



## Italy: money transfer, money laundering and intermediary liability

Journal:	<i>Journal of Financial Crime</i>
Manuscript ID	JFC-10-2019-0137
Manuscript Type:	Scholarly Article
Keywords:	money transfer, remittances, terrorism financing, suspicious transactions, migrants, money dirtying

SCHOLARONE™  
Manuscripts

## **Italy: money transfer, money laundering and intermediary liability**

### **Abstract**

**Purpose** - The aim of this paper is to offer a general overview of money transfers in Italy and Europe focusing specifically on the migrant community. This is of particular interest because it's in that community where money transfers are most prevalent. This shows the money transfer system as a tool that could guarantee the financial inclusion of migrants but at the same time being used in a distorted and unlawful manner.

**Design/methodology/approach** - After a brief introduction focused on working principles and legal frameworks, the paper will go deeper in evaluating money transfer data. This data, which comes from various legal authorities, will show the extent to which different migrant communities who reside in Italy are able to carry out illicit activity using money transfers. It will also highlight the existence of legislative inconsistencies through a case by case approach.

**Findings** - This paper shows the reason why people find it relatively easy to use money transfers to launder money, or in a more broader sense, take part on other illicit financial operations such as financing terrorism.

**Originality/value** - This work will examine recent Italian criminal cases concerning the unlawful use of money transfers. This paper is the original work of the author and has not been submitted elsewhere for publication.

**Keywords** money transfer, money laundering, terrorism financing, remittances, migrants, smurfing, flow of values, suspicious transaction.

**Paper type** General review

### **1. Introduction – formal and informal money transfer providers**

A money transfer is the act of transferring money from one place to another. Basically, money transfer is a financial service which involves the acceptance of cash, cheques or other monetary instruments on the one side, and the payment of a corresponding sum of cash or other forms of credit to a beneficiary on the other side. This can happen by means of communication, messages, transfers or through a network to which the money transfer provider belongs. This means that these kinds of transactions and the use of this particular service may include the use of one or more intermediaries and also a final payment to a third party (Financial Action Task Force, 2016, p.7).

One of the main features of a money transfer is that it allows people to quickly transfer money from one country to another, safely and at a relatively low cost. This is why money transfers are the main method used by migrants to send sums of money to their country of origin (Clemente, 2016, p. 4; Talarico, 2012).

It's important to mention that in these kinds of transactions there is no need for the funds to pass through the bank accounts held by the person who is paying or by the beneficiary. Money transfers, in fact, work via monetary compensation, so the people involved do not need to have a bank account as the transfer itself will be made through the bank accounts held by the money transfer providers.

If we take a closer look, it can be seen that the money transfer system works like the original money transfer providers in history - the Templar Knights (Palana, 2010). They were the first to implement an international money transfer system. This is how the Templar Knights helped pilgrims on their way to the Holy Land to safely transfer the financial sums that at the time were necessary to carry out their mission. If we look at history we can see how this first form of bank transaction made the Templar Knights so powerful - they were greatly feared and were ultimately overthrown, but remain an example of the extent to which power belongs to those who provide money transfers, even today.

The first thing to do to better understand this topic is to draw a distinction between money transfers which take place through formal channels or, alternatively, via informal channels, because this paper is placing most emphasis on the former.

Firstly, when speaking about informal channels, it must be highlighted that there are methods for sending money which do not use operators or channels controlled by the authority in charge of monitoring and protecting the movement of money. It may be easier, for instance, to entrust cash that someone is intending to transfer to the country of origin to a trusted person - such as a relative or friend - who is returning to that particular country (Palumbo, 2015); this is a first example of informal money transfer. However, there are some more organized informal money transfer channels in other areas.

Hawala (Jost and Sandhu, 2000), Mudaraba, Stash House and Chop Shop (Palumbo, 2015; Financial Action Task Force, 2013) are some of the most popular informal money transfer systems. They have been used for a long time, and there are reasons why they still represent an interesting choice for customers. First of all, compared to formal channels, they are cheaper and simpler to use, mostly because they do not need particular formalities to be done; this is why they number at least 30% of the money transfers that flow from Italy to abroad (Oddo *et al.*, 2016; Carli, 2018). However, all these aforementioned systems work in a similar way, mostly because they are based on unwritten rules or on trust. On the other hand, informal channels are less secure than formal ones, especially in terms of uncertainty about costs, times and the potential risk of losses faced by customers. Moreover, there is no written agreement, so customers cannot prove the existence of the transaction and, finally, legal authorities cannot monitor and control cash flows made

1  
2  
3 through these informal channels (UNICREDIT, 2014). These unmonitored circuits of financial exchanges and  
4 transfers of funds presents huge risks both in terms of money laundering of cash that has an illicit origin or in  
5 terms of funds related to international terrorism (Palana, 2010, p. 3). In fact, we tend to underestimate the  
6 financial side of terrorist attacks that can have such a devastating impact - Charlie Hebdo, the Bataclan, or the  
7 2007 London underground attack are just a few examples illustrating that huge funds are not needed (Patti,  
8 2016).

9 The Guardia di Finanza - the Italian police force that investigates economic crime - has proven that  
10 many foreign groups use money transfer as a tool to launder cash of illicit origin or to send money to terrorist  
11 (Simone, 2004) – but we will look at that in more detail later on.

12 Formal channels, meanwhile, are the ways in which we can send money with the use of operators or  
13 tools regulated by the law and controlled by the same authority that monitors financial movements. These  
14 formal channels have two main features: there are specific laws regulating their activities and services and  
15 there is an authority who controls and monitors them. Anyone who wants to send money through a formal  
16 channel gets a receipt which proves the existence of the contract. The intermediary is responsible if he fail to  
17 accomplish the requested service - therefore, whatever happens, it will be possible for the customer to  
18 enforce what is written on the contract by going through the controlling authority or taking the matter to  
19 court. Of course, formal channels may be more expensive compared to the informal ones, and they will need  
20 various legal requirements – like a detailed customer identification, for instance – in order to get the  
21 agreement confirmed, but this means that the contract is registered and either party has legal rights in case  
22 the deal goes wrong.

