Mechanisms to combat money laundering in Iraq

Dr. Alia Taha Mahmoud

Abstract

Money laundering practices emerged as a global criminal phenomenon with the phenomena of scientific and technical development, which led to increased interaction between countries, which facilitated the transfer of capital between them, and gave the opportunity for organized crime gangs to practice their activities by collecting money illegally and subsequently working on expression to appear as if they were A legitimate source, under conditions in which there is no legal regulation that faces the risks of development, and what increases the risks of the money laundering crime in our present era is that it has crossed national borders and launched into a wider and wider field at the international level thanks to technical means, globalization and modern technology, Which prompted the international community as a whole to confront this crime with various mechanisms, with the conviction that it cannot be eradicated, but with the aim of combating it and reducing its negative effects that may cross the past and present and extend to the future, which were not limited to local crime, but rather extended to international organized crime.

***Keywords*: Crime, Money laundering, International mechanisms, Bank secrecy, Proceeds of crime, Cash Tools**

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Introduction

Money-laundering is the most serious global threat to the economic development of all the world's countries; Due to their significant damage in undermining financial and social stability and obstructing the functioning of banks where they start from the illicit acquisition of funds by the individual or group, followed by the camouflage phase of the source of such funds, which takes place through three stages, first: The deposit phase is the transfer of funds from illicit origin to a financial system, and secondly:

Camouflage phase: through a series of complex operations to conceal the origin of funds, and third: The merger phase, whereby funds are returned to the economic system as freely used legal funds. In return, most countries in the world seek to ratify anti-money-laundering conventions and enact their own legislation in order to address and combat them. This is confirmed by the Iraqi legislature in the Anti-Money-Laundering and Terrorist Financing Act No. 39 of 2015. "For the purpose of reducing money-laundering and the financing of terrorism, which in today's times have become significantly aggravated and the technological development in banking and the financial sector has accelerated, allowing for diversity in financial fraud methods and its adverse effects on the economy and society, and for countering criminal activities and combating and reducing their emerging methods."

The nature of the crime of money laundering and its nature

Defining precisely what the crime is one of the postulates in criminal law. This is because stipulating the crime must, in the first place, control the act and criminalize the behavior, and applying this in the field of criminalizing money laundering seems difficult. Given the wide range of forms of money laundering crime and the unique characteristics that distinguish it from other crimes, money laundering crime is one of the forms of economic crimes as it is linked to organized crime, especially the crime of drug trafficking, terrorist financing, arms and slave smuggling, and even environmental crimes. In contrast to this, it is important to start... Defining the concept of the crime of money laundering and then explaining its nature in the following sections:

Concept of money-laundering

In order to clarify the concept of the object, the term "money-laundering" has received wide attention by legislation. Article 1 of the Egyptian Anti-Money-Laundering Act No. 80 of 2002 defines it as: (Any conduct involving the acquisition, possession, disposal, administration, preservation, replacement, deposit, guarantee, investment, transfer or manipulation of funds if they derive from an offence provided for in the article (2) In the knowledge of this Act,

whoever intended such conduct to conceal or disguise the nature, origin, place or right holder of money, or to change its truth, or to prevent this from being discovered or obstructing access to a person who has committed the offence of money).

Article 2 of the Kuwaiti Anti-Money Laundering Act No. 35 of 2002 defines the offence of money-laundering as "a set of operations aimed at disguising the illicit sources of funds". At the international level, the term money-laundering appeared in the United Nations Convention against Illicit Drug Trafficking, held in Vienna in 1988, which stipulated that money-laundering was either the transfer or transfer of funds from the product of drug offences or the acquisition of funds, knowing at the time of delivery that they were the proceeds of an offence under the Convention. The United Nations Convention on Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 defines money-laundering as: "Transfer or transfer of property with knowledge of the criminal and dangerous source for the purpose of assisting the legal source and persons who commit such acts", while the International Monetary Fund defined the crime of money-laundering as: "The injection and recycling of illicit funds into the economy and into financial and legal enterprises." As for the Iraqi legislator, he only mentioned the images of the money laundering crime and the criminal behavior that constitutes it without providing a precise definition of the crime, the anti-money laundering and Terrorist Financing Law No. 39 of 2015 stipulates that: (anyone who committed one of the following acts is considered a perpetrator of the crime of money laundering: first: transferring, transferring or replacing funds from a person who knows or should have known that they are the proceeds of a crime for the purpose of concealing or disguising its illegal source or assisting the perpetrator or the perpetrator of the original crime or those who contributed to the commission or the commission of the original crime to escape responsibility for it. Second: concealing or disguising money, its source, location, condition, method of disposal, transfer, ownership or rights related to it, from a person who knows or should have known that it is the proceeds of a crime. Third: the acquisition, possession or use of funds from a person who knows or should have known at the time of receiving them that they are the proceeds of a crime).

In view of this discrepancy in legislative orientations in the field of defining the concept of the crime of money laundering and in view of its great negative effects on society, jurisprudence has been struggling towards the development of some concepts of the crime of money laundering, including: "every operation that conceals the illegal source from which the funds were acquired" (Mohammed Fathi Eid ,1999,p.280), it was said that: "an action is carried out to legitimize the illegally acquired funds in order to conceal the illegal source of funds and show them in the form of funds obtained by legitimate means" (Dr. Samir El Khatib ,2005, p.16), we believe that no matter what concepts are put forward for the crime of money laundering, it is only criminal behavior aimed at concealing the illegal source of funds and legitimize it.

Subjective money-laundering offence in terms of characteristics

The crime of money-laundering is characterized by the international nature; Perhaps the reason for that nature is the global telecommunications revolution, the use of modern electronic means in cognitive processes, the automated assessment of funds, as well as the liberalization of global trade from customs barriers, the use of e-commerce, the prevalence of free zones and privatizations, all of which are driven by transnational and global money-laundering offences (Safwat Abdussalam Awad ,2003, p.3). One of the characteristics of money laundering is that it is a crime that affects social reality and the stability of society. It can create disparities between strata of society that end with unemployment and political support for money launderers through charitable projects offered to members of society for the purpose of legitimizing the illicit source of such funds. In contrast, money-laundering is a form of addiction for those who have obtained illegal incomes resulting from drug trafficking, money smuggling, tax evasion, embezzlement, fraud, counterfeiting of the national currency and other money crimes (D ' Abdulkhaliq Ahmed ,1998, p.21).

