

Money Transfer Regulation and the Fight against Terrorism Related Activities in Cameroon

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ABSTRACT

The world has of late witnessed a dramatic surge in terrorist activity. This, evidenced by the rampant use of unorthodox means to coerce governments or people to refrain from or adopt certain patterns of behaviour. Needless here to go into the semantics of definitions of who is and who is not a terrorist or terrorist act, actions whose ultimate objective is achieving the objective laid above is here considered to be a terror action. To achieve their objectives, the terrorists, need to operate like normal citizens in the society because to build up their acts they need normal services rendered by society for lawful purposes to attain their objective. They need to feed, move, buy equipment, train etc. all of these require the use of funds and movement of the funds from one location to the other. Again here not going into how they raise the funds, we are interested in this article on how they move the funds. Cameroon has suffered and is still under serious terrorist activity with not many amenities to combat this ill from all angles as it should. The sphere of transfer of funds in the country though regulated is heavily shrouded by anarchy and almost daily new tactics in moving funds that elude any possible detection by authorities. These methods range from physical transportation of cash by individuals, through travel agency transfers, electronic transfers to transfer for commission, etc. We discover that, the ever-changing method of movement of funds in the country makes it difficult for tracking of terrorism related funds. This is exacerbated by endemic corruption and poverty that create fertile grounds for such fund movements.

KEYWORDS: Funds, terrorism, transfer, corruption

INTRODUCTION

The adage « the only constant thing in life is change » holds true in the sphere of terrorism and money transfer. This does not however remain only with the two issues mentioned above, but also with other areas that most often form the basis of the actions of terrorism and money transfer. These areas range from religion through economics, politics and ideologies to telecommunications. Change in these areas has resulted in improved livelihoods as well as enhanced sophisticated criminality. Change most often has not been accompanied by up to date legislation in a bid to regulate the various aspects of life. Even where it has been, exploits of weaknesses become a cat and mouse race between legislators and various relevant actors. One of the areas of recent concern is terrorism and its finance.

The world has known terrorism for a long time, but world consciousness of it and treating it as a global problem came after the September 11th attacks of the World Trade Centre, the Pentagon and Pennsylvania air flight crash in 2001. These attacks did not only demonstrate what terror could do but also how sophisticated and well planned they are; shifting the earlier thoughts on what terrorism was, vis - a small group of violent individuals in a limited geographic area trying to improve their existence. Terrorism from post 9/11 demonstrated a well-organized activity with no geographical limitations. If allowed, it could strike anywhere any time. The world thus now views terrorism as a global threat to peace and security as such every state has been

enjoined to take actions to tackle this threat as well as adopting an international approach in efforts to eradicate terror in the civilized world we live in today.

Terrorism does not exist in a vacuum or in a separate distinct locality from ordinary society. It lives in the common sphere inhabited by every-one in the society generally. This means that terrorist will have to face the ordinary challenges of normal citizens in the pursuit of their goals. This implies that, they have to feed, cloth, move and above all fund their terrorist activities and facing normal hurdles like ordinary citizens do for their daily hood. This means that above all things, their activities need to be financed. They may raise finances locally just like they may raise their finances internationally. However, with the finances raised, they face the obstacles of moving their funds from one location to another or one person to another. At times when origin of funds is located a distance away from the end use (or ultimate use), these funds have to move to those who are on the site or area where the terror act has to be committed. These terrorists most often will use ordinary means of transfer as other citizens do, or at times result to non-formal transfers as will be seen later. Why do they use the formal means? The answer may lie in the fact that these terrorists pass as normal citizens in the society and most often live a life that is free of any suspicion by the society. So they exploit normal situations and transactions to further their bad motives. Noted is the fact that the terrorists most often do

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not hide the source of their funds which may be very legal at times nor the transfer of such funds, but they hide the actions for which the funds are used. This makes it typically difficult to actually identify which fund movement is geared at financing terrorism at any given time. The funding trace therefore takes the form of identifying the terrorist and then trying to trace or find out how he/she generates his funds. This is then followed by actions in detecting how they move these funds around.

Studies have been made and research is continuous on the funding mechanisms of terrorism. Findings show that terror money is gotten from illegal and criminal activity just like it may also come from legal and genuine sources.¹ Money coming from illegal sources most at times must be laundered in order to easily or facilitate its movement around the globe. Sources range from drug trafficking to kidnapping, racketeering and other heinous crimes. To move around, it has to be invested in ordinary day normal and legal business to blur its criminal source and then be able to use the money as clean and genuinely earned finances in the eyes of the public and the law, and again for an illegal ulterior motive or act which is terrorism. Little wonder therefore why in a bid to fight terrorism and terrorism financing, money laundry law has become so intricately linked to terrorism combat law. The two now seem to be inseparable twins in the pursuit of terrorism eradication. This article will not dwell on the different funding mechanisms of terrorism and its related activities nor will it exclusively deal with money laundering, but the article tackles only the transfer of funds from one place to the other or transfer of available funds to fund or accomplish terrorist acts. In this light, the article deals more on how legislation has been used to combat movement of funds aimed at financing terrorists and their actions and the challenges faced in the process.