## 23 **2. Working principles and intermediary liability**

24 It seems that, at this point, one strong question arises: how does a money transfer practically work?  
25 Typically, a money transfer provider (or a sending agent acting on behalf of a money transfer provider)  
26 accepts the funds or values to be transferred, collects the required identification customer information, gives  
27 a money transfer control number to the sender, at the same time enters the transaction and sender's  
28 applicable identification information within the system. These payment details are forwarded to the pay-out  
29 agent at the destination point, which will provide the funds to the beneficiary identified via the money  
30 transfer control number (previously delivered to him by the sender). The message is either sent directly from  
31 agent to agent or through a clearing house that serves as a central hub. Finally, values are available to the  
32 final recipient, in the appropriate currency, from the hands of a receiving agent located in the paying  
33 jurisdiction and acting on behalf of a money transfer provider. The receiving agent will also collect and  
34 maintain the required identification information at the point of destination in accordance with the local  
35 applicable law.

36 As already explained, this system works through compensations; pay-out methods could differ by  
37 jurisdiction, but may include cash, cheque, money orders, pay-out cards, mobile wallets, bank deposits or a  
38 combination of these elements (Financial Action Task Force, 2016, p. 8).

39 Basically, the customer who wants to send money gives it to the money transfer agent; the latter will  
40 transfer the payment details to the receiving agent through the money transfer provider bank accounts.  
41 Money is then made immediately available to the final recipient and, after this payment, the agents complete  
42 the necessary transactions between them. The money transfer control number is very important and cannot  
43 be underestimated, because the receiving agent can only deliver the money to the one who has that number  
44 - this means that the money-sender must keep the control number safe and ensure it doesn't end up in the  
45 hands of any third party, otherwise the transfer operation could be compromised and he may be found liable.

46 Focusing on the liability of the intermediary, it can be said that he must be held responsible if he fails  
47 to transfer the sums when he is not able to demonstrate that the procedure, as established in the general  
48 terms of service, has been correctly followed. There are some cases involving the ABF (Arbitro Bancario  
49 Finanziario, or Financial Banking Arbitrator - the body that tries to find out-of-court solutions in banking  
50 disputes) which better explain when the intermediary can be considered responsible. For instance, the  
51 intermediary must be held responsible if he fails to keep the identity card of the sender, and there are not  
52 enough elements in the "to send money" form to double-check the identity of the receiver (ABF Milano,  
53 1329/2010). On the contrary, the intermediary cannot be considered responsible if he correctly executes the  
54 order of transfer and payment in the terms desired and declared by the sender (ABF Milano 685/2014, ABF  
55 Roma 5307/2016, ABF Bologna 6134/2017; in the first example, the judges dismissed the case because the  
56 intermediary acted correctly in following the applicant's guidelines, while in the second and third cases the  
57 applicants were shown to be reckless having emailed the money transfer control number to third parties).

## 58 **3. European Union and Italian legal framework**

59 Money transfer is, therefore, a fairly simple method, but has a complex legal framework surrounding  
60 it. That European and Italian framework aims to help the payment services market to have low costs while at  
the same time maintaining adequate compliance safeguards for financial operations. This results in a wide  
range of legal provisions concerning international money transfers (Clemente, 2016, p. 6).

1  
2  
3 The decreto legislativo 385/1993 (act), also called “Testo Unico Bancario” (TUB – which is the main  
4 Italian legal text regarding rules on banking activity), is the main piece of Italian legislation which regulates the  
5 banking activities performed by intermediaries or agents. However, national legislation must be coordinated  
6 with the European one - that's why there is a long history of legislative interventions within the European and  
7 national institutions regarding cash flows. The first Payment Services Directive (2007/64/CE, known as PSD1  
8 Directive) and the 2009/110/EC Directive on the exercise and supervision of electronic money bodies (the so-  
9 called IMEL2) are the most important elements to take into consideration, essentially because they always  
10 need to be implemented in each member state through local legislation.

11 PSD1 Directive has been implemented in Italy through the decreto legislativo 11/2010 (act), which  
12 introduced a new body called “the payment institute” (Maresca, 2016). The payment institute is a financial  
13 operator which oversees payment services like the money remittances. However, legislation has been  
14 renewed through the recent PSD2 directive, issued in 2015 and implemented in Italy thanks to the decreto  
15 legislativo 218/2017 (act) (Camera dei Deputati, 2019, p. 3). This new legislation introduces stricter  
16 requirements demanding agents and intermediaries to carry out a foolproof customer identification in order  
17 to avoid payments being made to people who may be different from the intended beneficiary.

18 What is really important to mention is that this complex legal system generates a regulatory  
19 asymmetry between Italian and EU intermediaries or agents (Galullo and Mincuzzi, 2017). In fact, only the  
20 operators who receive a mandate directly from an Italian authority (e.g. The Bank of Italy) are obliged to be  
21 included in a local public register. The decreto legislativo 141/2010 (act) which implements the 2008/48/CE  
22 Directive on consumer credit agreements reserves the financial intermediary activity to subjects registered in  
23 an official public register. However, as previously stated, this requirement involves only agents or  
24 intermediaries that are approved by the Italian authorities (Clemente, 2016, p. 7). This means that, as also  
25 happens with informal channels, Italian authorities do not know anything about European intermediaries’  
26 actions and cannot monitor the flows of money passing through their channels (Bonucci, 2017, p.22). As a  
27 result of this tangled scenario, a payment institute based in one of the 28 European countries can use the  
28 authorisation received from that specific state to operate throughout the whole of the European Union. This  
29 is the core of the ‘Home Country Control Principle’ (Maresca, 2016, p.4): briefly, the activity of a payment  
30 institution which has been authorised by a particular country located in the European Union will be controlled  
31 and monitored throughout the whole Union by the authorities of that specific country. Clearly, each member  
32 state has its own legislation, so how a business chooses to make money transfers could naturally be  
33 influenced because some member states could ask for less stringent requirements than others - meaning a  
34 reduction in transaction costs. In other words, a money transfer provider might consider it more convenient  
35 to establish his 'home' in a particular member state, one which has fewer and therefore cheaper  
36 requirements. Customers who want to use the money transfer as a laundering tool could also find it easier  
37 and safer to operate through EU intermediaries rather than through Italian operators, which are subject to  
38 heavier controls under the national authorities.