Subjective crime of money laundering in terms of composition

Money-laundering is an organized crime. It presupposes the physical and moral plurality of the perpetrators and the unit of the crime so

that one or more of them contributes to the elements influencing the crime. Organized crime is committed through organized secret groups whose selection and selection progress according to strict controls. Therefore, money-laundering only carries out two main elements: Physical element: the criminal conduct by which the offence is achieved. The offence of crime laundering is a complement to a previous and major activity that resulted in the collection of a quantity of funds, whether legitimate or unlawful (D ' Suleiman Abdel-Monim ,1990, p114).

This confers a special subjectivity on this offence: the money to be laundered is usually obtained from illicit activities; Such as drug trafficking, terrorism, prostitution, arms trafficking and other activities that can yield illicit financial returns and which owners want to legitimize and may find their sources in legally legitimate activities, but the owners want to hide their gains from the law to evade the obligations imposed by the law funds, such as taxes, are derived from legitimate activities in themselves but are conducted in contravention of the law, as no licences are obtained for their use (D ' Samar Fayez Ismail ,2010, p123), Conversely, the crime of money-laundering is a way out of the criminals' predicament, which is difficult to deal with the proceeds of their crimes and comes as a subsequent crime. Moral element: the psychological state underlying the material of crime offence of money-laundering is a deliberate offence, based on the existence of criminal intent by its elements knowledge and will, the perpetrator must be informed that the money being laundered is derived from the proceeds of an act of unlawful activity And if the perpetrator is unaware that money is being obtained in this way, there is no criminal intent for him to leave one of his elements behind) D ' Ali Abdelkader Al-Kahouji ,1988, p.223).

Criminal intent, as defined in article 33 of the Iraqi Penal Code, is: "Directing the perpetrator's will to commit the act constituting the crime aimed at the result of the crime which occurred or any other criminal result." Since the offence of money-laundering is of a special nature, since it is considered an offence of a primary offence previously committed, This subjectivity presupposes that the perpetrator of a money-laundering activity is fully aware that the money is the object of the crime, sillicit source of such funds

" was quoted from another crime, in addition to which knowledge of the real objective of laundering activity was to conceal or camouflage the illicit source of such funds. Criminal intent, besides knowledge, requires the will to act and result. Criminal intent is extinguished if the launderer is forced to commit unlawful physical soak, as affirmed in article III of the 1988 Vienna Convention against Illicit Drug Trafficking, which states: "(the act was intentionally committed), As well as paragraph (b) of the same article, the words " Knowing that it derives from a crime...). This is confirmed by the Law on Combating Money Laundering and Financing of Iraqi Terrorism in force in article II/I of the Law, which stipulates that: "The transfer, transfer or replacement of funds from a person who knows that they are proceeds of crime". The question arises here as to when to estimate the availability of the illicit source of funds or receipts?

In fact, we have not found an explicit answer to this by the Iraqi legislator in the aforementioned law. He has not addressed the question of when the illicit source of funds or receipts must be known. This may be because the crime of money-laundering is originally a continuing crime; Criminal conduct in the form of a financial transaction administration, which also absorbs images of the transfer, transfer and dispatch of funds, inherently takes a period of time and therefore does not require coexistence and synchronization of knowledge of the criminal source of funds and criminal conduct. By reference to comparative legislation, the Iraqi legislator has followed the United States legislator's direction not to limit the time and science (D ' Suleiman Abdel-Monim, p. 21).

Contrary to the Vienna Convention, article III stipulates the availability of knowledge only at the time of delivery of funds, and thus the offence of money laundering, if the person is in good faith at the time of receipt or possession of the funds, is precluded; even if he subsequently had knowledge of the illicit source of those funds. It should be noted that the Iraqi legislature affirmed the need for the information component of article II (I) of the Anti-Money Laundering Act of 2015, which is in force, as follows: "Anyone who commits the offence of money-laundering shall commit one of the following acts: (i) the transfer, transfer or replacement of funds... for the purpose of concealing or disguising its illicit origin or assisting

the perpetrator or perpetrator of the predicate offence or the contributor or perpetrator of the predicate offence to escape responsibility for the offence ". However, it omitted to stipulate that the Iraqi legislature should deliberately set out in the Anti-Money Laundering Act of 2004, in its statement of the financial institutions' obligation to report suspicious transactions and their obligation to organize reports on monetary transactions by stating that: (The person who deliberately breaches shall be fined).

This provision clearly affirms by the legislator the importance of the will for the criminal purpose of money-laundering offences to be regarded as the essence of the intent. This is what we commend and was a fortiori for the Iraqi legislature to take into account in the legislation on combating money-laundering of 2015 in force.

Subjective crime of money-laundering in terms of effects

The offence of money-laundering is self-evident from the rest of the offences in terms of its consequences, as the offence of money-laundering has negative economic effects; Since investment projects in different countries are the safe haven for criminal organizations when accumulating funds derived from drug and other crimes, they seek to use their funds in such projects with a view to legitimizing them, which poses a threat to international societies and their investment movement (D ' Sherif Syed Kamel ,1997,p.41).

The crime of money-laundering is an organized crime with negative economic consequences, The negative effects on investment for both countries from which illicit funds have emerged or for the States in which the laundering takes place, so that the money goes out to a shortage of State funds that could be exploited for investment, Demand for foreign exchange to convert illicit funds into free currency facilitates smuggling abroad The demand for the supply of this cash is compounded between the real investor and the illicit owner who wants to move it abroad, Which resorts to illegal ways to win competition (D ' Abdulkhalek Ahmed, p. 20).
For example, the bribery of some employees of agencies dealing in foreign exchange such as public and private banks, which frustrates investors, also leads to the corruption of the investment climate itself

and may result in the effects of money-laundering, such as higher prices, a collapse in the stock market, the emergence of functional corruption, a decline in the overall standard of living, and the channelling of resources Towards useless investments at the expense of meaningful investments that contribute to development, threatening financial and banking stability, and threatening international peace and security (D ' Hamdi Abdel-Azim ,2000, p.7).

The crime of money-laundering also has social implications, namely, the existence of disparities between social classes, Where lower social groups rise to the highest social hierarchy, and a difference in the level of moral values between these classes as a result of high rates of financial corruption and bribery, Money-laundering crimes can lead socially to no real job creation unemployment , exacerbating the problem of unemployment, low wages for labour and a low standard of living (D ' Ma 'id al-Dalimi ,2006, p.46).