As earlier mentioned, change has come to stay and more so in economic activities. Modern means of technology have also been part of economic life especially in the area of finance and fund movements. These as would be expected, also, though they ease the strains of life to ordinary law abiding citizens, also provide a formidable area of exploit by persons who intend to commit terror. No wonder state legislations have been put in place to try to curb this vice of terrorism funding. Cameroon has not been indifferent to this reality more so as the country of late has and is witnessing acts of terror within and without its boundaries. What is the law regulating money transfer in the fight against funding terrorism and terrorists and what are the challenges faced in the process? This is what this article explores. To achieve this, we start by looking at what is terrorism, then how money is transferred, money transfer regulatory landscape in Cameroon and finally the challenges faced in this fight.

THE DEFYING NATURE OF A UNIFYING DEFINITION OF TERRORISM

Terrorism is a familiar term in almost all cycles be it administrative, legal or public at large. The concept of terrorism is seemingly understood by all. If one were to ask in a vox pop what terrorism is, there will be as many perspectives and definitions as the responders. Most often the attributes of terrorism appear to replace a definition of terrorism, as most people will tell what terrorism does and what its products are. In the fight against terrorism and its finance, various definitions have been proffered. At times the definition varies with who is actually defining it. The way government defines terrorism may differ very much from what individual citizens or politicians or even the military may define as terrorism. The unifying factor in the definitions that may be proffered is that, the objective is by a few to use violence as a means of instilling fear in the minds of the population and coercing the government or any other institution to comply with the ideology or exigencies of the group perpetuating the terrorist acts. In the absence of a universally agreed definition of terrorism, each state models out its terrorism law guided by internationally accepted attributes of terrorism. This therefore gives reason for the variations in the definitions in different countries around the world.

However, one looks at it, terrorism is generally perceived as the indiscriminate use of force against a people, a government or a legal institution in a bid to compel it to accede to the demands and wishes of the terrorist group. At this level, we would not go into the semantics of definition of terrorism but rather understanding what it is all about. The indiscriminate use of force against a population or a government or any institution with the overriding motive to instil fear in people so as to get their cooperation in the pursuit of the objectives of a group of persons legally constituted or not will be deemed to be terrorism. This is why we have often heard of state sponsors of terrorism.² Cameroon's position on terrorism is found in its 2014 law.³

The above law does not in itself define terrorism but lays down acts which are deemed as acts of terrorism.

*"Whoever, acting alone as an accomplice or accessory, commits or threatens to commit an act likely to cause death, endanger physical integrity, cause bodily injury or material damage, destroy natural resources, the environment or cultural heritage with intent, intimidate the public or government or any international organization to renounce or adopt a position or cause a disfunction of public or state institutions or widespread insurrection in the country commits a terrorist act."*⁴

This section has been heavily criticized by critics as being so vastly worded in a manner that every such act referred to would constitute terrorism with the result that political activism which is guaranteed by the constitution and laws of

¹Juan Miguel del Cid Gomez: A Financial Profile of the Terrorism of Al-Qaeda and its Affiliates, Perspectives on Terrorism, Terrorism Research Initiatives.

See also Jean-Charles Brisard, JCB Consulting: Terrorism Financing, Roots and Trends of Saudi Terrorism Financing, Report to UN Security Council, December 19 2002, New York USA

²The United States of America and its allies have often labelled certain countries as sponsors of terrorism e.g Iran, Lybia, North Korea, Kenya etc.

³Law N° 2014/028 of 23 December 2014 on the Suppression of Acts of Terrorism in Cameroon.

⁴Ibid Chapter II Section 2(1)

Cameroon may find itself caught by an abnormal interpretation and application of the section by the government or a ruling party for political ends. In its subsection 2(1)(a) the imposition of the death penalty as punishment for such activities certainly to the legislator should be a deterrent to anyone who engages or who contemplates engaging in such activities.

The section goes further to provide that anyone who furnishes weapons or equipment be them biological or not or perpetrates hostage taking face the same penalty as those in subsection 2(1) mentioned above.⁵ From the provisions of section 2 of the terrorism law above, terrorism also will be inferred where the actions are such that the visible consequences are animal disease or plant destruction. In crafting its terrorism law, Cameroon has also relied on other regional and international legal instruments that are in force in Cameroon. Being a member of the Central African Economic Community whose member countries have witnessed a lot of violent terrorist actions in the last decade, and also sharing a common monetary union, Cameroon abides as others to terrorism regulations of the regional body. Regulation N° 01/03/-CEMAC-UMAC of March 28th 2003 makes provisions on terrorism and terrorism related activities.⁶ In line with Cameroon's legal definition of terrorism, this CEMAC regulation follows the same trend by looking at terrorism from the perspective of acts intended to cause death or serious bodily injury to a civilian or to any other person not taking an active part in the hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act.⁷ The uniqueness of this subsection is that it lays much emphasis to situations of arm conflict and restrictive in nature in that it will only be when the victims are not actively taking part in the conflict. The question one may ask here therefore is whether terrorism can only be on non-partaking persons in a hostile situation? What if for example it's a people versus the state and the target of the hostile population is security services or vice versa in a situation where violence is aimed at the revolting population or group by state security services? It is submitted here that as long as the violence is in furtherance of the main objective of the terrorist, it does not matter on whom it is exerted, armed or unarmed remains a terrorist act. For if taken otherwise, it pulls the issue into the minefield of definitions in trying in this case to say who a terrorist is and who is not same as what is terrorism and what is not.