39 In fact, we're not finished yet - there is even more to say! As already stated, many legal provisions  
40 are in place; but in addition to what we can define as “cash flow regulation”, this area of business is also  
41 affected by anti-money laundering regulation. The Italian decreto legislativo 90/2017 (act) implements the  
42 2015/849/EU Directive, the so called IV anti-money laundering directive (Castronuovo, 2017). One of the  
43 major results of this directive has been the establishment of some important principles aimed at establishing  
44 the ‘know your customer’ approach in the member states. This approach can be considered as a customer  
45 due diligence requirement. The customer, in fact, will be identified by means of a valid identity document, or  
46 a residence permit, or any other relevant or useful document, of which the agent must keep a copy. In fact,  
47 the directive, introduces some data storage obligations as a further safeguard to the lawfulness of transfer  
48 operations. Moreover, the anti-money laundering regulation obliges national and EU intermediaries or agents  
49 to report suspicious transactions, and this represents a precious tool in fighting money laundering, as we shall  
50 see (Camera dei Deputati, 2019, p. 3-5).

51 At present, a new anti-money laundering European directive already exists (the V anti-money  
52 laundering directive) (Masi, 2019; UIF, 2019, p. 103). Moves to implement this in Italy began in July 2019  
53 within the Italian Parliament, but they stopped as a government crisis arose, and as a result the decreto  
54 legislativo 90/2017 (act) still remains valid. However, this is not the only piece of legislation currently in place:  
55 decreto legislativo 231/2007 (act), the so-called anti-money laundering decree, is still valid, and sets a limit of  
56 1000 euros in money transfer operations (Parente, 2018). The existence of this limit is the reason why money  
57 transfers for laundering purposes are often made in low amounts and will sit just below the threshold - these  
58 are the famous – or, indeed, infamous – smurfing cases.

#### 59 **4. Abuse of money transfer**

60 It is evident that money transfers generate great concern in Italy and need specific attention,  
especially regarding transactions carried out through EU intermediaries or through informal channels, which,  
as already discussed, are harder to control. EU operators, in fact, are also affected by the aforementioned

regulatory asymmetry which makes them controllable only by the state who has authorised them to operate, while informal channels are not part of any legal framework.

However, several criminal cases have been uncovered thanks to the reporting of suspicious transactions - one of the main tools used to fight money laundering operations (UIF, 2019, p.11-30). These have shown how formal transfer channels can be used by criminal organisations to launder significant financial flows. One of the best ways to identify suspicious transactions is to search for repetitive operations that make a transfer of money slightly lower than the limit established by law (UIF, 2019, p. 28). These modest-sized transactions, artificially set beneath the one thousand euro mark, make up the core of 'smurfing', a practice that in recent years has been widely used especially – but not only – by Chinese migrants (Izzo, 2016).

Other risks come from "money dirtying". This is a phenomenon that mirrors money laundering – where dirty capital flows into the healthy economy. Conversely, clean capital can also flow into the dirty economy (Fara, 2018). However, to be clear, a large number of money transfers are made not just for laundering purposes but also to finance crimes like terrorism and human trafficking (Maresca, 2016, p. 2). Unlike in smurfing, these modest-sized transfers can often be difficult to differentiate from normal transactions, another reason why cases of terrorism financing are limited compared to the number of money laundering cases.

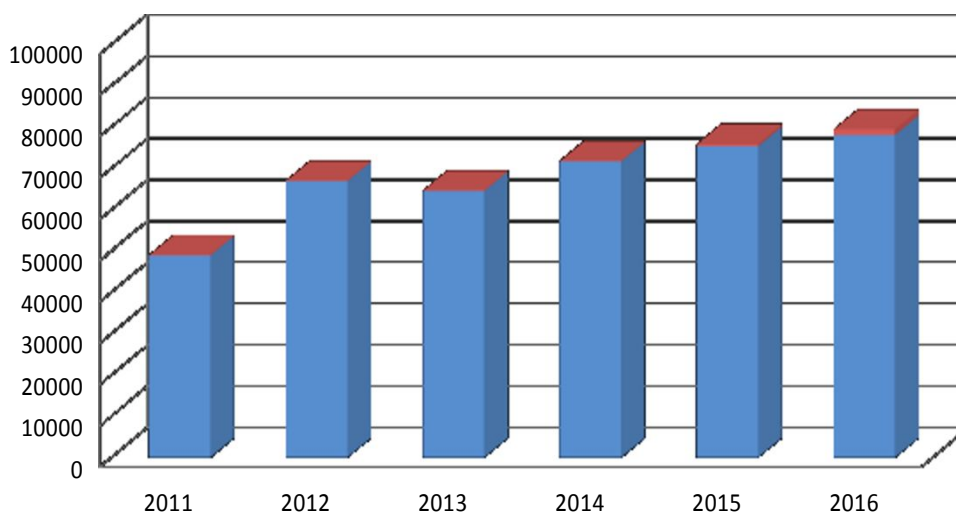


Fig.1

This chart shows data collected by the UIF (Unità d'Informazione Finanziaria per l'Italia – Financial Information Unit for Italy) (Clemente, 2016) which is based on reports of suspicious transactions, and it helps us see how few cases there are of money-dirtying when seen in the context of other reported cases. In fact, when looking at the number of money laundering cases (in blue) and those of money-dirtying (in red), the latter probably only represents the tip of the iceberg. However, even if the funding needed to plan a terrorist attack is relatively low, this problem is being addressed despite its low incidence in reported transactions (Laudati, 2002).

