



**THE IEL COLLECTIVE
INAUGURAL CONFERENCE
6 – 7 NOVEMBER 2019
UNIVERSITY OF WARWICK, COVENTRY, UK**

**GLOBAL ANTI-MONEY LAUNDERING AND COUNTER-TERRORIST
FINANCING FRAMEWORK: LOCAL REALITIES**

**Nkechikwu Valerie Azinge
School of Law, University of Lincoln, Lincoln, UK**

In the light of the agency theory, this research examines the extent to which African Countries and Emerging Economies (ACs/EEs) can harness and comply with the global Anti-Money Laundering/ Counter-Terrorist Financing (AML/CFT) standards. Whilst appreciating the importance of cross-border AML/CFT regulation, it critiques the requirement for uniformly applicable standards, thereby exposing the parameters and paradoxes of such standards when applied to ACs/EEs. This is achieved by examining the displacement of ACs/EEs in the evolution of International Financial Institutions alongside the Financial Action Task Force (IFIs/FATF) and resulting AML/CFT standards by IFIs/FATF, which do not consider the socio-economic and political uniqueness of ACs/EEs. It argues that ACs/EEs do not possess the pre-conditions for effective AML/CFT regulations, hence the behavioural impact of the FATF's standards on ACs/EEs do not align with the IFIs/FATF's expectations. This regulatory design flaw persists irrespective of the adopted RBA. Consequently, ACs/EEs engage strategically with IFIs/FATF to evade sanctions from non-compliance whilst facilitating their continued integration into the global economy. This indicates an unfavourable agency relationship between ACs/EEs and IFIs/FATF and an ingrained legitimacy crisis further undermined by ACs/EEs capacity challenges.

Through multidisciplinary research on law and economics, this paper examines the impact of uniform standards on ACs/EEs. This paper gives a detailed analytical account of the compliance experiences of ACs/EEs, and identifies their sources of behaviour within the context of existing pre-conditions. It contributes to understanding the factors that influence ACs/EEs' compliance, and the conditions under which the FATF standards are likely to facilitate proactive compliance.

It would stimulate conversations on how diversity in the formulation on AML/CFT standards is critical in developing holistic governance of financial crime.