Another legal instrument which is in force and influenced the terrorism provisions in Cameroon is the OAU Convention on combatting terrorism.⁸ The convention in its preamble expressed its concerns on terrorism and its dangerous effects to stability and security of states, as well as its violations of human rights and people's rights for self-determination and loss of innocent lives including terrorism in which states are involved, sort to eliminate terrorism in all

its forms and manifestations. Like in other cases, the convention does not proffer a definition of terrorism but makes provisions for what constitutes "terrorist acts". Again terrorist acts amount to use of violence or any act which is in violation of the criminal laws of a state; party and which may endanger life, integrity, freedom or cause death or injury to any person or persons or cause damage to public or private property where the intention is to intimidate, put fear or coerce or induce a government, body, institution or the general public to abandon a particular stand point or act according to certain principles.⁹ Here again we see how varied even construing what a "terrorist act" is can be at different levels and status. This lends weight to the difficulty of defining what terrorism is and what acts may be deemed as terrorist act. The conclusion point here is that generally terrorism is defined in terms of who is proffering the definition and objectives he/she wishes to attain.¹⁰ Like other countries, this issue of definition is not settled in Cameroon but the law has settled what terrorist acts are. As earlier stated, for terrorism to thrive, it needs funding. This can be in the nature of daily upkeep of terrorists as well as paying for conceiving and executing terrorist acts. How they generate their funds now is an open secret which we will not go into it but rather how they move these funds from person to person or to localities is our interest.

MONEY TRANSFER PATTERNS

In a bid to finance their activities, terrorists when they raise money locally possess less problems to them than when they have to rely on funds coming from other areas especially across national borders. Transfers of local funds are easier to them than foreign ones. For the obvious reason, international transfers are subject to scrutiny by relevant authorities and since the terrorist wish to stay undetected or even anonymous in their transaction, regular transfers may pose risk of detection or suspicion to the authorities. So how do they move these funds? To answer this question, one must first try to situate oneself in the terrorist position. They will consider a number of issues in carrying out money transfers. These will range from risk through convenience, speed, simplicity to volume.¹¹

The volume of cash to be transferred matters in how it has to be effected. Large volumes of transfer in a single transaction through regular transfer systems will run the risk of detection. This is because there are certain amounts of money that once a threshold is reached, must be accompanied by a report. These amounts vary in different countries. Also when cash has to be transported, the larger the amount, the most likelihood it will be detected by authorities especially where the cash is in smaller denominations for a very high amount. Transporting 5 million francs CFA in 500 frs bills or 1000 frs or 2000 bills can be an enormous bulk to conceal. This increases with the increase in amount to be transferred.

Accompanying the concerns of volume is also risk of loss. There may always be concerns of not only detection, seizure

⁵Ibid see Chapter II Section 2(1) (d)

⁶Regulation N°01/03-CEMAC-UMAC, Relating to the Prevention and Suppression of Money Laundering and Financing of Terrorism in Central Africa.

⁷Ibid Art 2(c)

⁸See Organisation of Africa Unity Convention on the Prevention and Combatting of Terrorism 1994.

⁹Ibid Part I, Art 1(c) (i-iii)

¹⁰See Louis Jacobson, What's the Definition of "Terrorism"? Pasted July 9th 2013.

¹¹Michael Freeman, Moyara Ruehsen: Perspectives on Terrorism, Financing Methods: An Overview, Vol. 7, N°4 (2013)

by authorities but also theft in the course of transfer. This means transfer of cash will most often be accompanied by trust and well planned methods of minimising risk of loss by the carriers.

Reliability of the transaction is yet another worry. How reliable is the method employed? The certainty that the method would effectively transfer the funds with less risk of loss or depreciation in amounts will be subject to consideration in the choice of means of transfer. Linked to reliability is also the question of simplicity. The more simple the means of transfer with little identification or none at all, less paper work to deal with and less questions answered, the better for them, as these obstacles will most undoubtedly lead to suspicion or detection is not subsequent possible traceability of funds and their use. The cost of effecting a transfer will also be considered. These terrorists face enormous difficulties raising money for their actions and they would not like any other person who acts for legitimate purposes want to loose money. They will often choose less costly means of transfers to costly ones. Here electronic transfers and other mobile money transfers will be preferred over bank transfers. The speed of the transaction also matters, for faster the funds move with less or no detection, the better. Speed will also minimise risk of loss and tracking; two elements that are dreaded by those in the crime.

Armed with the above assessments, the terrorists select a mode of transfer. This may not be a selected one means for all times but they undertake this process for each transfer. This therefore means that one may find variations in the methods used by a single person to another or others. This will also depend on the source and destination localities. Where there are regulations, they tend to adopt amounts that are smaller and fall short of reporting obligations by the authorities.