##### 5. Cash flow coming out of Italy and investigations concerning migrants' remittances.

At this point, other questions need to be addressed. How much money moves away from Italy and ends up abroad? To answer this, we need to look closely at transfers by migrants, because these make up almost all of the entire money transfer market (Marchetta and Bertoli, 2011). First of all, it must be taken into consideration that the available data comes solely from official money transfer channels which are under the monitoring and control of the legal bodies: this means that they are essentially limited to formal channels. In 2010, considering a global money transfer flow of 440 billion dollars, Italy is the second country in Europe, after Spain, in terms of remittances. Until 2011, China benefitted most from transfers coming from Italy (1,7 billion euros). From 2018 things changed, with Bangladesh and Romania becoming the countries who received the most, and China falling to 38th place. This is all represented in the next chart:

## Historical overview on remittances from Italy

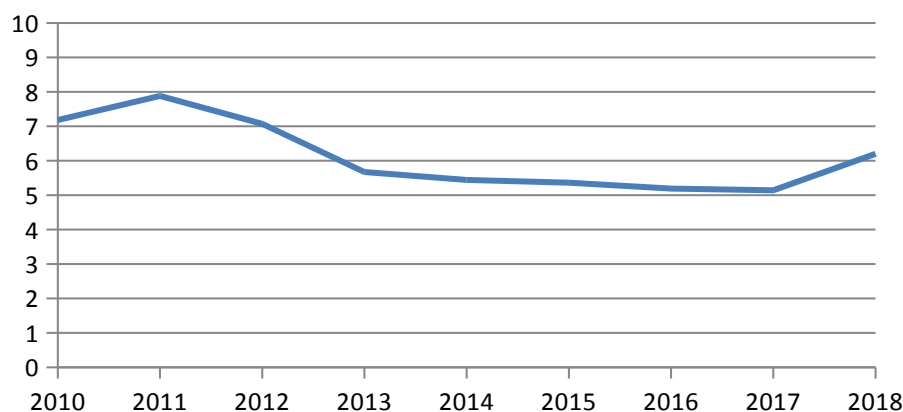


Fig.2

This graphic is made up of data from The Bank of Italy (available at <https://www.bancaditalia.it/statistiche/tematiche/rapporti-estero/rimesse-immigrati/>), shown in millions of euro; it illustrates a decrease in payments sent from Italy to abroad through formal money transfer channels, which is mainly due to the switch of Chinese customers from formal to informal channels (Polchi, 2019 ; Galullo, Mincuzzi, 2017). As already mentioned, remittances from Italy start to rise again during 2017 thanks to money transfers made predominantly by Romanian and Bangladesh migrants.

The reason why remittances to China decreased so quickly is down to the large number of recent investigations which affected Italy's Chinese community. This community now appears to use different methods for laundering money - in other words, via informal transfers. And why are they doing this? In order to avoid detection (Barbieri, 2019).

The role of investigation is fundamental in finding out the methods and channels used by migrants in sending funds abroad. The first and most important investigation involved the Chinese migrant community, and that's why they can be considered as an excellent example of a case study.

Chinese migrants who reside in Italy often used money transfers to launder revenue coming from a wide range of criminal activities - especially from tax evasion and forced labour, but also from prostitution, gambling or theft. In most cases, money transfer is not just incidental, but is a vital step in a carefully planned criminal process. This is done via the use of the so-called "captive money transfer" (Maresca, 2016, p. 2), which shows the operations carried out exclusively for criminal purposes.

One of the first and most important investigations was conducted by the Guardia di Finanza in Tuscany, between the cities of Florence and Prato, where the second largest Chinese community in Europe after that in Paris is to be found. From 2013 to 2015 the investigators examined the money transfer agency called Money2Money (Selvatici, 2015). The case looked at hundreds of identical money transfer operations, made in a very short period of time (sometimes even over a few minutes), between the same sender and the same receiver using the same low amount of money in order to try to circumvent the attention of the banking authorities. This criminal inquiry became famous, and was known as "Cian Liu" (which means 'river of money'). It was very important not only because it brought to light for the first time the illegal operations of Chinese migrants in Italy, but also because it showed the involvement of the Italian branches of Bank of China, who failed to report a large number of suspicious transactions. As a result, four Bank of China officials were prosecuted amid a successful plea bargain in 2017 (Mugnaini, 2017).

Among other investigations, we should also mention the Prosecutor's Office of Milan, which in late 2016 found a sophisticated system of illegal money transfer agencies and companies based in Great Britain that were able to transfer 2.7 billion euros in almost three years (Rognoni, 2016). The basic idea behind these operations was to send money to a third country first - in this case the UK - and then to China, in a bid to confuse the authorities. This was the first case in which one of the alleged crimes was criminal association.

However, other migrant communities use the same form of "captive" money transfer to launder money, and this has become more evident since formal channels stopped being monopolised by the flow of Chinese money.

