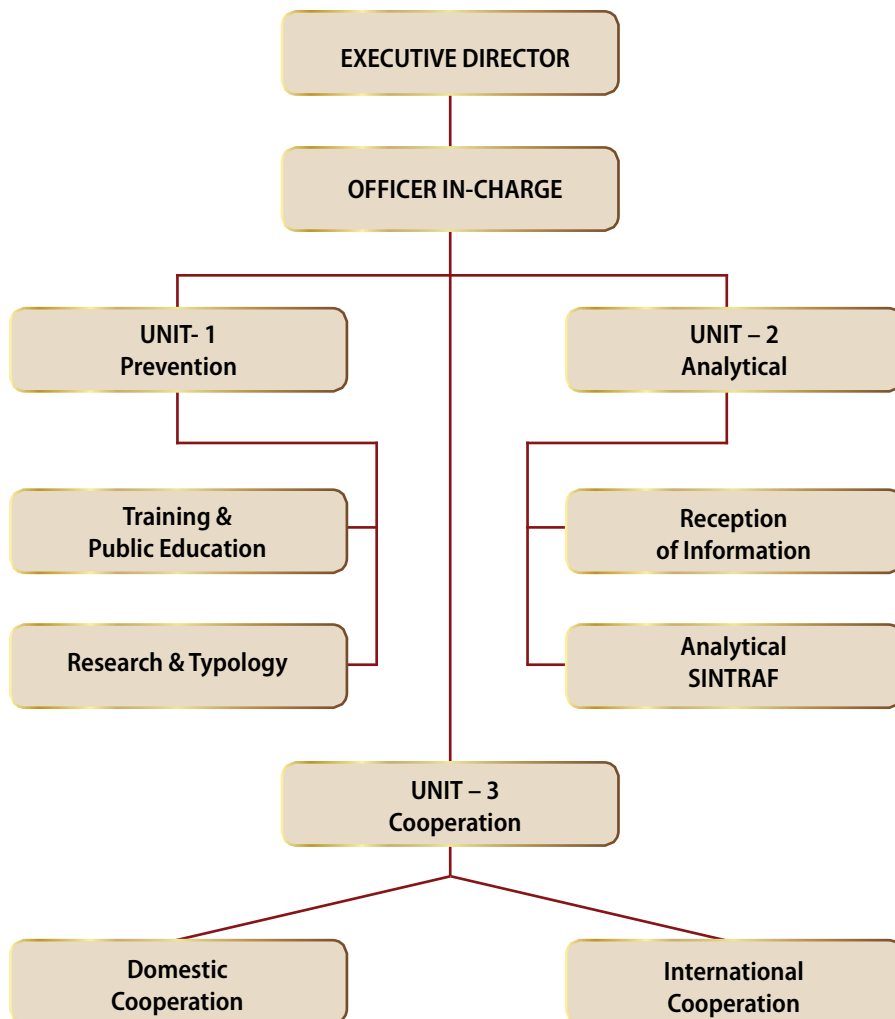
The UIF commenced its operation on 26 September 2014, the day where the first Executive Director officially appointed by the Governor of BCTL and took the oath of office. Since then, efforts have been made such as implementing various activities particularly the core mandate according to Decree Law, in order to make the UIF completely operational. However, as a newly established institution which initiated its operation from scratch and with very limited human resources, the UIF therefore considers the first year of operation 2015 as a development stage, because other basic elements were also

prioritised in order to equip the institution and perform duties efficiently and effectively.

Since the commencement, all duties performed and described in the present report were carried out by the Executive Director and one senior staff member seconded from the Banking Supervision Department of BCTL. The need to recruit additional staff is being budgeted and the aim is to fulfil the vacant organisational structure of the UIF and to positively address the workload faced by the UIF.

BUDGET – Article 8 further provided that BCTL as responsible for the financial resources to guarantee operational management of the UIF. Therefore, most of the activities performed by the UIF during the year were fully financed by the BCTL as well as office space and equipment. During the period under review, the UIF also received technical assistance provided by APG and the World Bank.

