HIGHLIGHTS

1. Foreword

2. Anti-Money Laundering

3. The Role Of Secured Transactions in Movable Assets Act

SAVE THE DATES

Zambia 8th - 11th April, 2019
Virtual Currency Investigation/ Cyber investigation/ Commonwealth Law Conference

Zambia 13th - 16th May, 2019
Cybercrime Workshop

Nigeria 22nd - 23rd May, 2018
Workshop with the office of the Public defender, Kogi State

Ghana 27th – 28th May, 2018
Cybercrime Workshop

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Dear Readers,

It is my pleasure to introduce the twelfth edition of the CWAG AAP monthly newsletter.

In March, CWAG AAP collaborated with the Financial Intelligence Authority (FIA) of Malawi to present a two-day workshop on Anti-Money Laundering/Combating Financing of Terrorism in Lilongwe, Malawi.

CWAG AAP also collaborated with the National Collateral Registry (NCR) to organize a one-day workshop on the role of secured transactions in movable assets act in financing MSM in Nigeria, Lagos, Nigeria.

I wish to thank the CWAG AAP Goodwill Ambassador and Attorney General of Cross River State, Hon. Joe Abang for his steadfast support of CWAG AAP programmes within the continent.

I also wish to thank Atuweni Juwayeyi-Agbermodji, Director General, Financial Intelligence Authority, Justice Dr. Chifundo Kachale, Chairman, Malawi Judiciary Training Committee and Mainasara Muhammad, Registrar, National Collateral Registry (NCR) for their continued support and collaboration that has enabled several law enforcement agencies, prosecutors and investigators to build their capacity on transnational crimes particularly money laundering and asset financing.

I am grateful to our facilitators of the month: Eugene Griffin, Thomas Caldwell, John Ukegbu, Edwin Mtonga, Chief Anthony Idigbe, Hillary Nwaukor, Bisi-Toro, CWAG AAP country coordinators for Malawi and Nigeria, QONSULTC Management Consultants Limited and Punuka Attorneys & Solicitors, respectively for ensuring that the workshops were successful. We look forward to more productive partnerships in the near future.

Regards,

Markus Green ESQ.
CWAG AAP in collaboration with the Financial Intelligence Authority (FIA) of Malawi hosted a two-day workshop on Anti-Money Laundering on 18th and 19th March, 2019 in Lilongwe, Malawi. The workshop brought together thirty magistrates and was aimed at building their capacity in handling money laundering crimes, enhance their knowledge and skill levels in anti-money laundering/combating financing of terrorism, facilitate exchange of knowledge and experiences and identify challenges and solutions regarding identification, investigation and prosecution of money laundering and terrorism financing.

The workshop was officially opened by the Director General of FIA, Atuweni Juwayeyi-Agbermodji who welcomed participants and urged them to take advantage of the interactive sessions and maximise the opportunity to learn about the detection, investigation and prosecution of money laundering/terrorism financing cases.

“It is important to train the judiciary/magistrates on matters of transnational crimes, as it is the prosecutors. This is the first of many other future trainings on money laundering, terrorist financing, asset forfeiture and other crimes listed under the Financial Crimes Act.”

Justice Dr. Chifundo Kachale, Chairman, Malawi Judiciary Training Committee thanked all the individuals and institutions who played a critical role in coordinating the event and ensuring its success. He lauded CWAG AAP noting that the training was critical in ensuring that the jurisdiction has the capacity to eradicate financial crimes from a multisector approach.

“It is my hope that through this workshop, you will acquire understanding on how this complex types of offenses are committed and also be acquainted with the new Financial Crimes Act. This kind of collaboration is only to be lauded.”

In his opening remarks, Markus Green ESQ, CWAG AAP Board Member, pointed out that money laundering is an example of the connectivity of the global economy as it connects all other transnational crimes.

“It is important to train judges and magistrates on detection, investigation and prosecution of transnational crimes as they are the gate keepers of justice. With any crime, if you want to prevent, stop and prosecute the crime, you have to cease, track and trace the money.”

He took participants through a thought-provoking session on the link between terrorism and money laundering and highlighted the financing process/flow of this criminal syndicate.

“Financing is one of the greatest vulnerabilities confronting terrorists and terrorist organizations. Every terrorist attack tells a financial story. Investigations of this nature are driven usually by financial clues identified at the outset of the crime-scene investigation. Understanding the financial flows that support terrorism can lead to identification of suspicious financial activity and thus disrupting the money.”