Indeed, other investigations should also be remembered: In 2015, almost 1 million euros was sent from Parma and Reggio Emilia to Dubai and The Arab Emirates, even if there were no migrants from the Emirates in that specific area (Scullin, 2015). In 2018, the Guardia di Finanza discovered several money transfer operations in Ravenna made by the same agent representing four different intermediaries. The

1  
2  
3 investigation started in 2017 after some banks reported a number of suspicious transaction made from the  
4 bank account of a money transfer agency located in the city centre (*Ravennatoday*, 2018). In 2019, the  
5 financial police in Verona identified a cash flow of more than 3 million euros towards the island of Ceylon,  
6 transferred over a period of one and a half years. This happened without the application of the necessary  
7 customer identification procedures, in a bid to circumnavigate reports of suspicious transactions. It must be  
8 noted that, from the beginning of 2018, Sri Lanka has been included in the list of countries at risk of money  
9 laundering and terrorism (Santi, 2019).

10 All this demonstrates that reports of suspicious transactions are one of the most effective measures  
11 implemented by the anti-money laundering legislation (Clemente, 2016, p. 11-15); at the same time, as the  
12 Chinese experience shows, the more effective the investigations become, the less formal money transfer  
13 channels will be used.

#### 14 **6. Conclusions and solutions**

15 As stated, the reporting system created by the anti-money laundering regulation could bring to light  
16 many more criminal activities. Meanwhile, informal money transfer channels are still not under control, and  
17 in Italy they represent at least 30% of all transactions. Furthermore, EU intermediaries are hard to control as  
18 well, due to the aforementioned regulatory asymmetry and the features of the legal system.

19 Clearly, almost the entire money transfer system must currently be considered “dedicated” to the  
20 global collection and distribution of financial flows by the migrant community, as part of a fundamental and  
21 positive process of “financial inclusion” which would help protect the savings of individual migrants  
22 (Giangaspero, 2009, p. 13; Ferro, 2010, p. 32).

23 Enhancing the use of formal money transfer channels would help to direct the flow of value into the  
24 ‘official’ financial system, otherwise money would be controlled less and also located outside the legally  
25 protected financial system. However, by the beginning of 2019 a new tax regarding money transfers directed  
26 to non EU countries was imposed in Italy (Bruno and Cimmarusti, 2018); this tax is based on the assumption  
27 that the income of migrants within the State's territory avoid or evade taxation, since that income is  
28 predominantly derived from unreported economic activity. Obviously this new tax, due to a low 1,5% rate on  
29 the whole transaction, is not going to generate huge revenues, but it will discriminate against migrants. It  
30 seems that the low rate of taxation is not going to prevent negative consequences (Traversa, 2019).

31 In the end, this paper shows that there is no real perception and concrete knowledge of the entire  
32 money transfer phenomenon, because it is not possible to control and monitor informal money transfers  
33 channels or EU intermediaries and agents. The data, as it exists, only comes from formal, authorised channels.  
34 Governments should concentrate their efforts to enforce the use of controlled and monitored transfer  
35 channels, but by establishing a tax – even if it's at a low rate – will certainly have an effect on the behaviour of  
36 migrants - if they want to avoid tax, they will be have to use less secure tax-free channels that are not  
37 monitored by the authorities. Along with the increase in criminal investigations, this will result in a rise in the  
38 use of informal channels.

39 Hopefully the introduction in the Italian legal system of the new V anti-money laundering directive  
40 could help reduce the regulatory asymmetry between intermediaries and agents authorised by the Bank of  
41 Italy and other European central banks. This in turn should lead to greater control on transactions that are  
42 currently free from being monitored, and thus prevent money transfers from being used for laundering  
43 purposes. The main problem is that money transfers lack security and it is always difficult to find solutions  
44 which provide security above and beyond the diligence of the involved parties. More international  
45 cooperation is needed to monitor and to better control the flow of money leaving Europe because making the  
46 money transfer safer is, when all is said and done, a shared responsibility.

#### 47 **References**

- 48 Bonucci, L. (2017), “Le vulnerabilità del sistema finanziario come minacce alla sicurezza nazionale: studio sulle tipologie di  
49 finanziamento al terrorismo e analisi del sistema Money Transfer”, working paper, Centro Interdipartimentale  
50 Studi Strategici Internazionali Imprenditoriali, Firenze, available at  
51 [https://www.cssii.unifi.it/upload/sub/bonucci\\_finanziamento-del-terrorismo-e-money-transfer.pdf](https://www.cssii.unifi.it/upload/sub/bonucci_finanziamento-del-terrorismo-e-money-transfer.pdf) (accessed  
52 2 september 2019)
- 53 Camera dei Deputati (2019), “Pagamenti e antiriciclaggio”, working paper, Roma, available at  
54 <https://www.camera.it/temiap/documentazione/temi/pdf/1104659.pdf> (accessed 20 august 2019)
- 55 Camera dei Deputati and Senato della Repubblica (2019), “Prevenzione dell'uso del sistema finanziario a fini di riciclaggio o  
56 di finanziamento al terrorismo”, working paper, Roma, available at  
57 [http://documenti.camera.it/leg18/dossier/pdf/FI0101.pdf?\\_1571823933355](http://documenti.camera.it/leg18/dossier/pdf/FI0101.pdf?_1571823933355) (accessed 20 august 2019)
- 58 Clemente, C. (2016), “Money transfer e prevenzione del riciclaggio e del finanziamento del terrorismo”, working paper,  
59 Camera dei Deputati, Roma, available at  
60 [https://uif.bancaditalia.it/pubblicazioni/interventi/documenti/Money\\_transfer\\_e\\_prevenzione\\_del\\_riciclaggio\\_e  
del\\_finanziamento\\_del\\_terrorismo.pdf](https://uif.bancaditalia.it/pubblicazioni/interventi/documenti/Money_transfer_e_prevenzione_del_riciclaggio_e_del_finanziamento_del_terrorismo.pdf) (accessed 20 august 2019)
- Clemente, C. (2016), “L'attività di analisi dell'UIF a fini di contrasto del finanziamento del terrorismo e del traffico di  
immigrati”, presentation at Università La Sapienza, Facoltà di Economia, Roma, 9 november 2016, available at