ORGANISATION CHART – For efficiency purposes, the UIF is organised into the following three core operational areas: Prevention; Analytical; and Cooperation; and as presented in the following chart:



1. Prevention Unit

The UIF designated a specific unit "Prevention" that is responsible for development of AML/CFT awareness raising program and its implementation, also to coordinate with competent authorities in organising similar programs to promote better understanding by both the public and private sectors as well as to stimulate compliance by reporting entities with their legal obligations. This is in response to the needs observed by the UIF in general, that the awareness of money laundering and terrorist financing issues within the public and private sectors is not well developed, especially since the legislation is relatively newly, enacted in 2011 and revised in 2013.

Staff of this Unit is working in collaboration with the Analytical Unit in developing red flags indicators of potential money laundering including any technical deficiencies identified, and further communicate to reporting entities during periodic meetings or workshop events. The staff is also responsible for preparing typologies concerning money laundering and terrorist financing methods.

During the year 2015, the UIF implemented its awareness raising program on AML/CFT and

delivered presentations to three different targeted participants from the public sector and selected reporting entities in the financial system, as follows:

National Seminar – UIF in collaboration with the PPO organised a national seminar on 29 April 2015 with the following targeted participants: permanent representatives of CNCBC; General Directors and National Directors; Senior officials responsible for national budget execution and tendering process from all line Ministries; autonomous institutions; representatives from the justice sector; academia; NGOs; private sector and the media. The event was also participated by H.E. Prime Minister of VI Constitutional Government; CNCBC Co-Chairs and some other members.

This national seminar was the UIF's first awareness raising program, aimed to share relevant information and enhance the awareness within government departments and public sector agencies on AML/CFT issues and their relevance to financial stability and good governance with the following topics:





- ❖ The role of UIF in the AML/CFT regime;
- ❖ Perspective evolution, national legislation and international best practices;
- ❖ BCTL policies and strategies to ensure compliance by financial institutions within jurisdiction with applicable legal requirements;
- ❖ Legal framework (policies and procedure) and PPO action in the process of combating ML/FT;
- ❖ Practical experiences of banking sector in the implementation of preventive measures.

Workshop to Money Transfer Operators

On 18 June 2015, a workshop was organised to Money Transfer Operators (MTO) operating under BCTL license. The workshop in which involved Directors and reporting officers of MTOs also

Currency Exchange Bureaus (CEB) was important to educate them and to ensure they are fully aware of their legal obligations to implement applicable preventive measures such as: customer identification as well as to retain copies of IDs and records on wire transfers regardless of whether any potential criminal activity is suspected; and reporting of both suspicious and cash transactions to UIF.

The speakers were from the UIF and Officers from Financial System Supervision Department of BCTL, who's delivered the following presentations:

- ❖ Legal framework of AML/CFT;
- ❖ The role of UIF in the process of prevention and combating ML/FT;
- ❖ Obligation of reporting entities in the implementation of preventive measures pursuant to AML/CFT Law and the BCTL Instruction no. 01/2013 of 27 September, on the Licensing and Supervision of MTOs.

Workshop to Banco Nacional Comércio de Timor-Leste

The implementation of the UIF's awareness raising program to Banco Nacional Comércio de Timor-Leste (BNCTL) was considered a priority for the UIF during 2015 and following periods since it is operated by Timorese that have limited knowledge of AML/CFT issues.

The one day workshop took place on 19 June 2015, allowing UIF and Officers from Financial System Supervision Department of BCTL to deliver the following presentations:

- ❖ Legal framework of AML/CFT;
- ❖ The role of UIF in the process of prevention

and combating ML/FT focusing on the UIF core business processing;

- ❖ Obligation of reporting entities in the implementation of preventive measures pursuant to AML/CFT Law and both of BCTL Instructions no.BPA/B-2003/3 on the opening and maintenance of deposit account; and BPA/B-2004/2 on the prevention of money laundering, customer identification and record keeping.

The event had active participation from top management, Branch Managers and front office staff from all Municipalities. Days before the workshop took place, UIF held a meeting with President of the Board and its members, aimed to briefly raise attention on their obligation as reporting entities as well as informing the UIF awareness raising program to BNCTL.



2. Analytical

The staff of the Analytical Unit is responsible for collecting information on potential cases of money laundering and financing of terrorism mainly in the form of Suspicious Transaction Reports (STR) filed by reporting entities, Cash Transaction Reports (CTR); and information on cash transportation that travellers declare to the Customs Authority. The staff will conduct a financial analysis of data received concerning financial flows and any practice of money laundering, predicate offenses and terrorist financing, with a view to recommending them to the Executive Director for decision. Pursuant to article 26 of AML/CFT Law and article 2 of the UIF Decree Law, whenever there is a suspicion that a transaction is related to the commission of any type of related predicate offences, the UIF shall communicate to Public Prosecutor Office for further appropriate action.