Eugene Griffin, Senior Financial Investigator, Massachusetts Attorney General’s Office, presented on the Basics of Money Laundering, Actual Results/Investigation/Prosecution and Domestic Cooperation and information. He stated that partnerships between law enforcement agencies, major financial institutions and public agencies is an important process in curbing money laundering and terrorism financing. He later took the participants through the challenges in dealing with money laundering and terrorist financing cases, a discussion that elicited discussion among participants on actual ways of dealing with these types of crimes.

Edwin Matonga, Director for Legal & Corporate Service, Financial Intelligence Authority gave an overview of the new Financial Crimes Act, Confiscation: Freezing, Seizing and Recovering Assets and International Cooperation: Mutual Legal assistance. He highlighted the major changes in the Act, including the change in FIA functions and powers, reporting entities and changes in the law enforcement procedure. He noted that lack of administrative penalties, absence of laws on non confiscation and confiscation fund, absence of provisions to freeze terrorist funds as some of the gaps in the old act that led to its appeal.

“Malawi has the Mutual Assistance in Criminal Matters (MACM) Act that provides a legal basis that allows it to provide the widest possible range of mutual Legal Assistance.”
ANTi-MONEY LAUNDERING WORKSHOP

Front, L-R: Gift Chikwakwa, CWAG AAP Malawi Country coordinator, Edwin Matonga, Director For Legal & Corporate Service, Financial Intelligence Authority, Atuweni Juwayeyi-Agbermodij, Director General of the Financial Investigation Authority, Justice Dr. Chifundo Kachale, Chairman, Malawi Judiciary Training Committee, Markus Green ESQ, CWAG AAP Board Member, Eugene Griffin, Senior Financial Investigator Massachusetts Attorney General’s Office, Thomas Caldwell, Assistant Attorney General, Massachusetts Attorney General’s Office and Anita Mankhambo, Director for Compliance & Prevention, Financial Intelligence Agency together with other workshop dignitaries.

CWAG AAP team with Caroline Lerato Magola, Facilitators- Edwin Matonga, Director For Legal & Corporate Service, Financial Intelligence Authority, Thomas Caldwell, Assistant Attorney General, Massachusetts Attorney General’s Office, and Eugene Griffin, Senior Financial Investigator Massachusetts Attorney General’s Office.
Magistrate Viva Nyimba delivering the closing remarks on behalf of Justice Dr. Chifundo Kachale, Chairman, Malawi Judiciary Training Committee.

Atuweni Juwayeyi-Agbermodji, Director General of the Financial Investigation Authority addressing the press.

Justice Dr. Chifundo Kachale, Chairman, Malawi Judiciary Training Committee addressing the press.

(L) Gift Chikwakwa, CWAG AAP Malawi Country coordinator and Anita Mankhambo, Director for Compliance & Prevention, Financial Intelligence Agency (R) with a participant during the closing ceremony.

A section of workshop participants during one of the sessions facilitated by Thomas Caldwell and Eugene Griffin.
CWAG Africa Alliance Partnership in collaboration with the National Collateral Registry (NCR) organized a one-day workshop on the role of secured transactions in movable assets act in financing MSME in Nigeria on 28th March, 2019 in Lagos.

The workshop was aimed at generating a better understanding of the regulatory framework for secured transactions in movable assets and create needed awareness of how MSME can benefit from this Act. The workshop brought together participants from financial regulators, credit finance practitioners and financial institutions or MSMEs.

**Hon. Joseph Abang**, CWAG AAP Goodwill Ambassador and the Attorney General of Cross River state in his opening remarks noted that assets and finance is a fundamental factor in the growth and development of any economy and is considered to be a driving force in private sectors development.

“It is unfortunate that more than 70% of private enterprises have limited or no access to credit. According to the International Financial Corporation (IFC), lack of asset and finance is a key constrain to the growth of financial institutions and MSMEs.”

**Bisi Toro-Popoola Asst. Registrar**, National Collateral Registry, Development Finance Department, Central Bank of Nigeria facilitated a session on **Enhancing Ease of Access to Finance**. She noted that a financial infrastructure for MSME lending is a notice-based registry for collaterals, publicly available database of security interest in moveable assets, databank where security interests in moveable assets are registered for the purpose of being used as collateral to obtain facilities from financial institutions; allows borrowers to prove their creditworthiness and lenders to assess their priority interest in potential claims against particular collateral and a registry improves both access to finance and induces prompt repayment, i.e. provides a win-win for the borrower and lender simultaneously.