Transfer of funds with knowledge of the fact of its use to commit terrorist acts or supporting terrorist related activities is punished by the law. Whoever directly or indirectly provides and collects funds, provides or offers or collects funds with the aim of financing acts of terrorism by whatever means will be sanctioned like the person who actually commits the act itself.¹² Note should be taken that according to provisions of Section 3 (2) of the 2014 law on terrorism suppression, where the funds offered, collected or provided, or the material means and financial services have not effectively been used to commit the offence of financing terrorism, the penalty for so providing them or using the financial services is the same as if the act had actually been carried out. The sanction above will still hold even where the goods collected and services offered are in the territory of another state.¹³ In this light, it is not necessary that transfer of funds should emanate or end in Cameroon to be punishable but will amount to a breach of Section 3 (3); such transactions carried out of the territory of Cameroon in another state or between two or more other states not including Cameroon, as long as those concerned in the transaction have knowledge of the end use activity (terrorism) for which the goods or and funds are destined to serve. Perhaps one provision that must be mentioned here is

that of section 6 (1) and (2) of the 2014 law. Section 6 (1) provides that, for the purpose of this law, a corporate body "may" be held criminally liable. It does not go on to state or define the instances in which the corporate body may be held criminally liable. Analytical thinking will suggest that when a company commits any of the constituent elements of the offence under the 2014 law, it could be held liable. But the special nature of a company may not make it possible to undergo the same state of scrutiny to assert culpability or not like a natural person. One would have expected to find provisions specific to corporate bodies grafted into this law. Perhaps rightly or wrongly the legislator did not see so much of a threat in Cameroon coming from corporations but from natural persons. It is submitted here that such provisions ought to have been grafted into law even if as a dissuasive measure. Reality now indicates more corporate bodies getting involved in the transfer of funds than when that law was enacted. This raises even higher the stakes in risk of money transfer for terrorist activities through corporations.¹⁴

In addition to the failure to make corporate specific provisions in the law, Section 6 (2) provides a ridiculous penalty of 50 000 000 F. CFA (fifty million francs CFA) for convictions relating to breach of provisions of the 2014 law. It is submitted here that this amount is way too small and has no deterrent effect or severity with respect to the offence committed. Considering the fact that these corporations make so much in gains way above the penalty, where attractive they may choose to violate the law and pay the penalty is said transactions fetch them more benefits.¹⁵

MONEY TRANSFER REGULATION

The CEMAC Ministerial Committee, in a bid to prevent the exploit of financial services within the Sub-region by terrorists and terrorism related activities, put into in force the Regulation N°01/03-CEMAC-UMAC¹⁶ to combat money laundering and terrorism finance within the Sub-region. These regulations however were not comprehensive enough to tackle the threats that the region was facing as the regulations did not only miss out import aspects of terrorism but also failed to address the issue of the proliferation of weapons that were susceptible of use to commit terrorist acts in the region. For this reason, Regulation N°01/CEMAC/UMAC/CM¹⁷ was passed in 2016 to repeal and replace Regulation N°01/03-CEMAC-UMAC mentioned above. This regulation attempts a comprehensive coverage in terms of acts and avenues as well as means through which terrorists could adopt in an attempt to use the financial

¹⁴The dramatic increase in the mobile money transfers by telecom and non-telecom corporations in Cameroon.

The viral nature of each money transfer or fund transfer businesses to use digital transfers now to every part of the country and globally.

¹⁵See also Regulation N°01/03-CEMAC-UMAC, Opp.cit, Art. 3 for instances where one would commit any of the terrorism offences.

¹⁶See Regulation N°01/03-CEMAC-UMAC, Relating to the Prevention and Suppression of Money Laundering and Financing of Terrorism in Central Africa, 2003.

¹⁷See Regulation N°01/CEMAC/UMAC/CM, Relating to the Prevention and Suppression of Money Laundering and Financing of Terrorism and Proliferation in Central Africa, 2016.

¹²See Law N°2014/028 of December 2014 on Suppression of Terrorism in Cameroon, Section 3 (1) (a) & (b)

¹³Ibid, section 3 (3).

system in funding or moving funds in order to carry out terrorism acts. The regulation is divided into five parts with each section handling specific issues related to terrorism finance.¹⁸ The regulation tackles issues ranging from prevention to detection, investigations and professional secrets to repression of the offences mentioned in the regulation. Most important of note is that, this regulation applies to all persons legal or moral who in the course of their profession, realise, control or advice leading to deposits, exchanges, placements, conversions or any other form of movement of capital.¹⁹ In this vein, even financial administrators, BEAC officials, insurance companies, internal and external auditors even as far down as travel agencies, building material shops come under the jurisdiction of this regulation.²⁰ According to Article 9 of the regulation,²¹ financing of terrorism is an act by any person moral or legal, who in any way by whatever means directly or indirectly, illegally and knowingly, provide or assemble funds with the intention to see them used, or knowing that they will be used in part or in full to either commit terrorist act or acts by terrorist organisations or to help or support a terrorist or group of terrorists. Included in this definition therefore is any act that helps in movement of funds either to a terrorist or group to terrorists.

What is also important about this Article 9 is that the offence of financing terrorism will attach irrespective of the fact that the funds moved in question were not partly or wholly used to commit a terrorist act or actions. The prerequisite for the offence is mere knowledge that the funds will be used for such acts. This also applies even where the funds used or gathered are from a legal source. Motive or consideration be it political, philosophical, ideological, racial, ethnic or religious cannot be used to justify any of the offences in this regulation.²² This provision is important in the sense that most actions in recent times were carried out using one or many of the instances cited above.²³

The evaluation of risks associated with terrorism finance is put on Community (CEMAC) Control Authorities who should from time to time come out with a report on such actions and make them known to all member states. These reports are put at the disposal of the two main investigative and control authorities in each state – ANIF and GABAC.²⁴

¹⁸As earlier mentioned, note should be taken that the regulations issued by the CEMAC Community are inclusive of money laundering, financing terrorism and proliferation, all in one regulation. This is a result of the striking similarity in the various abuses of the financial systems by persons acting under the three different offences in adopting the same tactics.