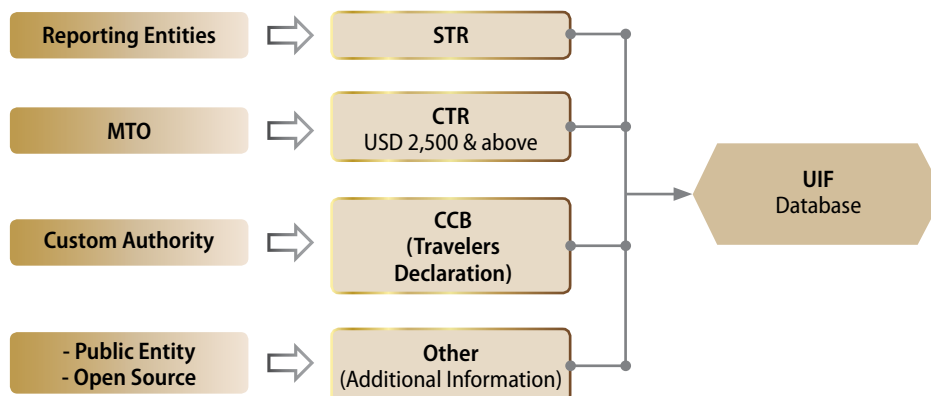
The staff is required to work in collaboration with the Cooperation Unit for the purpose of requesting any additional information to competent authorities including to other state institutions. The staff also responsible for the operational data base and analytical software system that is being developed during the coming period, and therefore, is required to work in collaboration with BCTL relevant Departments in the implementation of plan as well as to contribute to development of a STR reporting standard form applicable to financial institutions within BCTL jurisdiction.

In order to conduct proper analysis, the UIF should have access to the widest possible range of information: financial, administrative and law enforcement information, including information from public or open sources. Access to information

is an essential element in the whole process since it is the primary source and fundamental basis for UIF to execute its legal mandate.

Below are types and sources of information for performing UIF Analytical function:

- a) Suspicious Transaction Reports (STR)**
 - Under article 23 of AML/CFT Law, the reporting entities if having reasonable grounds to suspect that it involves money laundering, terrorist financing or any proceeds from unlawful activity, they are obliged to immediately file a report to the UIF. Dealers in precious stones and metals have similar obligation to report any suspicious transaction amounting US\$ 10,000.00 or more;
- b) Cash Transaction Reports (CTR)** – Money Transfer Operators have similar obligation to report STRs to UIF and CTR with minimum limit of US\$2,500.00 or more for each transaction that a client is moving;
- c) Declaration on cash transportation** – The AML/CFT Law in its article 7, requires any person entering or leaving territory of Timor-Leste transporting cash or bearer negotiable instrument amounting US\$10,000.00 or above, must declare the same to the Customs Authority. The Law further requires copies of declarations must be immediately conveyed to the UIF and this includes non-declared information and any false declaration.
- d) Public or Open Source** – The UIF has a wide range of powers to request additional information from reporting entities; competent authorities and other state institutions. The UIF can also obtain information from any open source.



All types of information received in accordance with the UIF's mandate as well as those data previously maintained by the BCTL and handed over to UIF during its official inauguration, are stored in the data base that the UIF developed utilizing an excel spread sheet method and is used in the information analysis process.

Suspicious Transaction Reports

As international standards requires, the UIF upon receiving information should conduct at least two forms of analysis: Operational Analysis⁷ and Strategic Analysis⁸. As a result of staffing constraints, during the year, the UIF analytical function was limited to operational analysis only. During the period under review, the UIF received a total of 68 STRs from banking institutions where in the first instance all undergone analysis, which consists of a thorough examination of the available administrative, financial, and law enforcement information. The result of analysis of 4 STRs indicated strong suspicion related to the commission of money laundering and some predicate offences, and consequently

⁷ Operational Analysis, use information obtained to identify specific targets to trace particular transaction and to determine links between target and possible ML/FT and predicate offences.