**Attorney John Ukegbu ESQ**, CWAG AAP Speaker, Senior Staff Attorney at Northeast New Jersey Legal Services spoke on **secured transactions involving movable assets.**

He noted that the Uniform Commercial Code, Article 9 is the most important article as it provides the governing rules for any transaction that combines a debt with a creditor’s interest in a debtor’s personal property.
Chief Anthony Idigbe, SAN CWAG AAP Speaker presented an overview of regulatory framework for secured transaction in movable assets in Nigeria. He noted that the challenges of implementation and mindset change require administrative structure, interfacing and funding, understanding regulatory objectives particularly for change drivers and the industry, existing jurisprudence and responsive regulation.

“Debtors and creditors should challenge any registration of financing statement before mediation and dispute resolution panel and resort to the High Court if dissatisfied with panel decision under Sec. 56 as there is right of action for breach of duty under the law.”

Hillary Nwaukor, CEO i-naira.com discussed the strategic importance of secondary derivative market platforms for the completeness of the national collateral registry & standardization of moveable asset disposal processes under the STMA Act. He noted that NCR has agreed that a Non-Financial Service that is Auction Class Portal on the NCR Portal is necessary.

“The portal will accommodate online auction platforms that are strategically positioned to render online asset disposal services which is the missing link in the NCR ecosystem.”

Obinna Nwankwo, Legal Services Department, Central Bank of Nigeria, Abuja spoke on the Secured Transactions in Movable Assets Act. He noted that every public registry established by any Act of the National Assembly to co-ordinate, warehouse, or oversee transactions in movable assets in Nigeria shall be operated in a manner that creates automatic interface between such registry.

“The Act does not apply to any right of set-off, the creation or transfer of an interest in land other than account receivables and any interest created by a transfer, assignment or mortgage in movable property governed by a law for which a registry has been established with regards to ships and aircrafts.”
L-R: Mercy Ojukwu- Information Technologist, National Collateral Registry, Obinna Nwankwo, Legal Services Department, Central Bank of Nigeria, Bisi Toro-Popoola during her session on Enhancing Ease of Access to Finance, Hillary Nwaukor, CEO, i-naira.com, Ebele Enedah- CWAG AAP Country Rep for Nigeria, Attorney John Ukegbu ESQ during his session on secured transactions involving movable assets, Alfred Ajibola and Tobenna Nnamani.
THE ROLE OF SECURED TRANSACTIONS IN MOVABLE ASSETS ACT IN FINANCING MSME LAGOS, NIGERIA

L-R: Bisi Toro-Popoola Asst. Registrar, National Collateral Registry, Development Finance Department, Central Bank of Nigeria, Attorney John Ukegbu ESQ, Senior Staff Attorney at Northeast New Jersey Legal Services and Ebelechukwu Enedah, Coordinator, CWAG/AAP - PUNUKA Attorneys & Solicitors.

Attorney John Ukegbu ESQ speaking to the press during the workshop.

L-R: Tobenna Nnamami, Hon. Joe Abang, Ebelechukwu Enedah, Bisi Toro-Popoola and Attorney John Ukegbu ESQ.

A section of workshop participants during a Q&A session.

Ebelechukwu Enedah, Coordinator, CWAG AAP, PUNUKA Attorneys & Solicitors moderating a panel discussion during the workshop.
THOMAS CALDWELL

Thomas Caldwell currently serves as the Deputy Division Chief of the Gaming Enforcement Division at the Massachusetts Attorney General's Office. In his role as Deputy Chief, he assists with the supervision of the prosecutors and financial investigators of the Gaming Division. Their team is responsible for the enforcement of the Massachusetts' gaming laws and other crimes occurring within, or impacting, casinos in the state. His expertise includes, but is not limited to, the investigation and prosecution of illegal gambling, money laundering, tax evasion, fraud and public corruption.

He has experience leading complex, large-scale investigations that utilize cutting edge electronic surveillance, including: wiretaps, pole cameras, and GPS tracking. While at the Attorney General's Office, he has investigated and prosecuted various other offenses including insurance and public welfare fraud, human trafficking, public corruption, illegal narcotics and the money laundering charges associated with each of these offenses. Prior to joining the Attorney General's Office, he served as a criminal defense attorney in the Greater Boston area.

EUGENE GRIFFIN

Eugene Griffin has over thirty years’ experience as an investigator of financial related crimes both in federal law enforcement as a U.S. Postal Inspector and as a Senior Financial Investigator with the Massachusetts Attorney General's Office. He has worked in Salt Lake City, Utah, Los Angeles, CA and Massachusetts. His experience involves the investigation of various fraud schemes, larceny schemes, illegal narcotics cases, illegal gambling, human trafficking, and the money laundering associated with those crimes.

