

REPUBLIC OF PANAMA

NATIONAL COMMISSION AGAINST MONEY LAUNDERING, THE FINANCING OF TERRORISM AND
FINANCING THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

Resolution 2 – 18

27 March 2018

By means of which the List of Politically Exposed Persons of the Bolivarian Republic of Venezuela is published

The National Commission against Money Laundering, the Financing of Terrorism and Financing the Proliferation of Weapons of Mass Destruction

In use of its legal powers

WHEREAS:

Article 5 of Law 23 dated 27 April 2015 created the National Commission against Money Laundering, the Financing of Terrorism and Financing the Proliferation of Weapons of Mass Destruction (hereinafter referred to as “the Commission”) as an integral part of the national coordination system for the prevention of money laundering, the financing of terrorism and financing the proliferation of weapons of mass destruction;

Paragraph 18 of Article 1 of Law 23 of 2015 defines Politically Exposed Persons as the national or foreign persons that serve in high-ranking public positions with authority and jurisdiction within a State, (such as, but not limited to, Heads of State or of Government; high-level politicians; high ranking governmental, judicial or military officials; senior executives of state companies and corporations; public officials holding elected office; as well as others that exercise decision-making in public entities; persons holding or who have been entrusted with important functions in international organizations, such as members of senior management, including directors, deputy directors and members of the Board of Directors and equivalent functions;

Paragraph 2 of Article 41 of Law 23 of 2015 provides that the Special Test requires enhanced customer due diligence measures for business relationships or transactions with individuals, legal entities and financial entities coming from countries that, according to the Financial Action Task Force, do not apply sufficient measures to prevent the crimes of money laundering, the financing of terrorism and financing the proliferation of weapons of mass destruction;

Panama is member of the Financial Action Task Force for Latin America (GAFILAT) that is, at the same time, part of the Financial Action Task Force (FATF). Panama fulfills its duties as a Member State of the United Nations (UN), abiding by International Law standards in accordance with Article 4 of the Political Constitution of the Republic;

On 8 August 2017, the Republic of Panama attended the international meeting of the Lima Group, the multilateral organization through which the nations of the Americas issued the Lima Declaration for the purpose of tracking and expressing their concern on the political, social and humanitarian crisis in the Bolivarian Republic of Venezuela, as well as the proper identification of the politically exposed persons of that country;

Pursuant to Article 8 of Law 23 of 2015 and by means of Resolution 1-18 dated 27 March 2018, the Commission agreed to publish the list of high-risk individuals related to the crimes of Money Laundering, the Financing of Terrorism and Financing the proliferation of weapons of mass destruction;

The existence of Politically Exposed Persons of the Bolivarian Republic of Venezuela is derived from these lists;

For the purposes of facilitating enhanced customer due diligence by financial and nonfinancial reporting entities and the execution of the legal powers of supervisory bodies, during the session of 8 March 2018, the Commission deemed it necessary to publish the list of the Politically Exposed Persons of the Bolivarian Republic of Venezuela;

Therefore, the Commission, in use of its legal powers,

RESOLVES:

ONE: To post on the Commission's website the list containing the names of the Venezuelan individuals, legal entities and final beneficiaries that are or could be directly or indirectly politically exposed according to the lists issued by the Commission, initially taking as reference the lists adopted by the Commission through Resolution 1 dated 27 March 2018 but without precluding the use of other relevant international lists. The original list is attached hereto as Appendix A and will be updated in the future.

TWO: To establish and recommend that financial reporting entities and nonfinancial reporting entities adopt enhanced, reinforced or any other customer due diligence measure commensurate with the risk identified for any action, transaction or operation that was conducted by Venezuelan individuals, legal entities or final beneficiaries that are or could be directly or indirectly politically exposed, including attempted operations in which it is suspected that those could be related to transactions involving Venezuelan PEPs.

THREE: To determine whether persons of other nationalities could act directly or indirectly as intermediaries for some politically exposed person(s) of the Bolivarian Republic of Venezuela. To this end, the reporting entities must report to the Financial Analysis Unit as soon as possible any action, transaction or operation, including attempted operations, that they suspect could be related to persons identified in this Resolution or to whom it may apply. These reports are required as provided for in Article 54 of Law 23 dated 27 April 2015.

FOUR: To authorize the Technical Secretariat of the National Commission against Money Laundering, the Financing of Terrorism and Financing the Proliferation of Weapons of Mass Destruction to keep the lists described herein up to date.

FIVE: This resolution shall enter into force the day after its promulgation.

LEGAL GROUNDS: Political Constitution of the Republic of Panama, Law 23 dated 27 April 2015 and Executive Decree 363 dated 13 August 2015.

Given in the city of Panama on the twenty-seventh (27th) day of March, two thousand eighteen (2018).

TO BE PUBLISHED AND ENFORCED,

(Signed)
Dulcidio De La Guardia
Chairman

(Signed)
Raúl A. Gasteazoro L.
Secretary

MINISTRY OF ECONOMY AND FINANCE
GENERAL SECRETARIAT
A TRUE COPY OF THE ORIGINAL
Panama, 28 March 2018
(Signed)
DEPUTY SECRETARY

SEAL OF THE SECRETARIAT OF THE MINISTRY OF ECONOMY AND FINANCE