⁸ Strategic Analysis, use information obtained to identify ML/FT trends and patterns (determine threats and vulnerabilities) aiming to help FIUs and other state entities within AML/CFT regime establish policies and goals.

disseminated to Public Prosecutor Office, in manual format, for further appropriate action. The outstanding STRs, which are temporarily archived, are to be continued to review while collecting additional information to complete the analysis.

Details of suspicious transaction reports received and spontaneous dissemination to PPO are presented in the table below:

Table 1
Suspicious Transaction Reports

Reporting Entities (Financial Institutions)	October 2014 to December 2015			
	Actions taken on STRs			
Banks	No. of STRs Received	Analysis	Spontaneous Dissemination to PPO	On-going Analysis
		68	68	4

Cash Transaction Reports

There are nine MTOs operating under BCTL license in the financial system of Timor-Leste providing fund transfer services, however during the period under review none of them file STR to UIF, with the exception of cash transaction reports which have been provided periodically and consolidated into UIF database.

The CTRs received contained number and value of outward and inward remittances as presented in the table 2 below:

Tabel 2
Cash Transaction Reports

Reporting Entities (Fin. Institutions)	Jan 2014 - Dec 2014		Jan 2015 - Dec 2015		Total	
	MTO	Nu. RTN	Amount	Nu. RTN	Amount	Nu. RTN
Outward Remittances	5,309	\$26,752,304.25	4,314	\$22,330,775.81	9,623	\$49,083,080.06
Inward Remittances	649	\$2,564,348.98	1,367	\$5,227,784.71	2,016	\$7,792,133.69

Request for Information made by UIF

During the period under review, the UIF has also made a total of 32 requests for additional information 27 of which were made to reporting entities and 5 requests to public autonomous institutions. The requests were aiming to complete the STR analysis process and to assist in other analysis based on the requests received from the investigative authorities.

with judicial authorities and other authorities with competences in AML/CFT matters upon receiving the request for information.

During the period under review, UIF received a total of 27 requests from law enforcement authorities. The requests were mainly for the UIF to query its data base and provide any relevant information and also to provide expert assistance concerning the analysis of financial information.

Request for Information and Analysis from Investigative Authorities, and UIF Dissemination

One of the UIF's competences is to collaborate

The table below presented number of request for information from law enforcement authorities and dissemination:

Tabel 3
Request of Law Enforcement Authorities (October 2014 – March 2016)

Number of Incoming Request from LEAs	Predicate offences categories							Total predicate offences
	Human Trafficking & Sexual Exploration	Corruption & Connected Cases	Aggravated Falsification	Money Laundering	Fraud	Drug	Other	
No. of Request for Information	0	2	0	2	0	0	0	4
No. of Request for Analysis	0	1	0	3	0	0	2	6
No. of Request for Information & Analysis	1	2	1	1	3	3	6	17
Total Requests & Dissemination	1	5	1	6	3	3	8	27

3. Cooperation

Considering the importance of cooperation and as the Decree Law, article 11, requires the UIF to enter into cooperation agreements with international Financial Intelligence Units (FIU) as well as between domestic relevant entities in the AML/CFT regime for effective fighting against ML/FT, the Cooperation Unit is responsible for both domestic and international cooperation through promoting discussions with partners, preparing draft MOUs until formal agreements are finalized. The Cooperation Unit, working in collaboration with the Analytical Unit, when dealing with requests for additional information and acting as the UIF liaison for all external matters related to the prevention and combating ML/TF crimes. The staff is responsible for preparing UIF periodic reports to be included in the Timor-Leste's consolidated report required by APG. Also, prepare related works as part of Egmont Group membership process.

INSTITUTIONAL COOPERATION – During the year under review, the UIF worked closely with investigative authorities mainly PPO and Scientific Police for Criminal Investigation (PCIC) to identify and analyse anomalous financial flows, also other public entities and professional bodies for the purposes of obtaining additional information. The UIF has initiated discussions, prepared draft memorandum of understanding (MOU) in place as basis for negotiation with domestic partners and expecting to formalise the existing collaborative relationship that has been built during the period. The UIF has been part of the Working Group for the implementation of UNCAC Conventions, and therefore regularly participated in working group meetings and seminars held during the year. The UIF has also delivered two presentations to CAC investigators during UNODC Anti-Money Laundering Training as well as one presentation to PCIC investigators.