EDWIN MADALO MTONGA

Edwin Madalo Mtonga is a Certified Anti-Money Laundering Specialist with the Association of Certified Anti-Money Laundering Specialists (ACAMS). He is currently the Director for Legal and Corporate Services at the Financial Intelligence Authority (FIA) in Malawi.

He received his LLB (Hons) from the University of Malawi, Chancellor College and his LLM from the South African–German Centre for Transnational Criminal Justice, Faculty of Law, University of the Western Cape and Humboldt Universität zu Berlin.

He has worked as a Senior Legal Aid Advocate, a Senior State Advocate and Principal Legal Officer for Department of Immigration and Citizenship Services before his appointment as Director for Legal and Corporate Services at the FIA. His job involves advising the FIA on legal matters and ensuring that the FIA complies with domestic as well as international AML/CFT/PWMD obligations, among others.
BISI-TORO POPOOLA

Bisi-Toro Popoola has a first degree in Civil Engineering from the University of Ilorin, an MBA from Middlesex University and a post graduate degree in Education and Business Consultancy from Greenwich University United Kingdom. She started out her career at Ecobank and then moved on to Guaranty Trust Bank (GTB) after which she had a 22 year stint in England and rose to top management in Local Government. Bisi joined the Central Bank of Nigeria (CBN) in 2011. She is a seasoned project manager with certifications in project, programmer portfolio management. She is currently the Assistant Registrar of the National Collateral Registry (NCR).

JOHN UKEGBU

John Ukegbu is a senior staff attorney at Northeast New Jersey Legal Services in the Jersey City office where he specializes in representing debtors in consumer financial related matters such as debt collection, credit reporting, automobile repossession and deficiency cases. He also represents consumer debtors in Chapter 7 and 13 bankruptcy cases. John has represented tenants and homeowners in eviction and foreclosure cases and has served as a member of the District Ethics Committee for Hudson County and served as a Trustee for the New Jersey Lawyers’ Fund for Client Protection. He is currently a member of the New Jersey Supreme Court Committee on Special Civil Part Practice, a Trustee of the Hudson County Bar Association and a member of the New Jersey State Bar Association’s Consumer Protection Law Committee, the National Association of Consumer Advocates, the National Association of Consumer Bankruptcy Attorneys, the Bankruptcy Inn of Court, the American Bankruptcy Institute and the Chartered Institute of Arbitrators.

He is also the Secretary of the Consumer League of New Jersey and has litigated and won a number of significant cases on behalf of tenants and consumers. He represented Northeast New Jersey Legal Services as amicus curiae in New Century Financial Services. John is a graduate of Western New England University, School of Law, Springfield, Massachusetts and is admitted to the New Jersey and Pennsylvania bars. In recognition of his service, Legal Services of New Jersey awarded him the J. Harris Award for Career Service to People in Poverty in 2011 and the Ronald B. Atlas Attorney Award in 1996. In recognition of his outstanding community service the Fifteen Together Foundation a community organization in Jersey City, New Jersey awarded him the 2017 Stellar Community Services Award.
A seasoned legal practitioner with over 30 years’ experience, Chief Anthony Idigbe is the Senior Partner at Punuka Attorneys & Solicitors. He was elevated to the rank of Senior Advocate of Nigeria in 2000 and was recently admitted to practice law in Ontario, Canada. He has advised clients on several complex transactions and has represented major companies and institutions in the highest courts of Nigeria. He is a well-known capital markets legal adviser and has advised and acted as counsel to the Securities & Exchange Commission. He has also been involved as lead counsel in many ‘big ticket’ litigation briefs such as the Kano Trovan Clinical Trial Cases. He also possesses wealth of knowledge and experience in Telecommunications Law particularly the workings of the Nigerian Telecommunications Industry, having represented numerous clients in various telecommunications disputes.

He has extensive experience in insolvency and restructuring, and has acted as counsel to several ex-bank executives in a continuous flow of civil and criminal cases arising from the 2009 Central Bank intervention and restructuring in the banking sector.

Anthony has three Masters of Law degrees from universities in the UK and Canada, as well as several other diplomas and certifications from various professional organisations. He is a fellow of the Chartered Institute of Arbitrators, UK; Insolvency International (INSOL) and the International Bar Association; member of several other foreign and national associations and trustee of non-governmental organisations.

Along with numerous other appointments in the public and private sector, Anthony was appointed in 2017 as the Chairman of the Nigerian Bar Association’s Legal Profession Regulation Review Committee. He is a Notary Public, author of many published books and articles, and a renowned resource person.

