

Table of Contents

Preface.....	VII
Table of Contents.....	IX
Abbreviations	XIII

Chapter I Introduction

I. Area of research and arguments	1
II. Key concepts.....	5
A. Economic crime and economic criminal.....	5
B. Suspicious transaction reports and other types of reports	6
1. Suspicious Transaction Reports and Suspicious Activity Reports.....	6
2. Threshold reports.....	7

Chapter II Banking industry and money launderers

I. Introduction	9
II. Confiscation measures and the offence of money laundering	10
A. Confiscation measures.....	10

- B. The offence of money laundering..... 14
 - 1. A short history of the offence of money laundering 14
 - 2. Definition and justification of the offence of money laundering 18
- C. Follow the money approach 22
- D. Reaction of the economic criminals 23
- III. Banking business as the target of money launderers 26
 - A. The extent to which money launderers threaten the banking industry 26
 - B. The reason why the banking industry is threatened by money launderers.....29
 - 1. What do money launderers need to develop hard-to-detect money laundering schemes?29
 - 2. What can the banking industry offer money launderers?33
 - a. Banking institutions provide financial products and services needed by money launderers33
 - b. Banking staff involve financial and legal experts who work with a strong confidentiality culture 36

Chapter III
Banks as the Private Policemen of the
Financial Sphere : the Suspicious Transaction
Reports Regime

- I. Introduction41
- II. Banks as the private policemen of the financial sphere42
 - A. Historical overview of the banks’ place in the fight against economic crime.....42
 - 1. From hands-off approach to private policeman duties and privileges.....42
 - a. Early 20th century42
 - b. From the 1960s onward 44

2. From rule-based and case-based approaches to a risk-based-approach	46
B. The FATF’s STRs regime related recommendations	48
1. Evolution of the FATF’s STRs regime related recommendations	48
2. Financial institutions’ duty of reporting and the FATF’s recommendations.....	50
a. The FATF’s recommendation 20 : Reporting of suspicious transactions.....	50
b. The FATF’s recommendation 3 : the offence of money laundering.....	54
c. The FATF’s recommendation 21: Prohibition of tipping off	55
3. Rules that protect reporters from criminal and civil liability	57
C. Customer Due Diligence and record keeping measures supporting the STRs regime.....	59
1. When are banks required to apply CDD measures?.....	61
2. What is the content of the CDD measures?.....	62
III. Necessity and proportionality of the FATF’s STRs related recommendations.....	64
List of References	73