INTERNATIONAL COOPERATION – During 2015, the UIF has contacted three different foreign Financial Intelligence Units to formalize cooperation and information exchange. The draft MOUs were prepared based on the original Egmont Group of Financial Intelligence Unit's standard template and where expanded to meet the Timor-Leste requirements and have been submitted to our foreign counterparts for comments.

While other negotiations are still in process, the FIU is excited to announce the signing of the first international cooperation agreement with UIF Portugal in June 2015.

The FATF recommends countries to ensure that their FIUs apply for membership of an international organisation known as the "Egmont Group"⁹. The advantage of joining the Egmont Group would be stimulating international co-operation in the areas of exchange of information through the Egmont Secure Web¹⁰, as well as providing opportunities for training and the sharing of expertise.

To ensure UIF Timor-Leste meets Egmont membership criteria, technical assistance to develop capacity is required, therefore in March 2015 UIF formally requested UIF Portugal to provide sponsorship during membership preparation process. Similar request have also been made to UIF Indonesia (PPATK) during the occasion of a study visit. The UIF is working hard to meet the Egmont Group membership requirements and is excited by the progress it has made over this reporting period in moving in that positive direction.

9 The Egmont Group created in 1995 is an informal network made up by numbers of UIFs that have fulfilling proper criteria, aiming for co-operation and information exchange in an efficient and secure manner.

10 Egmont Secure Website, is an international network for cooperation and information exchange in an efficient and secure manner.



4. Institutional Capacity Development

OPERATIONAL PROCEDURES – One of the fundamental activities developed during the year under review, was relevant instruments to use as basis for performing duties and responsibilities. These include drafting internal regulations for the overall functioning of UIF as well as relevant Standard Operating Procedures (SOP) for the areas of analytical and domestic cooperation.

The implementation of this activity was commenced during 4 – 8 April 2015 with technical assistance provided by Indonesian FIU (PPATK) and financially supported by donor funds provided through APG.

INFORMATION TECHNOLOGY (IT) – The UIF in the implementation of its functions shared the IT facilities with BCTL and technical matters are supported by BCTL's IT Division.

During 2015, the whole analytical function (receive information, analyse and dissemination)

were conducted manually due to absence of database and analytical software system.

The UIF worked in collaboration with BCTL concerning this priority plan to develop appropriate database and analytical software system to store data, manage and facilitate analysis of STRs, CTRs and the cross border Custom declarations in an effective and efficient manner.

HUMAN RESOURCES – To increase capacity and to ensure that staffs have sufficient knowledge and experience related to AML/CFT issues in general and the responsibility assigned the UIF staff participated in the following training programs:

- ❖ **November 2014** – Immediately after UIF inauguration, two personnel undertook a study visit in the PPATK Jakarta, Indonesia, as an introduction to UIF overall function started from prevention activities process; domestic and internal cooperation; receive information, analyse using database and analytical software system developed by PPATK, as well as the decision making

process concerning dissemination to law enforcement authorities as required by Indonesian relevant legislation.

- ❖ **22 – 23 June 2015** – one personnel undergone a two days study visit at UIF Portugal to learn from their experience in the implementation of AML/CFT program particularly the UIF core business function.

During this occasion, were also discussed technical issues related to cooperation between two UIFs.

Apart of referred programs, the UIF staff participated in AML/CFT training events organised by the APG as well as those organised jointly by donors and ASEAN countries as follows:

- ❖ **26 – 28 August 2015**, APG workshop on the 2013 assessment methodology and National Risk Assessment on money

laundering and financing of terrorism, in Seoul, Korea;

- ❖ **15 November 2015**, Joint APG-Egmont Group Seminar for FIUs in Kathmandu, Nepal;
- ❖ **16 – 20 November 2015**, APG Typologies and Capacity Building Workshop in Kathmandu, Nepal.

Starting from October 2015, one UIF staff participates anon-going Portuguese class held by the Fundação Oriente. The UIF commits to intensifying the learning of Portuguese language as one of the official languages of Timor-Leste. The program is important to support the UIF staff in performing their job effectively and efficiently. The Executive Director encouraged staff to take advantage of the opportunity and to make use of it for staff benefits and the benefits of the UIF operational development.

C. Other Activities – CNCBC

A part of performing principal activities, the UIF actively engaged in other activities that RDTL Government mandated to the National Commission for Implementation of Measures against Money Laundering and Financing of Terrorism (CNCBC¹¹, the Portuguese abbreviation).