Hillary is a Fellow of the Institute of Management Consultants (IMC) and a Certified Management Consultant (CMC); Fellow of Certified Institute of Auctioneers, Nigeria. He serves on the Advisory Board of Franchise Business Development Services (FDBS) Nigeria. He is the founder of i-naira.com; foremost secondary derivative market positioned to support the organised private sector with auction services. He is an experienced business management consultant as well as a licensed and certified auction practitioner in Lagos state, Nigeria.

His consulting career kicked off at Nextzon Business Services Ltd in 2009 and he later joined the NNPC where he served in technical capacity as an Assistant to the GGM/GPAD on New Media Strategy Development for the NNPC before resigning in 2016 to launch i-naira.com; a company that is adjudged by the organised private sector (OPS) as the first reliable technologically driven auction platform in Nigeria. In recognition of the aforementioned contribution to the development of online auction in Nigeria, Hillary was invited to Aso Rock by the Presidency to exhibit the i-naira.com brand during the Aso Villa Demo Day (AVDD) event in 2016.

In 2017, he was recognised by Nigeria Communication Week annual BoICT award as Technology Innovator of the year 2016. He was inducted as a Fellow of Certified Institute of Auctioneers (FCIA), Nigeria and Fellow of the Institute of Management Consultants (FIMC) respectively in 2018.
Victoria Falls presents a spectacular sight of awe-inspiring beauty and grandeur on the Zambezi River, forming the border between Zambia and Zimbabwe. It was described by the Kololo tribe living in the area in the 1800’s as ‘Mosi-oa-Tunya’ – ‘The Smoke that Thunders’. In more modern terms Victoria Falls is known as the greatest curtain of falling water in the world. Columns of spray can be seen from miles away as, at the height of the rainy season, more than five hundred million cubic meters of water per minute plummet over the edge, over a width of nearly two kilometers, into a gorge over one hundred meters below.

The wide, basalt cliff over which the falls thunder, transforms the Zambezi from a placid river into a ferocious torrent cutting through a series of dramatic gorges. Facing the Falls is another sheer wall of basalt, rising to the same height, and capped by mist-soaked rain forest. A path along the edge of the forest provides the visitor prepared to brave the tremendous spray, with an unparalleled series of views of the Falls.

One special vantage point is across the Knife-edge Bridge, where visitors can have the finest view of the Eastern Cataract and the Main Falls as well as the Boiling Pot, where the river turns and heads down the Batoka Gorge. Other vantage points include the Falls Bridge, Devils Pool and the Lookout Tree, both of which command panoramic views across the Main Falls.

Source: https://www.zambiatourism.com/destinations/waterfalls/victoria-falls/
UPCOMING EVENTS

April

**Lusaka, Zambia**
8th - 11th
CWAG AAP Participation in the Commonwealth Law Conference

8th - 10th
CWAG AAP workshop on Virtual Currency Investigation in collaboration with the Bank of Zambia

11th
CWAG AAP Workshop on Foundations of Virtual Currency and Admission of Electronic Evidence with the Judiciary of Zambia

**Arusha, Tanzania**
8th – 12th
CWAG AAP Participation in the East Southern Africa Anti-Money Laundering Group Senior Official Meeting

May

**Lusaka, Zambia**
13th – 16th
CWAG AAP workshop on Cybercrime with the National Prosecution Authority

**Abuja, Nigeria**
22nd - 23rd
CWAG AAP Workshop with the office of the Public defender, Kogi State

**Accra, Ghana**
27th – 28th
CWAG AAP workshop on Cybercrime with the Ghana Police
Partnering with us means, your organization will help build public awareness and increase both organizational and individual capacity to combat the cross-border crimes in Africa.

You can partner with us in any of the following ways

**Financial Support**
This is a great way for organizations and individuals to quickly and easily get involved in our mission.

**In-Kind Donation**
By making an in-kind donation, you’ll help us do more.
Venue Hire
Workshop / Conference beverages
Team travel expense
Team accommodation
Participant giveaways

**Event Sponsorship**
Showcase your commitment to the fight against transnational crimes, choose the theme for workshops, symposiums, and conferences that your organization would like to partner with us on.

**Collaboration**
Through co-hosted workshops, and conferences and programmes.

If you’d like to find out more about contributing to our work as a foundation, trust or company, and the impact your partnership will have towards the global effort in combating transnational crimes, we’d love to hear from you. Please contact us today for more details.

Email: alecia@cwagweb.org or info@cwagnap.org