¹⁹See Regulation N°01/CEMAC/UMAC/CM 2016, Article 6.

²⁰Ibid, Articles 6 and 7.

²¹Ibid

²²Ibid Article 11

²³The case of religion has most often been used in Islamic fundamentalism and radicalization around the world just like political in most Latin American countries suffering from violent actions.

²⁴ANIF – Agence National d'Investigation Financière, GABAC – Groupe d'Action Contre Blanchiment d'Argent en Afrique Central.

PREVENTION OF TRANSFER OF FUNDS AIMED AT TERRORISM FINANCE

Part II of the Regulation N°01/CEMAC/UMAC/CM tackles the prevention of the three offences of the regulation. One of the most difficult aspects of movement of funds which can and do easily elude detection and which happen to be the most possible convenient method of moving funds round by terrorists is through cash and negotiable instruments. This is so because if they can manage to conceal the cash or negotiable instrument, they will not have to worry about facing authorities as in when they have to use the regular finance systems which are heavily loaded with identification regulations. To check the transport of cash and other negotiable instruments, the Regulation²⁵ provides that anyone coming from another state who enters a CEMAC member state's territory or leaves a member state territory to another state, must make a declaration of amount of cash they carry which is equal to or above five million Francs CFA (5 000 000 F.CFA) or its equivalence in any other foreign currency. The authorities must then proceed to the identification of the transporter and the instruments in his possession that attain the five million or more amount. The authorities where they find out that false declarations have been made, may proceed to seize the amount or the instruments for a period not exceeding 72 hours.

In the same vein, the Regulation forbids the payment by cash or any other negotiable instrument to a carrier of certain obligations when they exceed or attain 5 million Francs CFA. These payments include among others payments by state or its subsidiaries to public servants, state agents and their families. This goes same for taxes.²⁶ Also falling into the category of prohibited cash payments are those for immovable properties when the amount exceed 3 million Francs CFA.

When any of the above regulated transactions are affected, a declaration must be made to ANIF where the amount is equal to or in excess of 5 million Francs CFA. It is no doubt that the reasons for the above restrictions are in a bid to identify carrier or "couriers" as they are referred to and keep track of their movement and cash they move with. To further the identification process, the regulation in its Articles 21 to 23 make further provisions to ensure that clients must properly be identified by the entity with whom they treat and take measures to identify the real beneficiary of the business transaction they carry out with the client. This holds same for occasional customers. In a situation where the authorities have reason to suspect that funds will be used to finance terrorism or any of the related offences, the authorities must maintain vigilance over all operations of the customer or client making sure all transactions conform with regulations in force. Special attention is also given to clients who may be in the language of the regulation "politically exposed". Where this is the case, authority must be sought from hierarchy before engaging in any business transactions with him or her, taking all necessary steps to identify the source of the funds and maintaining a heightened surveillance on his business activities.

In today's digital era, there are innovations on information and communication technologies that permit an easier and

²⁵Regulation N°01/CEMAC/UMAC/CM Article 15

²⁶Ibid Article 16

appropriate tracking and monitor of movement of funds. It becomes necessary for each business entity to train its personnel in soft-wares that can track such illicit or suspected activities.

Article 26 of the Regulation requires all financial institutions to regularly train its personnel in a bid to familiarize them with the different systems so as to be able to detect acts which breach the regulation. In addition to this, they must also draw up an internal risk management for their institutions clarifying the risks in relation to activities that produce it. Clients that present high risks of transfer of funds for terrorist activities are "occasional clients". These are clients who do not regularly do business with the organization so as to be subject to identification obligations for regular customers. These are "once in a while client". Where these classes of customers are the subject of a business transaction in which the amount linked to the transaction is more than 10 million Francs CFA, and the client is not a currency exchanger or representative of a gaming resort, or the transaction amount exceeds 5 million Francs CFA and the legal source of the funds is not certain, the authorities of the business institution with which the client is acting must submit the client to the normal requirements on identification of customers and clients.²⁷ Where the amount is above 10 million Francs CFA and 50 million Francs CFA and the transaction is carried out in an unusual complex or unjustified manner, there must be a particular surveillance of the operations requesting from the client or by any other means possible, the origin and destination of the funds. Special attention is given to electronic payments here. Where the institution effects electronic transfers, they must obtain the complete name, account number and address failing this, the national identification number, place and date of birth of the person who orders the transfer as well as the beneficiary of the payment. All of the above information must appear on the pay coupon used for the transaction. Exempted from the above requirement are credit cards or debit cards where their unique numbers accompany the transaction.²⁸ Since development along the lines of new ICT are almost a daily if not hourly affair, Article 40 of the present regulation requires all financial institutions to evaluate and identify the risks of terrorism finance and thus develop new products and commercial practices and use them alongside older ones in a bid to curb the risks. Special attention paid to cross border transactions which call for heightened surveillance and strict identification of clients especially with other financial institutions with which the client deals with.