The CNCBC, which is Co-Chaired by the Minister of Justice and the Minister of Foreign Affairs and Cooperation, is tasked to coordinate the implementation of a series of programs concerning prevention and combating money laundering and financing of terrorism and are between others: to undertake national risk assessment program and development of a national strategic plan.

The UIF is not, at the moment, a member of the CNCBC however, considering the relevancy of competences and its role in the AML/CFT regime, UIF engaged in both periodic activities and those specifically delegated by the Co-Chairs.

The present report will describe participation of UIF in the CNCBC activities in two separate sections as follows:

1. Participation in the CNCBC Periodic Activities

a) **June 2015** – Coordinated the preparation of Timor-Leste's status report for the period July 2014 to June 2015, and further submission to APG;

¹¹ CNCBC is established by the RDTL Government Resolution no. 10/2014 of April 9th and the members are consisted of the high level National Authorities from relevant State Institutions; Law Enforcement; and Supervisory Authorities. A permanent Secretariat is placed within the office of Justice Minister.

b) **13 to 17 July 2015** – UIF, in conjunction with some other permanent representative members of CNCBC, participated the 18th APG Annual Meeting held in Auckland, New Zealand. The annual meeting permitted discussion on issues concerning: the APG governance and operations; report of works over past year, budget and business plan; mutual evaluations and national risk assessments reports; typologies; etc. The APG Annual Forum on Technical Assistance and Training (TA&T) was run in parallel to the Annual Meeting to permit APG Donors and Providers Group also the individual jurisdiction discussing the TA&T needs.

Prior to the annual meeting, UIF coordinated preparation of consolidated status report of Timor-Leste as required by APG.

c) **11 November 2015** – UIF participated in a coordination meeting called by H.E. Prime Minister of VI Constitutional Government, in order to accompany progress of AML/CFT programs implemented by CNCBC particularly the national risk assessment that has already been commenced in June 2015. The lack of appropriate database system for storing criminal information/data in the Justice sector was also a critical issue raised during the meeting given its importance to reflect the true extent of criminal proceeds¹² and potential money laundering activity in the economy.

d) **17 November 2015** – UIF participated in the CNCBC meeting and presented activities done over the past year include those implemented during the periods where the BCTL was tasked as Coordinator for national working Group. UIF had also updated the meeting with preliminary findings drawn from the national risk assessment.

e) During the period UIF contributed to the work of CNCBC Secretariat in the preparation of draft internal regulation, draft amendment to Resolution no.10/2014 as well as the preparation of CNCBC annual report 2015.

and NSP. The NRA has the purpose to identify potential threats and vulnerabilities as well as consequences to the nation's financial system and economy as a whole. It is also an essential starting point for identifying where the stakeholders involving in the AML/CFT regime need to apply their resources in order to mitigate the risks that have been identified.

2. National Risk Assessment and National strategic Plan

Under the terms of the new FATF Recommendation 2012, all countries must identify, assess and mitigate their money laundering and terrorist financing risks and based on assessment, countries must apply a risk based approach.

In order to proceed with National Risk Assessment (NRA) and National Strategic Plan (NSP) programs, the Co-Chairs in the official letter dated 15 May 2015, indicated UIF as Coordinator to help the CNCBC in the implementation of both NRA

The implementation of the whole program is structured in the present report in two stages as follows:

8 to 12 June 2015 – During the first stage, UIF organised a half day seminar that took place in the Ministry of Finance's Knowledge Centre, involved CNCBC permanent representatives; private sector; Lawyers; Public Defences; academic institutions and civil society. The seminar aimed to raise participant's awareness on international standards and FATF recommendations, the importance of NRA, methodology and the process.

Furthermore, the UIF and the NRA Consultant conducted various working visits to different entities as well as individual meetings in order to



¹² Proceeds refer to any property derived from or obtained, directly or indirectly, through the commission of an offence.

collect information needed and statistic data since it was an essential basis for analysis and to be able identifies potential threats and vulnerabilities.