In addition, the political implications of money-laundering offences, The enlargement of wealth in the hands of a small number of members of society, making this group in the developing economy capable of taking control of political aspects in the form of holding political office; The influence on the State's political, parliamentary, judicial and media system, leading to the formation of a parallel power of State power.

Subjective offence of money-laundering for other offences in terms of objectives

They emerge through the efforts of organized crime groups, such as assisting criminal groups in escaping prosecution and criminal control, and confiscating their money and wealth, by transferring funds from their forbidden criminal trade across borders to other states, possibly through means of electronic transfer through suspicious institutions and banks (D ' Mohammed Abdussalam Salama ,2013, p 45), In terms of objectives, subjectivity may be highlighted by what money-laundering accounts for about 25% of total transactions in global financial markets. so that money launderers find their chance to recycle funds without paying attention to good employment,

This constitutes a burden on financial markets and harms illegal transactions market confidence and the efficient role of profits are diminished by the prevalence of exchange experts' crimes, fraud and borrowing, which increase the chances of concealing sources of funds (D ' Samir al-Khatib, p. 15).

It may emerge by helping organized criminal groups to penetrate public political circles, where corruption is a common phenomenon at the service and productive sector level and has a negative impact on societies and States' stability (D ' Samar Fayez Ismail, p. 52). In exchange for this subjective offence of money-laundering, international mechanisms and measures are required to combat it.

Preventive mechanisms for the supervision of financial and administrative institutions by specialized security agencies

The supervision of financial and administrative institutions by specialized security agencies is one of the mechanisms for the prevention and best of money-laundering and is justified; the expansion of banking activity in today's world. State and private banks have become economic entities that are important and necessary for natural and moral persons, as well as for the State and its administrative and financial institutions. In addition, money-laundering often involves large funds and, at some stage, needs to be dealt with by private or state banks, so banking control is crucial, with bank secrecy as a customers' personal right (D ' Samir al-Khatib, p. 97).

The question arises as to the extent to which States can adopt such a mechanism to prevent money-laundering? In fact, the world's countries are divided on the subject of combating money-laundering into two currents: the European current: which leaves banks free to appreciate the requirement that money-laundering should be reported upon suspicion, and the American current: it depends on the obligation to declare each transfer above US $10,000. Most of them and the Gulf are particularly vulnerable to money-laundering; Given the confidentiality of its financial and banking systems vis-à-vis the security, judicial, financial and monetary authorities, as well as their modernity (Nasser Shuman ,2009, p.112).

This in fact constitutes a full cover for money laundering agents of these banks. In Lebanon, for example, under the Banking Secrecy Act, a client's name cannot be disclosed even if the bank is assured beyond doubt that he is engaged in money laundering. And all the bank can do in this regard is refuse to deal with the customer in the future, Bank secrecy is a fertile ground that the mafia tries to exploit to carry out money-laundering operations and an obstacle to their control (Mohammed Hassan Omar Barwari, 2010, p.9).

However, such confidentiality should not preclude the existence of specialized technical control over the work of all institutions and administrative institutions. In contrast, the Iraqi legislator has taken accelerated steps to achieve such control either under the Anti-Money Laundering Act of 2004 or under Law No. (39) For the year 2015 on combating money-laundering and the financing of terrorism, in the latter law our legislator has decided under the article (v) A council called "Council against Money Laundering and the Financing of Terrorism" consisting of the Governor of the Central Bank of Iraq as President, thirteen of whom are members of the hierarchy, a judge of no less than the third class nominated by the Supreme Council of the Judiciary) and, given the distinct status of the judiciary among the functional positions in the State, it should have been The judge appointed as President of the Council instead of including him at the end of the list, noting that the Council has several tasks, the most important of which are: to formulate, follow up and disseminate policies and programmes to combat money-laundering and the financing of terrorism; to follow up on the implementation of policies by the competent authorities to combat money-laundering and the financing of terrorism; and to propose the identification of certain supervisory bodies for the purposes of this Act ,(article 1 of Act No. 39 of 2015).

Under article 8 of the same Act, the legislature also decided to establish the Office for Combating Money Laundering and the Financing of Terrorism, the functions of which are defined in article 9 of the same Act. The most prominent of which are: Receipt or receipt of reports and information on operations suspected of involving receipts of an original crime, laundering or financing of terrorism from the reporting entities and in the light of which the Office may analyse and transmit such communications

and information on reasonable grounds for suspicion of money-laundering or financing of terrorism, Or related to an original offence to the Presidency of the Public Prosecutor's Office for legal action and notification to the relevant authorities and the Office of the Prosecutor's Office by notifying him of the communications and information provided to him, It implies requesting the Presidency of the Public Prosecutor to initiate criminal proceedings. In our discretion, however, this does not preclude the initiation of criminal proceedings by directly informing the investigating judge, the investigator, any police station official or any members of the judiciary of any person who has learned of their occurrence, whether a duty-bearer or a person who is entitled to be notified permissibly, The text of article 47/1 of the same Act shall be considered.

However, what comes to the staff of the Anti-Money Laundering and Terrorist Financing Council or to the staff of the Anti-Money Laundering and Terrorist Financing Office of confidential information, so they may not disclose it either directly or indirectly to the staff member or to the staff member's knowledge of it, And may not disclose such information in any way except for the purposes of this Act. This prohibition lasts until after the staff member's separation, and the applicable provision also applies to persons who obtain such information pursuant to their official contact with the Board or the Office, Article 53 of Iraq's Anti-Money Laundering and Terrorist Financing Act No. 39 of 2015 is in force.

International cooperation mechanism to combat money-laundering globally

Our Iraqi legislator is keen In the Iraqi Anti-Money Laundering and Terrorist Financing Act No. 39 of 2015, The principle of "international cooperation" is affirmed in chapter IX of this Act, article 27 of which stipulates that: "The offence of money-laundering and the financing of terrorism shall be deemed to be an offence in which legal aid, coordination, cooperation and extradition may be granted in accordance with the provisions of the conventions to which the Republic of Iraq is a party." Indeed, international law is the legal basis for the principle of international cooperation, with its international, regional and bilateral conventions, as well as the principle of reciprocity, the most important of which are:

- United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988: This Convention, referred to as the Vienna Convention, is the first legal document to adopt provisions and measures against money-laundering used or derived from illicit traffic and contained many innovative principles and provisions, particularly in articles 8, 7, 6 and 5, which urge States to establish national mechanisms to identify the tracing of funds derived from drug offences and to take measures to make financial and knowledge records accessible or kept in custody, without prejudice to confidentiality, This Convention is understood to have limited criminalization to money-laundering as a result of the drug trade to only other offences (D ' Mohammed Sami al-Shawa ,2001, p.22).
- Recommendations of the G-7: major industrialized countries (United States of America-Canada-Japan-France-Germany-England-China).