Insurance companies are not exempted in the strive to check payments that they make out to clients. One thing which a terrorist probably is made to expect is death in the course of his activities. It may not therefore be uncommon to find them making use of insurance products to raise money and to transfer it to others within the circles. This may occur for example in taking up life insurance policies where upon their death, the product amount is paid to a beneficiary of their choice. In a bid to truncate this move if not to identify such instances exploited or that could be exploited by terrorist to raise and transfer money, Insurance companies that offer life insurance products to its customers must identify their

customers making sure that their identification conforms with the provisions of Article 31 of the regulation discussed above. Where the payments are equal to 5 million Francs CFA annually or more than 10 million Francs CFA payable at once resulting from an insurance contract in the case of employment or any professional activity of the insured, and or where such contracts can be used as guarantee for a loan, proper identification must be conducted by the insurance company.²⁹

It is an open secret when dealing with terrorism that raising and transfer of funds too has most often been carried out through the use of non-profit making organisations. Charitable organisations have been known to play a vital role in raising and transfer of funds.³⁰ These organisations are attractive for these activities in that they enjoy fewer restrictions with respect to their financial transactions and to their operations generally. This results in less attention given to them by control and surveillance authorities making them a fertile ground for terrorists to raise and transfer funds for their maintenance and operations across the globe. For this reason, Article 44 of the Regulation³¹ provides that all "non-lucrative" (charitable) organisations that receive, give or transfer funds in compliance with its philanthropic activities must present all such transactions with respect to its financial activities to the competent authorities for control. The supervisory authority must make rules geared towards assuring that the funds of these non-profit organisations are not used to finance terrorism.

These non-profit making organisations must at all times provide information as to the object and use of their activities, the identity of people who own and control the organisation, provide to authorities their financial statements as to the source and use of their funds. They should also see to it that there is an internal control mechanism to prevent financing of terrorism and should keep their records of activity for a period of 10 (ten) years and make them available to authorities as at when due.³² All non-profit organisations that wish to collect, receive or transfer funds must register themselves in a registry of the competent authority. The information to supply to the registry comprises of names, addresses, telephone numbers of all persons in charge of managing the organisation especially the President, Vice President, Secretary General and members of the administrative council. All contributions to the non-profit organisations of equal to or more than 500 000 Francs CFA must be noted in the register and where it is equal to or more than 1 million Francs CFA, then a declaration must be made to ANIF. However, where there is suspicion that the funds may end up with a terrorist organization, all related amounts become subject of a declaration by competent authority.

One other sector that is susceptible to use by terrorists for the transfer of funds is in certain business enterprises and non-financial professions that involve handling and

²⁷Ibid see Articles 31, 32, 33

²⁸Ibid Articles 36, 37

²⁹Ibid see Article 42

³⁰ See Jean-Charles Brisard, Terrorism Financing – Roots and Trends of Saudi Terrorism Financing, Report Prepared for the President of the Security Council, United Nations, Dec. 2002, New York, USA.

³¹Regulation N°01/CEMAC/UMAC/CM. opacity

³²Ibid see Articles 45 and 46

exchange of funds. An example here is casinos and gaming centres. These include those in which the state has shares and privately owned ones. They are expected to keep regular accounting records of their activities. They should also ensure the identity of their players by requesting for production of original copies of their identification of which they must keep photocopies of such currently valid identification papers³³ of players who charge coins up to or more than 1 million Francs CFA and must conserve these records for at least 10 years even after the cessation of business.

The last group of people here are persons who deal with immovable material, lawyers, notaries and other independent legal professions. Dealers in immovable property must identify and preserve documents of their clients in conformity with the provisions of Articles 30 and 31 of the regulation when they sale or buy property, while lawyers, notaries and other independent legal professionals must keep watch on their clients while preparing documents for purchase or sale of immovable material, shares, operation of bank accounts and the management of organisations. This holds same when the subject of the transactions is precious or metal stones. Terrorists have been known to transfer funds in the form of gold and precious stones. All documents relating to such transactions must be preserved. Where the actions of the legal persons are for trusts or drawing up corporate documents for clients, they must ensure that proper identification is done stating an administrative or postal address of a company and in the case of trust, make sure that someone must act as an identifiable trustee.

Finally, certain operations are exempted from scrutiny in situations where for example they involve payment online. Article 54 provides that where the payment emanates and ends in the name of the emitter of the funds himself, be it in the same state or other through a regularly established financial institution in another state, or where the amount transferred is not more than 150 000 Francs CFA and where the total of annual transactions for the customer does not exceed 1.5 million Francs CFA, the institutions may step down identification strictness. Furthermore, it is forbidden for any financial institution to deal with any other corresponding bank institution in another country which has no physical presence in the said state or not related to a regularly operating institution in that other country.

DETECTION OF FINANCING TERRORISM

Actions aimed at curbing money transfer for the purpose of funding terrorism are presented as a fight for all concerned in the finance sector; starting from individual business institutions to established national and regional even international institutions that have an interest in stopping terrorism and its related activities. In Cameroon, despite the cluster of these institutions, the responsibility of detecting financing of terrorism has been placed on the National Agency for the Investigation of Financial Crimes, better known by its French acronym ANIF.³⁴ANIF's existence was ordered by the CEMAC Regulation N°01/CEMAC/UMAC/CM which we have been discussing above. In its Article 65, the National Agency for the Investigation of Financial Crimes