- 1  
2  
3 [http://www.assoaicom.org/index.php?option=com\\_attachments&task=download&id=216](http://www.assoaicom.org/index.php?option=com_attachments&task=download&id=216) (accessed 21 august  
4 2019)
- 5 Financial Action Task Force (2013), "The role of Hawala and other similar service in money laundering and terrorist  
6 financing", working paper, Paris, available at [https://www.fatf-gafi.org/media/fatf/documents/reports/Role-of-](https://www.fatf-gafi.org/media/fatf/documents/reports/Role-of-hawala-and-similar-in-ml-tf.pdf)  
7 [hawala-and-similar-in-ml-tf.pdf](https://www.fatf-gafi.org/media/fatf/documents/reports/Role-of-hawala-and-similar-in-ml-tf.pdf) (accessed 20 august 2019)
- 8 Financial Action Task Force (2016), Guidance for a Risk-Based Approach for Money or Value Transfer Services, working  
9 paper, Paris, available at [www.fatf-gafi.org/publications/fatfrecommendations/documents/rba-money-or-value-](http://www.fatf-gafi.org/publications/fatfrecommendations/documents/rba-money-or-value-transfer.html)  
10 [transfer.html](http://www.fatf-gafi.org/publications/fatfrecommendations/documents/rba-money-or-value-transfer.html) (accessed 3 september 2019)
- 11 Ferro, A. (2010), "La valorizzazione delle rimesse nel co-sviluppo", in *Migranti per lo sviluppo: un manifesto per il futuro*  
12 *proceedings of the CeSPI (Centro studi di politica internazionale) Congress in Milan, Italy, 2010*, available at  
13 [http://www.cespi.it/sites/default/files/documenti/infoeas\\_policy\\_paper.pdf](http://www.cespi.it/sites/default/files/documenti/infoeas_policy_paper.pdf) (accessed 21 august 2019)
- 14 Giangaspero, G. (2009), "Le rimesse dall'Italia in tempo di crisi", working paper [n.63/2009], Centro studi di politica  
15 internazionale (CeSPI), Roma, available at <http://www.cespi.it/it/ricerche/le-rimesse-dallitalia-tempo-di-crisi>  
16 (accessed 2 september 2019)
- 17 Jost, P. M., and Sandhu, H. S. (2000). "The hawala alternative remittance system and its role in money laundering.",  
18 working paper, Interpol General Secretariat, Lyon, available at [https://www.treasury.gov/resource-](https://www.treasury.gov/resource-center/terrorist-illicit-finance/Documents/FinCEN-Hawala-rpt.pdf)  
19 [center/terrorist-illicit-finance/Documents/FinCEN-Hawala-rpt.pdf](https://www.treasury.gov/resource-center/terrorist-illicit-finance/Documents/FinCEN-Hawala-rpt.pdf) (accessed 20 august 2019)
- 20 Laudati, A. (2002), "Terrorismo internazionale, criminalità organizzata e money transfer", *Per Aspera ad veritatem*, n.24,  
21 available at <http://gnosis.aisi.gov.it/sito/Rivista24.nsf/ServNavig/6> (accessed 3 september 2019)
- 22 Marchetta, F. and Bertoli, S. (2010), "Migrazioni, rimesse e aiuto allo sviluppo" in Biggeri M. and Canitano G. (eds), *Tem*  
23 *avanzati di economia e politica della cooperazione internazionale allo sviluppo*, Milano, FrancoAngeli, 2010  
24 Retrieved from Cadmus, European University Institute Research Repository and available at:  
25 <http://hdl.handle.net/1814/40247> (accessed 2 september 2019)
- 26 Maresca, G. (2016), "Audizione davanti alla Commissione finanze della Camera", working paper, Camera dei Deputati,  
27 Roma, available at  
28 [http://www.dt.tesoro.it/export/sites/sitodt/modules/documenti\\_it/news/news/Audizione\\_dr\\_Maresca\\_12\\_04\\_0](http://www.dt.tesoro.it/export/sites/sitodt/modules/documenti_it/news/news/Audizione_dr_Maresca_12_04_016.pdf)  
29 [16.pdf](http://www.dt.tesoro.it/export/sites/sitodt/modules/documenti_it/news/news/Audizione_dr_Maresca_12_04_016.pdf) (accessed 20 august 2019)
- 30 Oddo, G., Magnani, M., Settimo, R. and Zappa, S. (2016), "Le Rimesse Dei Lavoratori Stranieri in Italia: Una Stima Dei Flussi  
31 Invisibili Del 'Canale Informale'", *Bank of Italy Occasional Paper*, No. 332 (June 6, 2016), available at:  
32 <https://ssrn.com/abstract=2844749> (accessed 24 august 2019)
- 33 Simone, P. (2005), "Il possibile finanziamento occulto del terrorismo internazionale attraverso le rimesse dei migranti e  
34 l'azione di controllo del FATF/GAFI sui circuiti di trasferimento non bancari", in *Le migrazioni. Una sfida per il*  
35 *diritto internazionale, comunitario e interno proceedings of the IX Convegno annuale della Società Italiana di*  
36 *Diritto Internazionale in Napoli, Italia, 2004*, Editoriale Scientifica, Napoli, 2005, p. 267-289
- 37 UIF (2019), "Rapporto annuale 2018", working paper, Roma, available at [https://uif.bancaditalia.it/pubblicazioni/rapporto-](https://uif.bancaditalia.it/pubblicazioni/rapporto-annuale/2019/Rapporto-UIF-anno-2018.pdf)  
38 [annuale/2019/Rapporto-UIF-anno-2018.pdf](https://uif.bancaditalia.it/pubblicazioni/rapporto-annuale/2019/Rapporto-UIF-anno-2018.pdf) (accessed 21 august 2019)