These recommendations have resulted in a Financial Action Committee aimed at taking steps to combat money-laundering. Forty recommendations have been endorsed by this Committee, which has been joined by several States and two regional organizations, the European Council and the Gulf Cooperation Council (D ' Saleh al-Saad, 2006, p.55), "FATF" is an intergovernmental body established pursuant to the decisions of the Fifteenth Annual Summit by the Presidents, States and Governments, the main industrialized States to which Russia has become a member. (G8) Engages in the fight against money-laundering in cooperation with organizations such as the International Monetary Fund (IMF) and the Economic Cooperation Organization (ECO) that significantly reduce the means of bribery, corruption and functioning Financial Action Group " the original 40 FATF recommendations were developed in 1995 as an initiative to combat the misuse of financial systems by people who launder drug money and were revised in 1996. The FATF has also issued several statements in the fight against money-laundering and the financing of terrorism, the latest of which is the 2024 statement on high-risk States for which action is required and States under increasing follow-up, where they are experiencing weakness in their strategic solutions to combat money-laundering and terrorist financing

- · Basel Statement 1988: The Basel Document on the Prevention of the Criminal Use of the Banking System for Money Laundering is issued.

This document calls for adherence to the basic principles for countering money-laundering:
- Be more vigilant especially after knowing the identity of customers.
- Comply with laws and regulations on financial transactions.
- Aid licences in transactions that are clearly linked to the growth of the source of funds.
- Cooperate with judicial, police and other law enforcement authorities to the maximum extent permitted by the regulations on the preservation of clients' secrets.
- Consequences of the Basel Declaration: All banks adopt policies consistent with the solemn principles contained in this Declaration and apply the procedures and rules provided for The Declaration also established ethical and legal principles relating to the banking and financial system to prevent the use of financial institutions for money-laundering purposes, However, it is flawed by the Declaration's lack of compulsory force and the lack of sanctions for violating the rules of the Declaration money-laundering ", but this Declaration has a general role to play in money-laundering and control (Kummer, K ,1992, p.533).

Judicial cooperation mechanism to combat money-laundering

Article 27 of Iraq's Anti-Money Laundering and Terrorist Financing Act No. 39 of 2015 makes it clear that judicial cooperation is one of the mechanisms pursued by our Iraqi legislation to combat money-laundering and terrorist financing offences, as follows:

- **Letter d 'affaires a.i.:**

This picture of cooperation recommended that most of the conventions related to the fight against crime should be followed from these conventions: Convention on Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, article VII of which stipulates that requests for letters rogatory for the hearing of witnesses, the communication of judicial papers, the conduct of searches and seizures, the examination of objects and the inspection of subjects falling within the scope of disclosure and inspection for the provision of information and the evidence available to them on any drug offences .The same article also recommended that jurisdictions for drug offences should be implemented directly through the Ministers of Justice as an alternative to diplomatic methods that might take too long (United Nations Convention

against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988).

The applicant's letter rogatory represents a copy of mutual legal assistance that begins with a request from a judicial authority to a second judicial authority for the purpose of taking some procedure of judicial investigation. and, in the area of international criminal cooperation, the assignment of a letter rogatory means the assignment of the national judiciary to a foreign judicial authority or vice versa, such as hearing testimony and following up on the target in the case of controlled extradition. Or search of a particular place for seizure of narcotic substances or funds derived from an offence or seizure of documents or evidence relating to the offence of money-laundering or financing of terrorism.

At the national level, since the relationship between two States, the requesting State must send its request on behalf by diplomatic means to the Supreme Council of the Judiciary of Iraq, After the Board's scrutiny of the request and its annexes, it may find that the request meets the legal requirements and that the implementation of the requested action is not contrary to Iraq's public order, In this case, he decides to transmit the request to the competent investigating judge in order to complete the required procedure. and a representative of the requesting State may be present at the time of the proceeding, The applicant must therefore be informed of the place and time of execution of the letter rogatory in order to allow the relevant second party to attend if he or she wishes or entrusts his or her representative (Articles 353 and 354 of the Iraqi Code of Criminal Procedure No. 23 of 1971 amended and article 18 of the Riyadh Arab Convention on Judicial Cooperation of 1983).

After the completion of this initial phase, the stage of action begins if it is within the limits of the law. If the procedure is carried out, the investigating judge shall submit the papers relating to the Office to the Supreme Council of the Judiciary; The Council in turn sends them to the requesting State for diplomatic assignment If the letter rogatory relates to a subject not permitted by Iraqi law, Or if enforcement is not possible for any reason, in both cases the requesting State must be notified by diplomatic means (Article 354, paragraph c, of the same Act is considered).

It should be noted that the Riyadh Agreement on Judicial Cooperation signed in April 1983

(Article 17 of the Riyadh Convention on Judicial Cooperation of 1983 shall be considered, specified the cases in which a request for a letter rogatory may not be granted as follows:

- If such execution does not fall within the jurisdiction of the requested Contracting Party's jurisdiction.
- If implementation would prejudice the requested Contracting Party's sovereignty or public order .
- If the request relates to an offence which the requested Contracting Party considers a political offence.

If the request for a letter rogatory is rejected or cannot be executed, the requesting party shall notify the requesting party accordingly and shall indicate the reasons for the denial or failure to implement the request.

- **Extradition:**

This is a picture of judicial cooperation with extradition (D ' Bera Munzir Kamal Abdul Latif, 2016, p. 404 & 414), In view of its importance, article 27 of Act No. 39 of 2015 affirms that: "The offence of money-laundering and the financing of terrorism shall be considered extraditable offences...", Since extradition implies a waiver by the requested State of the acts of its judicial authority in an offence to a foreign judicial authority, the legislator has set out certain and explicit conditions for the possibility of such a method of international cooperation:

- If extradition is sought for an offence, including money-laundering and the financing of terrorism, the offence committed should have occurred within or outside the territory of the requesting State, except Iraq. For crimes committed in Iraq, it is the jurisdiction of Iraq's judiciary. The laws of the two States must also be punishable by imprisonment or imprisonment for a term of not less than two years or any more severe penalty, and this requirement is called the principle of "double criminality"(D ' Abdelaleh al-Khali ,1965, p.295).