(herein after referred to as ANIF – its French acronym) was created in each member state and placed under the charge of the Ministry in charge of Finance of each state. To give effect to this Community regulation, the State of Cameroon in its Decree N°2005/187 of 31 May 2005 made operational this institution.³⁵ANIF is assigned the duty to receive, process and if need be forward to the competent judicial authorities all information likely to help establish amongst others the origin of funds, the nature of the transactions mentioned in suspicious report relating to the anti-money laundering and counter terrorism financing drive. It also shall constitute a data bank containing all useful information concerning the suspicion report provided for by the regulations, transactions carried out as well as the persons who carried them out directly or through third parties. ANIF also, where necessary at national or international levels, coordinate investigations placed under the Ministries of Finance and Justice in order to establish offences subject of declarations.³⁶ANIF enjoys a financial autonomy even though it is placed under a ministerial department. Financial resources of ANIF come from allocations entered in the state budget, contributions from CEMAC institutions and contributions from development partners.³⁷The Agency comprises 4 members including a Director and 3 research officers. The research officers comprise a civil servant from the ministry in charge of finance who is an expert in custom's issues or banking, a judicial Police officer specialised in financial crimes and a legal or judicial officer with experience in financial matters from the ministry in charge of justice.³⁸All state officials appointed to ANIF must cease working for their administrations of origin. This is in a bid to grant them some level of neutrality. In section 13 of the Decree, persons who shall make reports to ANIF comprise of individual or corporate body, who within the context of his occupation, realises, monitors or advices on transactions involving deposits, exchange, investment, conversion or other capital flow. To this effect, this includes those serving in the treasury, the bank off Central African States, manual money changers, managers, directors and owners of casinos and game halls etc.³⁹this group extends to real estate agents even transport transfer companies and travel agencies.

Suspicious reports made to ANIF shall include among others transactions in which there is good reason or suspicion that the aim of the transfer is for terrorism or related activities. Also all transactions in which it is clearly difficult to identify parties to the transaction must be reported to ANIF.⁴⁰ The report may concern transactions already carried out where it was impossible to stay their execution or where it was discovered after the execution of the transaction that the amounts may be used for terrorist activity. Reports so made may be verbal or written. Reports made over telephone may be confirmed by any other written means. Acknowledgement of report must be made and upon reception, ANIF must issue

³⁵Decree N°2005/187 relating to the Organisation and Functioning of the National Agency for Financial Investigation of 31/05/2005.

³⁶See Reg. N°1/CEMAC/UMAC/CM, 2016 Article 66 and Decree N°2005/187 of May 31st 2005, Section B

³⁷See Section 22 of the Decree N°2005/187 of 31st May 2005.

³⁸Ibid Section 5

³⁹Ibid see Section 13.

⁴⁰Ibid Sections 14 & 15

³³Ibid see Article 47

³⁴See footnote 24 above

a receipt thereof. ANIF may consequent to such a report ceases the State Counsel of the report. In the exercise of their functions, ANIF staff may only be held liable for "dolt" or gross fault in the exercise of their duties. ANIF may also seek cooperation with other similar agencies or authorities nationally or internationally.⁴¹ ANIF makes trimester or annual reports to GABAC and to all national ANIFs with respect to investigations ongoing or concluded in relation to suspicious declarations.

Upon notification by ANIF, the competent judicial authorities may authorize for investigative purposes any of the following measures in relation to the transaction and the person who is subject of the report:⁴²

1. Surveillance of bank accounts associated with a bank account if there are reasons to suspect they are susceptible to or being used in operations to inter alia fund terrorist activities or acts.
2. Order access to servers, network or systems used or susceptible of use by persons when there is sufficient indication of their participation in the commission of the offences.
3. Communication or seizure of authentic even of private bank, financial or commercial documents.
4. Put on surveillance or intercept communications.
5. Video or audio recording or photographing of conversations.
6. Seizure or interception of mails.

Also in some cases, the judicial authorities may authorise infiltration or supervised deliveries. In this situation, the officers or persons who play the distinct roles here will not be charged with committing any offence in as much as their role was to help procure as source for information and evidence. In situations where evidence has to be given, it can be done anonymously where there is good reason to believe that the witness will be in danger as a result of testifying. In this light, all dispositions must be taken to protect the witness as provided for in Article 100 of the Regulation. The witnesses' identity must remain secret if the competent authority is of the conclusion that the witness or any member of his family will be exposed to danger as a result of his/her evidence. Worthy of note is the fact that no one can plead against restrictions provided by legislation or other regulation.

The competent judicial authority may in accordance with national law order a seizure of funds or goods subject of the offence that has been committed, as a temporary measure to help in investigations.⁴³

Part V of the Regulation makes prescriptions on penalties for persons be them individual or corporate who violate the regulations dealing with financing terrorism. With respect to people, Article 121 provides for imprisonment of 10 (ten) to 20 (twenty) years and a fine equal to at least 5 times the

⁴¹See Reg. N°1/CEMAC/UMAC/CM 2016 Articles 77, 78, 79 and 80 and Article 82 for International Cooperation with International Finance Investigation Agencies.

⁴²Ibid Article 98.

⁴³Ibid Article 104. Also note that the competent judicial authority may order suspension of payment under a transaction, authorise payment or restriction of funds under Articles 108, 109 and 110 of the Regulation.

amount in cash or goods which were used to finance terrorism operations. In applying these sentences, it is not necessary that the funds must have been used to perpetuate the offence as expected by the sender or even the receiver. In this light the attempt and being an accomplice to financing terrorism are punishable as the offence itself. Article 122 goes forward to cite aggravating circumstances to be considered when punishing:

1. Where the offence of financing terrorism has been done in a habitual manner or in using facilities that are employed by or in any professional activity.
2. Where the accused is a recidivist in which case any foreign convictions are taken into account to increase the punishment.
3. Where the offence of financing terrorism is carried out in an organised group.