29 October to 6 November 2015—During the second stage, the UIF organised six individual meetings with Authorities of key institutions following up with a two days' workshop for CNCBC members and their permanent representatives that permits Consultant presented the preliminary findings. The workshop also sought confirmation from authorities on whether the risks identified are recognised including constructive comments and suggestions to complete the NRA document. As this is the first national risk assessment, the process has been exploratory, further work will be required to strengthen the information-base upon which the assessment is drawn. However, some key issues may be summarised in the present report as follows:

- a) With some exceptions, the awareness of money laundering and terrorist financing issues within the public and private sectors is not well developed, especially since the legislation is relatively new, enacted in 2011 and revised in 2013; the level of compliance by some financial institutions with the suspicious transaction reporting requirements is limited;
- b) The substantially cash-based economy, the use of the US dollar as the legal tender currency, and the largely unrecorded movement of cash across the borders, despite nominal declaration requirements provided under article 7 of AML/CFT law, create an attractive environment to intermingle and conceal criminal proceeds with legitimate business and personal funds;
- c) There are no estimates of the overall value and very little information is currently available on the likely proceeds from individual types of offences. However, the statistical data shows

a number of predicate offences as high and regarded as the primary source of criminal proceeds and financial benefits indicating significant vulnerability.

- d) Law enforcement parallel investigations of the proceeds-generating crime and money-laundering are rare. Whenever investigate cases related to corruption, drug-trafficking, fraud, human-trafficking, etc., that have potential financial benefit, parallel investigations is required to comply with international recommendation.
- e) Financial institutions are the most likely targets for money laundering attempts within the formal economy, but the general perception is that the current scope for large-scale money laundering is limited, due in part to the small size of the financial sector and the structural shortage of other attractive mechanisms to launder criminal proceeds. However, significant vulnerabilities exist, which could easily be exploited to a greater extent by both domestic and foreign criminals. Further work is required to put in place some of the basic safeguards to help mitigate potential risks.
- f) The current legal framework for AML/CFT does not comply fully with international standards in a number of key aspects and, as a result, creates money laundering and terrorist financing vulnerabilities that can easily be exploited.

The UIF continues to work closely with the Consultant to develop a national strategy with a set out action plan of how CNCBC intends to respond to the findings during the period of 2016 – 2020. It is expected that NSP will help national authorities, regulatory and supervisory authorities and private sector, in defining policies and best allocating resources to better mitigate identified risks.

In general Timor-Leste has made some progress in the implementation of AML/CFT program but this progress can't be considered effective and adequate. Further development is required if national authorities intend to fight against money laundering, will have to consider the issues that have been identified as a matter of priority and implement rigorous preventive measures applicable to reporting entities particularly those that are targets for money laundering.

The process of NRA and NEP was facilitated by an AML/CFT expert, Richard Chalmers who has produced two separate documents (NRA and NSP) for CNCBC to endorse and proceed with implementation of action plans. Financial support for this work was made possible by the Asian Development Bank. The UIF would like to express its appreciation for this support.

D. UIF Action Plans

The priority action plan for the following years would be to develop a database system; institutional reinforcement; and enhance cooperation at both the domestic and international levels; and enhance the AML/CFT awareness raising program, as described below:

1. Development of Sintraf System

The key strategic plan for the coming period would be to develop an appropriate database system as well as an analytical software system to hold, and facilitate the process of receiving information, analysis and its dissemination in an effective and efficient manner.

The need of having a secure and effective database system in place is also a fundamental criterion for the Egmont Group membership process.

2. Institutional Reinforcement

The UIF is a newly established institution; therefore, there is a need to continue to reinforce the institution. The plan for the immediate period is to recruit three additional staff to complete the structure and assuming functions of analytical and Cooperation. The UIF plans to organize an internal basic training covering introduction to UIF and AML/CFT awareness raising. Further training programs are being discussed with PPAK and APG and to be implemented once new staff are in place. The training will develop the capacity to collect, analyse and disseminate the results of

analysis of suspicious transaction reports and to add value to money laundering, terrorist financing and predicate offence investigations.

Further action plan would be to complete development of appropriate operational manuals and internal procedures to provide a clear framework for staff working within the UIF and to cooperate fully with both foreign and domestic partners.

3. Cooperation Enhancement

The UIF plans to formalise the existing collaborative relationship as the UIF sees this domestic cooperation as a key component in the building of confidence in the financial and non-financial system and reinforcement to economic stability.

Further plan would be to negotiate MOU with all key foreign UIFs in the region to help ensure prompt and effective cooperation in matters relating to money laundering and terrorist financing.