This principle is enshrined in Law No. 39 of 2015, article 28 of which stipulates: (Request for extradition or request for legal assistance shall not be executed on the basis of the provisions of this Act unless the laws of the requesting State and the laws of the Republic of Iraq punish the crime in question or a similar offence, Dual criminality is met, regardless of whether the laws of the requesting State include the offence in the same category of offences or are used to designate the offence with the term used in Iraqi law

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provided that the offence in question is criminalized under the laws of the requesting State) extradition ", it was not possible to recognize a foreign judgement containing a penalty that did not exist in national legislation or to agree to extradite an accused for an act which, in the view of the requested State, was not criminal in nature.

- If the person sought is sentenced for any offence of any kind, including money-laundering and terrorist financing imprisonment ", the sentence imposed on him must be a term of not less than six months' imprisonment or any more severe penalty (Article 1/357 of the Code of Criminal Procedure No. 23 of 1971, as amended is to be considered) , With regard to this requirement, Iraqi law does not require the acquisition of the degree of the verdict, and the reason for this is that the accused under investigation may be extradited if the conditions required in the request are met sextradition, even if the decision was not to acquire the degree of determination.
- If there are multiple offences for which extradition is requested, it is sufficient that the conditions advanced in one of them be met to determine the validity of the request (Article 357 (b) of the same Act shall be considered).

In cases of prohibition of extradition, the legislature has identified them as follows: "Political :Article 21 of the Iraqi Penal Code No. 111 of 1969, as amended, excludes five types of offences from the possibility of being considered political crimes, not money-laundering and terrorist financing, among them" and "military: The Military Code of Criminal Procedure No. 30 of 2007, noting article 41 of the Riyadh Arab Convention on Judicial Cooperation of 1983, explicitly stipulates that political and military offences shall not be counted as extraditable offences", offences are considered political or military offences in accordance with Iraqi law; The extension of the jurisdiction of the national jurisdiction over offences committed abroad, as if the offence could be tried in Iraq's trial despite the fact that it had been committed abroad (Article 388 (2) of the same Act and articles 1 and 13 of the Iraqi Penal Code, as amended, No. 111 of 1969, on territorial, in-kind, personal and comprehensive competence, shall be considered). as well as whether the person whose extradition is sought is pending investigation or trial before Iraq's courts and for the crime itself or if the criminal case against him was settled in Iraq by conviction or innocence, or a decision to release him was issued by an Iraqi court or by an Iraqi investigating

judge Extradition shall not be granted if the criminal case has expired in accordance with the provisions of Iraqi law or the law of the requesting State for any reason such as amnesty and statute of limitations.

In addition, the requirement that extradition be protected by the requested State, as if extradition from Iraq was Iraqi nationality, and the importance of that requirement, is stated in article 21, paragraph 1, of the Iraqi Constitution of 2005, which reads as follows: (i) Attends Iraq's extradition to foreign authorities and authorities, noting that extradition may be required for another case in Iraq; If so and is under investigation or trial in Iraq In this case, the consideration of the extradition request is postponed until a decision on his release or acquittal, If convicted or criminalized, consideration of the extradition request is postponed until the sentence handed down by the Iraqi judiciary is served Article 359 of Iraq's Code of Criminal Procedure in force shall be considered.

- **Legal assistance:**

International criminal cooperation will not stand at the limits of the foregoing, but will go beyond the recognition and narrow enforcement of foreign criminal sentences, as provided for in article 31 of Act No. 39 of 2015, which reads as follows: (The competent Iraqi authorities shall enforce the penal provisions issued by the competent foreign judicial authorities relating to the confiscation of funds derived from money-laundering and the financing of terrorism and its proceeds in accordance with the rules and procedures contained in bilateral or multilateral agreements to which Iraq is a party.) and the implementation of the alien's confiscation provision is normally governed by the rules of international law, agreement or reciprocity principle, since this would require a statement and regulation of its provisions in terms of the financial return of the confiscation and whether the performing party is a proportion of it? And how much is that? What is the judgement if the origin of the money originating from a foreign court is Iraqi money? Nevertheless, the recognition of a foreign criminal sentence for confiscation of money-laundering and terrorist financing remains a positive step in international cooperation in combating such crimes.

However, the recognition of a foreign criminal sentence in our discretion goes beyond its recognition as a precedent in recidivism if the previous and subsequent crimes of money-laundering and terrorist financing are serious to society and the State, and indeed to the international community as a whole. This trend is represented in the abolished Narcotic Drugs Act No. 65 of 1968, article 14 (VIII) of which stipulates: (The alien's judgement shall be invoked in the application of the provisions of recidivism provided for in article 139 of the Penal Code (It reads as follows: I. A person who has been definitively sentenced to a felony and has subsequently been found guilty before the expiration of the period prescribed for restitution as a felony or a misdemeanour. Any person who has been definitively sentenced to a misdemeanour and has subsequently been found guilty before the expiration of the period prescribed for his lawful rehabilitation of any crime or misdemeanour similar to the first misdemeanour), If a sentence is handed down for drug offences punishable under this Act), this trend is justified. Recognition of a criminal sentence for an offence of money-laundering and terrorist financing, whether national or foreign, is required by a firm criminal policy towards perpetrators of this type of offence.

The Iraqi legislature has also taken this direction in article (29), paragraph 1, of the Narcotic Drugs and Psychotropic Substances Act No. (50) of 2017, which reads as follows: "All national and foreign judicial judgements issued for offences provided for in this Act shall be duly established."

On the other hand, there is no doubt that many of the crimes of money-laundering and the financing of terrorism are organized crimes, and organized crimes require concerted international efforts to combat them, both at the national, regional and international levels. The International Convention against Crime has therefore been elaborated: (United Nations Convention against Organized Crime, signed in 2000, which entered into force in 2003, with Iraq's ratification of the Convention and the Protocols thereto in 2007, by Law No. (20) For 2007, Iraq is required to comply with the obligations imposed by the Convention on States signatories to the Convention with regard to international cooperation against organized crime in its forms and manifestations,

including money-laundering and the financing of terrorism. Iraq's most recent methods of cooperation include (controlled delivery). The method of allowing funds or materials illegally obtained to continue on their way abroad or into the country with the knowledge and coordination of the national and competent authorities of the other State and under the control of the States in which they pass with a view to identifying the persons involved in the commission of the crime.