#### 39 List of websites

- 40 Barbieri, F. (2019), "Immigrati, boom di rimesse: più di 6 miliardi all'estero. Lo strano caso dei cinesi «spariti»", *Ilsole24ore*,  
41 available at [https://www.ilsole24ore.com/art/immigrati-boom-rimesse-piu-6-miliardi-all-estero-strano-caso-](https://www.ilsole24ore.com/art/immigrati-boom-rimesse-piu-6-miliardi-all-estero-strano-caso-cinesi-spariti-ABTjvpB)  
42 [cinesi-spariti-ABTjvpB](https://www.ilsole24ore.com/art/immigrati-boom-rimesse-piu-6-miliardi-all-estero-strano-caso-cinesi-spariti-ABTjvpB) (accessed 3 september 2019)
- 43 Bruno, E., and Cimmarusti, I. (2018), "Money transfer, la tassa dell'1,5% colpirà 4,2 miliardi di «rimesse»", *Ilsole24ore*,  
44 available at [https://www.ilsole24ore.com/art/money-transfer-tassa-dell-15percento-colpira-42-miliardi-rimesse-](https://www.ilsole24ore.com/art/money-transfer-tassa-dell-15percento-colpira-42-miliardi-rimesse-AEmSuZpG?refresh_ce=1)  
45 [AEmSuZpG?refresh\\_ce=1](https://www.ilsole24ore.com/art/money-transfer-tassa-dell-15percento-colpira-42-miliardi-rimesse-AEmSuZpG?refresh_ce=1) (accessed 23 august 2019)
- 46 Carli, A. (2018), "Immigrati, fino a quasi un terzo delle rimesse segue canali informali", *Ilsole24ore*, available at  
47 <https://www.ilsole24ore.com/art/immigrati-fino-quasi-terzo-rimesse-segue-canali-informali-AE3IXjuD> (accessed  
48 21 august 2019)
- 49 Castronuovo, A. (2017), "Money transfer: in arrivo nuove disposizioni antiriciclaggio", *Diritto Bancario*, available at  
50 <http://www.dirittobancario.it/news/antiriciclaggio/money-transfer-arrivo-nuove-disposizioni-antiriciclaggio>  
51 (accessed 3 september 2019)
- 52 Fara, G. M. (2018), "Mafie: dall'italian laundering al money dirtying", *L'Eurispes.it*, available at  
53 <https://www.leurispes.it/mafie-dallitalian-laundering-al-money-dirtying/> (accessed 27 august 2019)
- 54 Galullo, L. and Mincuzzi, A. (2017), "Gli stranieri sfuggono ai controlli. Monitorati solo gli agenti italiani", *Ilsole24ore*,  
55 available at [https://www.ilsole24ore.com/art/gli-stranieri-sfuggono-controlli-monitorati-solo-agenti-italiani-](https://www.ilsole24ore.com/art/gli-stranieri-sfuggono-controlli-monitorati-solo-agenti-italiani-AEuzfeH)  
56 [AEuzfeH](https://www.ilsole24ore.com/art/gli-stranieri-sfuggono-controlli-monitorati-solo-agenti-italiani-AEuzfeH) (accessed 27 august 2019)
- 57 Galullo, L. and Mincuzzi, A. (2017), "Firenze, maxi inchiesta sul riciclaggio: Bank of China patteggia per 600 mila euro di  
58 multa" *La Repubblica*, available at  
59 [https://firenze.repubblica.it/cronaca/2017/02/17/news/firenze\\_maxi\\_inchiesta\\_sul\\_riciclaggio\\_bank\\_of\\_china\\_pa](https://firenze.repubblica.it/cronaca/2017/02/17/news/firenze_maxi_inchiesta_sul_riciclaggio_bank_of_china_patteggia_per_600_mila_euro_di_multa-158564228/)  
60 [tteggia\\_per\\_600\\_mila\\_euro\\_di\\_multa-158564228/](https://firenze.repubblica.it/cronaca/2017/02/17/news/firenze_maxi_inchiesta_sul_riciclaggio_bank_of_china_patteggia_per_600_mila_euro_di_multa-158564228/) (accessed 2 september 2019)
- 61 Izzo, L. (2016), "'Smurfing' e money transfer: l'ultima frontiera delle truffe", available at  
62 [https://www.studiocataldi.it/articoli/23470--quot-smurfing-quot-e-money-transfer-l-ultima-frontiera-delle-](https://www.studiocataldi.it/articoli/23470--quot-smurfing-quot-e-money-transfer-l-ultima-frontiera-delle-truffe.asp)  
63 [truffe.asp](https://www.studiocataldi.it/articoli/23470--quot-smurfing-quot-e-money-transfer-l-ultima-frontiera-delle-truffe.asp) (accessed 27 august 2019)
- 64 Masi, S. (2019), "V direttiva antiriciclaggio: obiettivi, ambito di riforma, modifiche", *Altalex*, available at  
65 <https://www.altalex.com/documents/news/2019/05/28/v-direttiva-antiriciclaggio> (accessed 20 august 2019)
- 66 Mugnaini, M. (2017), "Firenze, maxi inchiesta sul riciclaggio: Bank of China patteggia per 600 mila euro di multa", *La*  
67 *Repubblica*, available at



