

Introduction to International Anti- Money Laundering Law & Compliance

SYLLABUS

VU Amsterdam Summer School

21 - 28 July 2024



Any general questions for the Summer School support team? Contact amsterdamsummerschool@vu.nl.

Course Details

Title	Introduction to Anti-Money Laundering Law & Compliance: An International and Regional Perspective
Coordinator(s)	Dr. Prosper S. Maguchu (VU Amsterdam)
Other lecturers	Professor Simon NM Young (University of Hong Kong) Professor Abraham Hamman (University of the Western Cape) Mr. Fausto Martin De Sanctis (Federal Appeals Judge, Brazil)
Study credits	2 ECTS
Form(s) of tuition	On campus
Approximate contact hours	25
Approximate self-study hours	15

Teaching staff (in order of appearance, [click to view profile](#))

- Professor Simon NM Young (The University of Hong Kong)
- Professor Abraham Hamman (University of the Western Cape)
- Mr. Fausto Martin De Sanctis (Federal Appeals Judge, Brazil)

Course description

This summer school bridges the knowledge gap specifically for legal practitioners. The course delves into the multifaceted nature of AML compliance, emphasizing its impact on designated non-financial businesses and professions (DNFBPs), including lawyers. We'll explore the evolving legal and regulatory landscape, the critical role of legal professionals in combating money laundering, and your ethical and professional obligations. This program equips law students and practitioners alike with the expertise to ensure compliance and navigate the ever-changing world of AML.

Learning objectives

By the end of this course, the participants will:

- Analyze the structure and key principles of international AML law.
- Identify the major international organizations and treaties shaping global AML frameworks.
- Differentiate between various sources of legal basis for AML compliance, including domestic legislation, international agreements, and regulatory guidance and evaluate the interplay between international standards and national implementation.
- Explain the critical responsibilities of legal practitioners in upholding AML regulations.
- Analyze ethical considerations for lawyers supporting AML compliance efforts.
- Identify and assess the main methods for achieving AML compliance within organizations. Develop a framework for designing and implementing a customized AML program for a specific organization.
- Gain practical skills in conducting risk assessments and applying due diligence procedures.

Preparatory Assignments and Assessment

We advise you to read the following book in preparation of the course:

- FATF Money Laundering and Terrorist Financing Vulnerabilities of Legal Professionals June 2023 (2013 FATF/OECD)

Assignment

- Pre-Course Self-Assessment multiple choice (15 mins):
This multiple choice assessment will be administered on the first day of the course to assess your baseline understanding of key AML concepts and regulations. It will serve as a diagnostic tool to identify areas where you may need more focus and will help tailor the learning experience to the group's needs.
- Collaborative Case Study Analysis and Presentation (30 mins):
Working in teams, you will dissect a real-world case study related to AML and the legal profession. Analyze the case, considering the legal and ethical issues involved. On Day 4, each team will present their findings and analysis to the class, fostering a collaborative learning environment and encouraging critical thinking skills.

Grading

Assessment of presentation (100%)

Content (80%)

- Structure (20%)
- Structure (20%)
- References (20%)
- Originality (20%)

Presentation (20%)

- Presentation (Skills 10%)
- Argumentation (10%)

Provisional reading list

- Young, Simon NM. "Money Laundering in International Law". *Oxford Bibliographies in International Law*, October 2021, <https://www.oxfordbibliographies.com/view/document/obo-9780199796953/obo-9780199796953-0233.xml>
- Hamman, Abraham & Koen, Raymond, "Cave Pecuniam: Lawyers as Launderers" (2012) 15 *Potchefstroomse Electronic Law Journal* 68-100. <http://www.scielo.org.za/pdf/pelj/v15n5/05.pdf>
- Levi, Michael. "Lawyers as money laundering enablers? An evolving and contentious relationship" 23 *Global Crime* 126-14. <https://www.tandfonline.com/doi/full/10.1080/17440572.2022.2089122>
- Hofmann, Robin & Lustenberger, Livio. "Reporting Obligations for Attorneys in Money Laundering Cases: Attorney-Client Privilege Under Pressure?" (2023) 24 *German Law Journal* 825-837. <https://www.cambridge.org/core/journals/german-law-journal/article/reporting-obligations-for-attorneys-in-money-laundering-cases-attorneyclient-privilege-under-pressure/D4B1554592E241DA66360D1B9FF1FE20>
- Tilahun, Nathaneal. "Legal Professionals As Dirty Money Gatekeepers: The Institutional Problem". In Katie Benson, Colin King, and Clive Walker (eds.), *Assets, Crimes And The State: Innovation In 21st Century Legal Responses in, Assets, Crimes, and the State: Innovation in 21st Century Legal Responses* (Routledge, 2020) 97-110.
- Benson, Katie. *Lawyers and the Proceeds of Crime: The Facilitation of Money Laundering and its Control* (Routledge, 2020) excerpts.

Course Schedule

Date Time	Content	Convenor
<p><i>Mon 22/07</i> 10:00 – 12:00</p> <p>13:00 – 15:00</p>	<p><i>Seminar: Introduction to international AML</i></p> <p><i>Work group: Regional mechanisms African, Asia and Americas</i></p>	<p><i>Dr. Prosper S. Maguchu</i></p> <p><i>Prof. Simon Young, Mr. Martin De Sanctis, Prof. Abraham Hamman</i></p>
<p><i>Tue 23/07</i> 10:00 – 12:00</p> <p>13:00 – 15:00</p>	<p><i>Seminar: Customer Due Diligence</i></p> <p><i>Work group on CDD (4 Workgroups)</i></p>	<p><i>Mr. Fausto Martin De Sanctis</i></p> <p><i>Dr. Prosper S. Maguchu, Mr. Martin De Sanctis, Prof. Abraham Hamman</i></p>
<p><i>Wed 24/07</i> 10:00 – 12:00</p>	<p><i>Seminar: Internal programmes</i></p>	<p><i>Prof. Simon Young</i></p>
<p><i>Thur 25/07</i> 10:00 – 12:00</p> <p>13:00 – 15:00</p>	<p><i>Seminar: Reporting obligations</i></p> <p><i>Presentations: Assignment 2</i></p>	<p><i>Prof. Abraham Hamman</i></p> <p><i>All</i></p>
<p><i>Fri 26/07</i> 10:00 – 15:00</p>	<p><i>Excursion ICC & ICJ</i></p> <p><i>European AML (Guest lecture & Seminars)</i></p>	<p><i>All</i></p>

**Monday-Friday of the course, classes run between 10:00 – 15:00 Wednesdays class stop at 12:30*