The Iraqi legislature appears to have adopted this method in Act No. 39 of 2015, the Anti-Money Laundering and Terrorist Financing Act, although it is not termed "controlled delivery" (D' Bra Munzir Kamal Abdul Latif Wed, Fatima Shabib Samurai, 2016, p.5), Article 30 stipulates that: "The competent judicial authorities shall, at the request of a judicial authority in another State with which the Republic of Iraq is bound, have an agreement or a condition of reciprocity." Decides to trace, seize or seize funds, receipts, revenues, media and instruments used or intended for use in the execution of the offence of money-laundering or the predicate offence resulting therefrom; or the offence of financing terrorism, or the corresponding value not inconsistent with Iraqi law, without prejudice to the rights of other bona fide persons).

It is noteworthy that delivery controlled by two types, internal and international and internal means that the funds derived from a crime and the camouflage carried out within the State's borders from its inception to its end, The act of seizure is postponed and the funds are allowed to move freely, but under the control of the competent authority and until they reach their final destination. to have all perpetrators arrested as actors and accomplices, instead of only apprehending or transporting the shipment holder and this procedure does not raise any legal problem, it is only a postponement of the arrest and arrest of perpetrators in the hope of achieving a better outcome, and external international controlled delivery takes place through two or more States and under the consideration, control and cooperation of the competent authorities of the States in which they are going through it. Since the controlled delivery method provides an opportunity for the competent control agencies to seize all those involved in the commission of the crime or to participate in the crime in flagrante delicto,

Thanks to ongoing surveillance procedures, which in turn enable the competent organs to gather a lot of information on organized smuggling networks for funds derived from crime or terrorist financing, It also serves to detect and arrest the Director's heads, so many States have resorted to conventions such as the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and the United Nations Convention against Organized Crime of 2000.

Many comparative legislation, such as the Bank Account Secrecy Act No. 205 of 1990, the Egyptian Money Laundering Control Act No. 4 of 2007, and Law No. 28 of 2002, the United Arab Emirates Money Labour Act, were also introduced (Bra Munzir Kamal Abdul Latif, p.14 & 18).

However, the Iraqi legislator did not address this method in the amended Code of Criminal Procedure, No. 23 of 1971, section VII, entitled " (letter rogatory) and (extradition), since international criminal cooperation is not limited to prosecution and extradition, but includes (Recognition of criminal sentences) within certain limits as well as the "controlled delivery" method That is what our Iraqi legislature has not addressed, despite their utmost importance in addressing crime in all its aspects. Since international criminal cooperation as a whole cannot play its role and achieve its goal of combating crime if there is no exchange of information, evolution in performance and constructive cooperation between States, particularly neighbouring States. Law No. 39 of 2015 provides a number of forms of information cooperation in order to improve performance in combating money-laundering and terrorist financing. Perhaps the most important of these are the following:

- To make the legislature one of the tasks of the Council for Combating Money Laundering and the Financing of Terrorism, in accordance with article (7), paragraph 9 thereof, as follows: "To follow up on global developments in the field of combating money-laundering and to propose the necessary action thereon."
- In paragraph 12 of the same article (7), the same legislature is empowered to: "Take countermeasures that are effective and proportionate to the magnitude of the threat against States that do not apply international standards to combat money-laundering and the financing of terrorism.

- The legislator added to the Council's tasks in paragraph 5 of the same article (7): "To follow up the implementation of sanctions imposed for non-compliance with United Nations Security Council resolutions concerning the financing of terrorism and the suppression and disruption of the proliferation of weapons of mass destruction."
- The Office (the Office for Combating Money-Laundering and the Financing of Terrorism) has made the Iraqi legislature one of its functions under article 9, paragraph 4, of the same Act: "Participation in the representation of the Republic of Iraq in international organizations and conferences related to the fight against money-laundering and the financing of terrorism".

- The Office's functions include, in accordance with paragraph 9 of the same article, "technical advice on accession to conventions and treaties relating to money-laundering and the financing of terrorism".

- The Iraqi legislator also authorized the Office, in paragraph 1 of article (19), "to exchange information automatically or upon request, with any foreign counterpart unit, performing functions similar to those of the Office and subject to the same confidentiality obligations, irrespective of the nature of that foreign unit, taking into account the principle of reciprocity and the provisions of international or bilateral agreements".
It should be noted that the specialists in combating financial and administrative corruption often focus on the raison d 'être of corruption, namely, the choice of an inappropriate man for the appropriate position. That method was behind the crime of money-laundering and terrorist financing and therefore the crime of money-laundering could not be eliminated in Iraq if there was no criminal policy geared towards combating financial and administrative corruption and that this policy can succeed only by applying the principle of choosing the right man for the right position.

Mechanism for enacting legislation and laws for the purpose of combating money-laundering crime

This mechanism is the enactment of laws that include strict penalties to combat money-laundering as well as the identification of offences, the familiarization of institutions and individuals with their duties, and compliance with FATF recommendations "FATFAL",

which provides an international framework for combating money-laundering and financing. In return, all Arab States have signed the United Nations Convention against the Crime of Money-Laundering resulting from Illicit Traffic in Narcotic Drugs and Psychotropic Substances. (Vienna Convention) Also signed the Arab Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Tunis, 1994), States signatories are obliged to take the necessary measures within the framework of domestic laws to combat money-laundering and the confiscation of money-laundering funds. Most Arab States have also signed the United Nations Convention against the Financing of Terrorism and the United Nations Convention against Transnational Organized Crime and circulated by the General Secretariat of the Council of Arab Ministers. Egypt's Anti-Money Laundering Act No. 80 of 2002, as amended, stipulates that: (Money laundering is any conduct involving the acquisition, possession, disposal, administration, preservation, replacement, deposit, guarantee, investment, transfer, transfer or manipulation of funds if they derive from an offence provided for in article II of this Law as follows: (Money-laundering for the offences of cultivation, manufacture, fetching, export and trafficking of plants, jewellery and narcotic substances is prohibited offences of abduction of means of transport and detention of persons, and offences for which terrorism as defined in article 86 of the Penal Code is one of the purposes or means of implementation and the offences of importing, trading and manufacturing weapons, ammunition and explosives without authorization; Offences under Title I, II, III, IV, XV and XVI of the Penal Code and offences of theft and rape of funds referring to article 2 of the Egyptian law, we note that the legislature has adopted the narrow definition of the crime of money-laundering by identifying certain offences for which the proceeds of money-laundering are derived.

