

**Joint Special meeting of the CTED and the ISIL (Da'esh) and Al-Quaida Sanctions Committee, the FATF and other relevant international and regional organizations on  
«Depriving Terrorist Groups from accessing, raising, and moving funds: practices and lesson learned»**



## **Implementation and evolution of the Targeted financial sanctions (TFS): Italy's experience**

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# Summary

- ❑ The International and European framework
  
- ❑ Domestic Measures
  - Italy's Financial Security Committee: Countering Terrorist Financing Threats
  - Seizing and confiscation framework to fight Mafia
  
- ❑ Challenging issues

# UNSCRs and the European Framework

Italy primarily implements relevant UNSCRs against terrorism through EU legislation.

- ❑ UNSCRs 1267 (1999), 1989 (2011) and 2253 (2015): Council Regulation (EC) no. 881/2002 and no. 1686/2016
- ❑ UNSCR 1373 (2001): Common Position 2001/931/CFSP and Regulation 2580/2001/EC



# Italy's relevant legislation

**Legislative Decree n. 109/2007**

**Ministerial Decree n. 203 of 20<sup>th</sup> October 2010**

**Legislative Decree n. 159/2011, the "Anti-Mafia Code"**



# Italy's Financial Security Committee: members (1)

## Governmental

- Ministry of the Economy
- Ministry of Foreign Affairs
- Ministry of Justice
- Ministry of Home Affairs

## Financial & Supervisory Authorities

- Bank of Italy
- Financial Intelligence Unit (UIF)
- Stock Exchange Commission (CONSOB)
- Authority of Insurance Sector Vigilance (IVAS)

## Law Enforcement Agencies

- *Guardia di Finanza*
- *Carabinieri*
- Anti-Mafia Investigative Directorate (DIA)

## Judicial Authorities

- National Anti-Mafia and Anti-Terrorismo Directorate (DNAA)
- Strong cooperation with the Italian Intelligence service

## Italy's Financial Security Committee: Powers (2)

- ❑ Information sharing, even in cases covered by secrecy laws
  - ❑ Judicial authorities
  - ❑ Any relevant public authority
  - ❑ Intelligence and Security Services
  
- ❑ Relations with similar organisations in foreign countries
  
- ❑ Designation proposals to the UN and the EU relevant authorities
  
- ❑ Focal Point dealing with request following UNSCR 1373

# Designation Proposals

- ❑ The FSC may submit proposals to the UN and the EU relevant authorities for designation, taking into account:
  - Factual evidence
  - Criminal proceedings or jurisdictional provisions
  - Identification of the designated subjects
  - Possible relationship between subjects proposed for designation and subjects already listed
  - Other sanctions imposed on the subject proposed for listing

# Domestic Measures to respond to third Countries request following UNSCR 1373

- ❑ Seizing and confiscation framework conceived to fight Mafia
  - ❑ 1975: domestic terrorism
  - ❑ 2001: international terrorism
  - ❑ 2005: individuals and entities whose listing is required to EU or UN
  
- ❑ How it works
  
- ❑ Completing our national framework
  - The issuing of a 5-working days freezing order by the Italian FIU in case of transaction suspected of terrorist financing



# Challenging issues

- Administrative measures
- In practice, mechanisms not often used
- Call for European following steps to the Treaty of Lisbon ...
- Building a national list.

# Thank you for your kind attention!

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