4. AML/CFT Awareness Raising Program

The UIF will continue to undertake public awareness raising program prioritising reporting entities to develop a thorough understanding of the money laundering and terrorist financing risks within the country and to increase basic knowledge on AML/CFT issues and to promote compliance with legal obligations.

ANNEX I

List of Designated Predicate Offence Categories as per FATF Recommendations

No.	Predicate Offences Category
1.	Participation in an organized criminal group and racketeering
2.	Terrorism, including terrorist financing
3.	Human trafficking and Smuggling of immigrants
4.	Sexual exploitation, including sexual exploitation of children
5.	Illegal trafficking of narcotic drugs and psychotropic substances
6.	Illegal arms trafficking
7.	Trafficking of stolen merchandise or other property
8.	Corruption and bribery
9.	Fraud
10.	Counterfeit money
11.	Counterfeiting and piracy of products
12.	Environmental crimes
13.	Murder, serious bodily injury
14.	Kidnapping and illegal restraint of freedom and hostage-taking
15.	Robbery or theft
16.	Contraband (including customs and special taxes and fees)
17.	Tax offenses (relating to direct and indirect taxes)
18.	Extortion
19.	Counterfeiting
20.	Piracy
21.	Misuse of confidential or privileged information and market manipulation

ANNEX II

List of Reporting Entities

No.	REPORTING ENTITIES	REMARKS
	FINANCIAL INSTITUTION	
	Banks	
1.	CGD/BNU Timor, Timor-Leste Branch	
2.	Bank ANZ, Timor-Leste Branch	
3.	Banco Nacional de Comércio Timor-Leste	
4.	Bank Mandiri, Timor-Leste Branch	
	Insurance Company (Life Insurance)	-
	Currency Exchange Bureaus:	
5.	GlobalEx Limited, Pacific Holdings (Timor) Ltd	
6.	Island Dream Money, Lda	
	Money Transfer Operadors:	
7.	Pacific Holdings, UnipessoalLda (Western Union)	
8.	Sahabat Loro Sa'é, Unipessoal Lda	
9.	Island Dream Money, Lda	
10.	Sister Motor II Unipessoal, Lda	
11.	Boa Ventura, UnipessoalLda	
12.	Baratu Group, Lda	
13.	Istana Group Lda	
14.	FohoOsan Mean Group, UnipessoalLda	
15.	Forte Group, Lda	
	Other Depository Taking Institution (OIRD)	-
	NON-FINANCIAL INSTITUTIONS (Lawyers, Accountants, Fiscal Auditors, Casinos, etc.)	-

ANNEX III

Glossary

Money Laundering – is a process used by criminals where the origins of money or assets generated as a result of criminal activity, can be concealed, and as a result, the proceeds lose their existing criminal identity and appear to have originated from a legitimate source.

Financing of Terrorism – is where funds or other property is made available to terrorist or terrorist organisations, directly or indirectly, with the sole intention that the funds be used to further terrorism. The funds used might from legitimate and/or illegitimate source.

Money laundering process:

Placement – the launderer introduces illegal profits obtained into the financial system and economic using financial institutions (banks, money changers, casinos, etc.). This phase consisted of restructuring (place fund in several accounts or assets of same owner) and smurfing (place fund in several accounts or assets of different owners).

Layering – the proceeds are converted or moved further from the original source by creating various layers between the sourced of fund and what is intended to achieve and making it appearing more legitimate.

Integration – the laundered proceeds are ultimately injected into a legitimate economy through purchasing luxury assets/properties, precious metals, etc.

Predicate Offence – Under the Penal Code of Timor-Leste, a predicate offence is the underlying crime carrying a minimum sentence of over 2 years imprisonment, which generates the money to be laundered. The predicate offence is one of the material elements of money laundering offence, for example, authorities cannot punish an individual for laundering the proceeds of a tax evasion if it is not defined as a predicate offence.

Suspicious Transaction - A transaction is considered suspicious when it appears unusual and has no clear economic purpose and when a reporting entity has reasonable grounds to suspect that it involves money laundering terrorist financing or any proceeds from unlawful activity. No threshold for STR.

Politically Exposed Person – Natural persons who are or have been entrusted until one year ago with prominent political or public function, as well as their close family members and person known to have close corporate or commercial relationships with them, as defined in the article 1 of AML/CFT Law.