In addition to the penalties, the Egyptian legislature has emphasized the punishment of money-laundering and the need to enforce these penalties in order to protect the economy from the damage associated with money-laundering, such as the financing of criminal activities and terrorism. These penalties include: (Imprisonment: The accused may be sentenced to 3-15 years' imprisonment in accordance with the seriousness and circumstances of the offence and the fine: A fine of up to four times

the value of laundered funds is imposed depending on the degree of the offence and the penalty of confiscation: The funds used in or resulting from money-laundering are confiscated, with the aim of draining illicit sources of financing), as well as additional penalties in some cases, which may include preventing the convicted person from engaging in any business activity for a certain period (Articles 14, 15, 16 and 17 of the Egyptian Money Laundering Act No. 80 of 2002 shall be considered). In Iraq, the Iraqi legislature promulgated Law No. (93) Of 2004 and thus promulgated Law No. (39) of 2015 to repeal Law No. 1 on the legislative necessity of limiting money-laundering and the financing of terrorism, which has become significantly aggravated in the present era (Consider the reasons for Iraq's Anti-Money Laundering Law No. 39 of 2015).

Article 2 of the Law in force for 2015 stipulates the following forms of money-laundering: (i) Transfer, transfer or replacement of funds from a person who knows or should have known that they are the proceeds of an offence for the purpose of concealing or disguising their illicit origin, assisting the perpetrator or the perpetrator of the predicate offence or contributing to the commission or commission of the predicate offence, and II: Concealment, disguising the truth, origin, location, condition, disposal, transfer, ownership or rights of funds from a person who knows or should have known that they are the proceeds of an offence, third: acquisition, possession or use of funds by a person who knew or had to know at the time of receipt that they were proceeds of crime).

On the financial side, the fine prescribed in the abolished law of 2004 shall not exceed the value of the money (The text of article 3 of the Iraqi Money Laundering Act No. 93 of 2004 shall be considered),While the fine prescribed by the law in force in 2015 amounts to five times the value of the money in question, if the value of the money is $10 million, the previous law of 2004 prescribes a penalty not exceeding that amount, whereas the law in force in 2015 may amount to a fine. US $60 million as five times as much money as the offence, and we can imagine the great severity introduced by the law in force for 2015 in Iraq in the area of penal and financial punishment, as set out in article 36 et seq. of this law.

The law in force for 2015 has not only imposed a penalty on a natural person, such as the Chairman of the Board of Directors or the Acting Director of the Bank or Company, but has also imposed a penalty on financial institutions, such as banks and corporations, up to and including companies. IQD 250 million, as prescribed in article 39; Moreover, the law in force for 2015 establishes penal and financial liability not only on the basis of science; It is on the basis of the possibility of knowledge, since responsibility on the basis of the possibility of knowledge was not established in the previous law of 2004, Also, the law in force for 2015 established a council to combat the crime of money-laundering which, under the previous law of 2004, did not exist; He is headed by the Governor of the Central Bank and various agencies such as the Ministries of Interior, Finance, Justice, Trade and Foreign Affairs, the Secretariat of the Council of Ministers, Intelligence, National Security and Counter-Terrorism (The text of chapter II, article 5, paragraph 1, of the Iraqi Money Laundering Act No. 39 of 2015 shall be considered).

The law in force for 2015 established a new committee called the Terrorist Funds Freeze Committee under the chairmanship of the Deputy Governor of the Central Bank and Director-General of the Anti-Money Laundering Office and the above-mentioned ministries and agencies, in addition to the Integrity Commission. financial institutions, such as banks, corporations, businesses and non-financial occupations, It decided on expeditious procedures for the seizure of funds, identification of oversight bodies' functions and other procedures for combating money-laundering s rights ", thus finding this law to be too severe and harsh to punish contrary to the previous abolitionist law of 2004.

Technological mechanism to combat money-laundering

The question arises as to the extent to which money-laundering can be combated through technological mechanisms?
In fact, today's advanced technology of smart robots or sophisticated computers can monitor the movement of capital through a set of smart tools dedicated to better monitoring and tracking money, to find out if there is an unclean process and make it difficult for violators to hide illegal money. The most important of these tools are:

- Artificial intelligence: This in turn helps devices to recognize suspicious patterns of money movement.
- Machine learning: This technology allows machines to learn from past experiences, and if you detect past money laundering, you will learn from it to detect new cases faster.
- Large analyses: This technique helps analyze a huge amount of information in a short time, helping to know the exact details of the movement of funds.
- Blockchain: This is a large book that records all the movements of money and no one can change it, making it difficult for anyone to hide suspicious activities.

Mechanism for awareness-raising in the fight against money-laundering

Awareness-raising is one of the most important mechanisms in combating money-laundering in Iraq; Because of its poor knowledge and knowledge of money-laundering operations and the ways to identify and detect them in various financial and non-financial institutions, it promotes a culture of financial caution in society, reducing the crime of money-laundering and protecting the entire Iraqi economy. This mechanism can be applied in Iraq through the following tools:
- Inform members of Iraqi society through the media and social media of the concept of money-laundering operations, sensitize them to the risks and penalties allocated to them under Law 39 of 2015, and familiarize them with the methods of reporting them.

- Activate the role of civil society organizations in raising awareness among target groups of money-laundering operations.
- The establishment of training workshops on a continuous basis for employees of banks and financial institutions in order to familiarize them with the transparency of their work and instil in them a spirit of compliance with the laws on combating money-laundering, in particular the law in force No. 39 of 2015.
- The inclusion of money-laundering and the importance of combating it in the curricula of educational institutions in Iraq, such as schools and universities; In order to raise awareness among important youth groups of the dangers of money-laundering and its harm to society.

conclusions

The crime of money-laundering is detrimental to national financial systems, economies and security stability.

Gasly Al-Amoul pursues complex, sophisticated and unrestricted methods in their criminal operations and their activity aims at mixing illicit funds with legitimate funds so that they all appear to be legitimate.