- [https://firenze.repubblica.it/cronaca/2017/02/17/news/firenze\\_maxi\\_inchiesta\\_sul\\_riciclaggio\\_bank\\_of\\_china\\_pa\\_teggia\\_per\\_600\\_mila\\_euro\\_di\\_multa-158564228/](https://firenze.repubblica.it/cronaca/2017/02/17/news/firenze_maxi_inchiesta_sul_riciclaggio_bank_of_china_pa_teggia_per_600_mila_euro_di_multa-158564228/) (accessed 21 august 2019)
- Palana, M. (2010), "Il riciclaggio nell'ambito dell'attività degli 'Agenti Money Transfer'", *Diritto.it*, available at <https://www.diritto.it/il-riciclaggio-nell-ambito-dell-attivita-degli-agenti-money-transfer/> (accessed 2 september 2019)
- Palumbo, G. (2015), "Money transfer, boom del mercato nero: in Italia spopola la rete parallela", *Il Messaggero*, available at [https://www.ilmessaggero.it/pay/edicola/money\\_transfer\\_mercato\\_nero-1199304.html](https://www.ilmessaggero.it/pay/edicola/money_transfer_mercato_nero-1199304.html) (accessed 3 september 2019)
- Palumbo, G. (2015) "Dal money transfer al sistema hawala: le nuove strade di evasione e riciclaggio", *Il Messaggero*, available at [https://www.ilmessaggero.it/economia/economia\\_e\\_finanza/dal\\_money\\_transfer\\_al\\_sistema\\_hawala\\_le\\_nuove\\_strade\\_di\\_evasione\\_riciclaggio-1111196.html](https://www.ilmessaggero.it/economia/economia_e_finanza/dal_money_transfer_al_sistema_hawala_le_nuove_strade_di_evasione_riciclaggio-1111196.html) (accessed 20 august 2019)
- Parente, G. (2018), "Tetto al contante, il valzer delle modifiche da Monti a Renzi (fino a Salvini)", *IlSole24ore*, available at <https://www.ilssole24ore.com/art/tetto-contante-valzer-modifiche-monti-renzi-fino-salvini-AEFe7h5E> (accessed 2 september 2019)
- Patti, F. (2016), "Money transfer, carte prepagate, commercialisti ciechi: i terroristi ringraziano", available at <https://www.linkiesta.it/article/2016/03/25/money-transfer-carte-prepagate-commercialisti-ciechi-i-terroristi-ring/29750/> (accessed 21 august 2019)
- Polchi, V. (2019), "Migranti, boom delle rimesse verso i Paesi d'origine. Ma scompaiono i cinesi", *La Repubblica*, available at [https://www.repubblica.it/cronaca/2019/04/12/news/aumento\\_rimesse\\_stranieri\\_dall\\_italia-223837426/](https://www.repubblica.it/cronaca/2019/04/12/news/aumento_rimesse_stranieri_dall_italia-223837426/) (accessed 23 august 2019)
- Ravennatoday (2018), "Maxi operazione antiriciclaggio da un milione di euro all'agenzia di money transfer: 220 sanzionati", 15 March, available at <http://www.ravennatoday.it/cronaca/operazione--latinos-money-guardia-finanza-riciclaggio-denaro-money-transfer-oggi-giovedi-15-marzo-2018.html> (accessed 2 september 2019)
- Rognoni, I. (2016), "A Milano 2,7 miliardi di euro illeciti sono stati inviati in Cina", available at <http://www.ilpopulista.it/news/5-Dicembre-2016/7757/a-milano-2-7-miliardi-di-euro-illeciti-sono-stati-inviati-in-cina.html> (accessed 3 september 2019)
- Santi, E. (2019), "Money transfer e riciclaggio, 10 nei guai", *L'Arena*, available at <https://www.larena.it/territori/citt%C3%A0/money-transfer-e-riciclaggio-10-nei-guai-1.7152395> (accessed 27 august 2019)
- Scullin, M. (2015), "'Money transfer, aggirata legge anti-riciclaggio'. Indaga la Procura", *Il resto del carlino*, available at <https://www.ilrestodelcarlino.it/reggio-emilia/cronaca/isis-finanziamento-legge-antiriciclaggio-1.1514837> (accessed 23 august 2019)
- Selvatici, F. (2015), "Trasferiti due miliardi, ipotesi di riciclaggio per Bank of China", *La Repubblica*, available at [https://firenze.repubblica.it/cronaca/2015/06/06/news/trasferiti\\_due\\_miliardi\\_ipotesi\\_di\\_riciclaggio\\_per\\_bank\\_of\\_china-116153821/](https://firenze.repubblica.it/cronaca/2015/06/06/news/trasferiti_due_miliardi_ipotesi_di_riciclaggio_per_bank_of_china-116153821/) (accessed 20 august 2019)
- Talarico, R. (2012), "Che cosa sono i money transfer?", *La Stampa*, available at <https://www.lastampa.it/cultura/2012/01/09/news/che-cosa-sono-i-money-transfer-1.36505113> (accessed 21 august 2019)
- Traversa, E. (2019), "Libera circolazione contraria all'imposta sui money transfer", *IlSole24ore*, available at <https://www.ilssole24ore.com/art/libera-circolazione-contraria-all-imposta-money-transfer-ABCcTckB> (accessed 3 september 2019)
- UNICREDIT (2014), "Money remittances: do you know enough about them?", available at [https://www.adocnazionale.it/wp-content/uploads/2014/07/ENG\\_Rimesse.pdf](https://www.adocnazionale.it/wp-content/uploads/2014/07/ENG_Rimesse.pdf) (accessed 23 august 2019)

#### List of cases

- Arbitro Bancario Finanziario, Collegio di Bologna, Decisione N. 6134 del 01 giugno 2017
- Arbitro Bancario Finanziario, Collegio di Milano, Decisione N. 1329 del 18 novembre 2010
- Arbitro Bancario Finanziario, Collegio di Milano, Decisione N. 685 del 03 febbraio 2014
- Arbitro Bancario Finanziario, Collegio di Roma, Decisione N. 5370 del 08 giugno 2016

#### Further readings

- Anderloni, L. et al. (2007), "Il mercato delle rimesse e la microfinanza; analisi della realtà italiana", Ed. Giuffrè, Milano
- Orozco, M. (2013), "Migrant Remittances and Development in the Global Economy", Lynne Rienner Publishers, USA
- Bharati, B., and Bang, J. T. (2014) "International Remittance Payments and the Global Economy", Routledge, New York