Many international conventions on combating crime have been elaborated and their role in combating crime has been highlighted through the texts of the articles provided for since the crime of money-laundering has a variety of methods to commit, there are many ways of preventing and combating it. To this end, the Iraqi legislature has created through Law No. (39) For the year 2015, the Office for Combating Money Laundering and the Financing of Terrorism receives, under article 9 of this Act, reports of money laundering and referrals to the Presidency of the Public Prosecutor's Office on reasonable grounds. However, this does not preclude us from initiating criminal proceedings in accordance with article 1 of the Code of Criminal Procedure by informing the investigating judge, investigator or police station official, or to any members of the Judicial Police from any person who knew of the crime.

Because money-laundering is of an international nature, it is a transnational crime in many of its forms, the perpetrators smuggle their money by various means out of the country. International cooperation is therefore necessary to combat this type of crime, and to achieve the foregoing, the Iraqi legislator confirmed in the Anti-Money-Laundering Act No. (39) For 2015, legal aid, coordination and cooperation and extradition may be granted for the crime of money-laundering and the financing of terrorism, taking into account the provisions of international agreements to which Iraq is a party.

One of the means of international cooperation to combat money-laundering (Controlled extradition) is intended to allow funds derived from a crime to pass through and continue in or out of the country and to cooperate and coordinate among the relevant States with a view to detecting all persons involved in its commission. The Iraqi legislature has introduced this method of international cooperation, if not designated under article 30 of Act No. 39 of 2015.

Recommendations

In view of the fact that the offence of money-laundering has its own nature, where the existence of a predicate offence is required, while this requirement is not necessary for the offence of financing terrorism. We therefore propose that Iraqi Law No. 39 of 2015 be reviewed and limited to the offence of money-laundering.

We propose to amend the title of Title VII (352_368) of the Iraqi Code of Criminal Procedure No. 23 of 1971, amending it to read "International Criminal Cooperation" instead of "Prosecution and extradition". This section shall include all forms of international criminal cooperation consistent with the conventions ratified by the Iraqi Government.

The need for a technology mechanism to combat money-laundering in view of technology's important role in combating money-laundering through its advanced tools and methods, which greatly contribute to detecting illegal activities and tracing suspicious transactions, as well as its innovative solutions for combating financial crimes, namely: Artificial Intelligence, Big Data Analysis, Customer Identification and Identification, Blockchain Technology, Pattern Recognition, Automatic Monitoring, Risk Analysis, and Enterprise Information Sharing, as well as the need to adopt digital transformation to facilitate the control of the movement of funds.

Follow the mechanism for raising awareness in combating money-laundering, which is of the utmost importance in combating money-laundering. It is based on promoting a comprehensive understanding of the damage of money-laundering operations and ways of combating them. It also disseminates a culture of awareness of the importance of financial compliance rules among individuals and institutions. It is achieved through several means, including: Education and training, awareness-raising through the media, cooperation with educational institutions, cooperation with government bodies, incentives for companies and institutions to comply financially, awareness-raising through banks and financial institutions, as well as cooperation between States and international organizations, and support for non-governmental organizations in raising society's awareness

References

Abdulkhaliq Ahmed (1998), Economic and Social Implications of Money Laundering, Arab Renaissance House, Egypt.

Abdelaleh al-Khali (1965), National Criminal Court and Transboundary Crimes, Part I, New Press, Damascus.

Ali Abdelkader Al-Kahouji (1988), Penal Code, General Section, University House.

Bera Munzir Kamal Abdul Latif (2016), Explanation of the Code of Due Process, 5, Sulaymaniyah.

Bra Munzir Kamal Abdul Latif Wed. Fatima Shabib Samurai (2016), International Criminal Cooperation in the Field of Controlled Extradition, Tikrit University Journal of Legal and Political Sciences, No. 25, seventh year.

FATF considered published on the international Internet at the link https://www.fatf-gafi.org/en/home. html Last viewed 22/10/2024.

Hamdi Abdel-Azim (2000), Money Laundering in Egypt and the World, Arab Renaissance House, 2nd Edition.

Kummer, K. (1992). The international regulation of transboundary traffic in hazardous wastes: The 1989 Basel Convention. International & Comparative Law Quarterly, 41(3), 530-562. Are published on the Internet at the Link https://www.cambridge.org/core/journals/international-and-comparative-law-quarterly/ the date of last visit 31/10/2024.

Ma'id al-Dalimi (2006), Money Laundering in Criminal Law, House of Culture, Amman.

Mohammed Abdussalam Salama (2013), Operations and Crimes of Money Laundering Electronically and its Impact on the Global Economic Crisis and Bank Liability, Law Fulfilment Library, Alexandria.

Mohammed Fathi Eid (1999), contemporary criminality, publications of the NAIF Academy of security sciences.

Mohammed Hassan Omar Barwari (2010), Money Laundering and His Relationship with Banks, Comparative Study, Qandeel Publishing and Distribution House, First Edition, Amman.

Mohammed Sami al-Shawa (2001), Criminal Policy against Money Laundering, Arab Renaissance House, Cairo.

Nasser Shuman (2009), Impact of Bank Secrecy on Money Laundering, Beirut Printing and Publishing House, 2nd Edition, Beirut, Lebanon.

Safwat Abdussalam Awad (2003) considers the economic effects of money laundering and the role of banks in combating such operations, Cairo, Dar al-Nahda al-Arab.

Saleh al-Saad (2006), money laundering banking and security, Oman Dar al-Culture6.

Samar Fayez Ismail (2010), Money Laundering, Zain Al-Haqqiyah Publications, Lebanon, Beirut.

Samir El Khatib (2005), combating money laundering operations, knowledge facility, Alexandria.

Sherif Syed Kamel (1997), Criminal Responsibility of Moral Persons, Arab Renaissance House, First Edition.

Suleiman Abdel-Monim (1990), Criminal Bank Responsibility for Unclean Funds, New University Publishing House, Alexandria
.

The Arab Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Tunis, 1994) are published on the Internet at the link https://www.aim-council.org/ the date of last visit 26/10/2024.

The Riyadh Arab Convention on Judicial Cooperation of 1983 are published on the Internet at the link https://www.iraqidevelopers.com/iraqfsc/ar/ Riyadh _ Agreement-ar _ the date of the 23/10/2024 last visit.

United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988 https://www.incb.org/incb/en/precursors/1988 Last viewed 23/10/2024.