Also, anyone who destroys documents relating to the commission of the offence, falsifies documents, informs any suspect of on-going investigations or makes false declarations to investigators or delivers any information or documents to persons other than judicial officers or omits to make declarations will be punished with imprisonment of up to 1 year and or a fine of from 200 000 Francs CFA to 3 000 000 Franc CFA. Other minor penalties may be incurred under Article 124 relating to restrictions from various business activities to even driving of cars and other land vehicles powered by engines.⁴⁴

Pursuant to the Regulation 01/03/CEMAC/UMAC/CM, COBAC issued its own regulation to all banks and other micro finance institutions in Regulation COBAC R-2005/01 of 2005⁴⁵ requesting all financial institutions to carry out effective identification of clients and surveillance over all accounts and transactions that could violate the regulation on financing of terrorism. Again in furtherance of its actions, COBAC issued instruction COBAC 1-2006/01 of October 2006⁴⁶ to all financial institutions to adhere to the formats in the annex to that instruction specifically Forms F1621, F1622, F1623 and F1625 with regards to information communicated to the Secretary General of COBAC and Forms DEC 1621 and DEC 1625 relating to adherence to regulation by their various institutions. This was to comply also with the CERBER reporting system which helps to judge whether the institutions are observing all regulatory procedures and requirements in carrying out their activities. All of these regulations are geared at helping COBAC in their control of regularity of finance institutions vis a vis their operations and in the fight against terrorism.

⁴⁴See Article 126 for penalties for violations of the law by corporations; which also range from exclusion from financial markets, confiscation of goods used to commit the offence, a ban of 5 years from participating in professional activities to closure for a period of 5 years of business establishment or outright dissolution of the entity.

⁴⁵See COBAC R-2005/01 Relatif aux Diligences des Etablissements Assujettis en Matière de Lutte Contre le Blanchiment des Capitaux et le Financement du Terrorisme en Afrique Centrale.

⁴⁶See Instruction COBAC I-2006/01 Relatif aux Informations sur les Dispositif de Prévention du Blanchiment des Capitaux et du Financement du Terrorisme, octobre 2006.

CHALLENGES TO THE EFFECTIVE REGULATION OF MONEY TRANSFER FOR FINANCING TERRORISM

From the presentation of regulations on money transfer in a bid to combat financing terrorism, at face value one would imagine that with the substantial ground covered in the regulations, arresting or eradicating the transfer of funds for such purposes has been achieved. This would be a very simplistic assessment or understanding of the situation. This is because, despite the regulations touching every possible angle of probable activity in the transfer of funds, there are a whole lot of challenges to achieve effective implementation of these regulations in a bid to eradicate movement of funds for financing terrorism. These challenges range from weaknesses or difficulties emanating from the regulations themselves to other social issues that impede the effective regulation and implementation of the related regulations. The first major challenge resulting from regulations is to ascertain intention.

ASCERTAINING INTENTION

As we saw at the beginning of this paper, terrorism and its other related offences are defined with a lot of emphasis put on the intention of the perpetrator. The phrases "... anyone knowingly...", "... with knowledge...", "... who knows..." that funds will be used to commit an act of terror or will be used to in anyway be used to aid or to support terrorist activities and he or she "deliberately" transmits or facilitates the transfer of such funds violates the laws and other regulations on terrorism. This raises the issue of ascertaining the intention of the concerned person or suspect in the actions cited above. The typical question becomes, did he know that the funds subject of the transfer was to be used for terrorist activity and with that knowledge, did he deliberately effect the transfer or transaction? One thing that is very clear with terrorists is that, they do not hide their funds but rather the intention for which the funds are to serve. So in order for culpability to be sustained, this intention must be established. Do we therefore imagine a suspect willingly coming out to state that his intention is to transfer the funds so they could be used to commit terrorist activities? Far from that. The delicate issue here is therefore to establish the prerequisite intention for the purposes of the offence. Intention is one difficult aspect to prove in criminal matters to sustain a conviction. This difficulty is made even harder by the fact that one's intention if not expressly stated becomes a matter of conjecture or one derived from surrounding circumstances. When this is the case, shall the law therefore subject one's intentions or thought to trial? Lord Atkin had stated in his famous dictum that "the thoughts of man are not triable for even the devil himself knoweth not the thoughts of man." So, undeclared intentions will obviously amount to nothing but man's thoughts.

The law will only attempt to establish a suspect's intention by relying on indicators in various circumstances that may point to intention for example, having knowledge that the beneficiary of a transfer is a terrorist, that the beneficiary has exhibited signs of radicalism or fundamentalism, that he is associated to known terrorists or terrorist organisations etc. even in these circumstances, all it takes is for the suspect to deny any such knowledge.

The difficulty in defining the offence void of the phrases mentioned above is acknowledged here, for doing it otherwise would not only stifle life but also will undercut a

fundamental element in criminal trial 'mens rea' that could result in massive injustice or inculcation of innocent persons who engage in the transfer of funds either to persons or organisations that hide behind accepted practices but with malicious motives that are known only to them. This explains why authorities engaged in the fight against terrorism require more than normal skills and knowledge to be able to investigate and track down the suspects. At times, the frustration of not being able to establish intention easily has resulted to torture of suspects at times even killings in a bid to find out the intentions of the suspects; what he or she knows or who he or she is. The difficulty of ascertaining the intentions makes it difficult to track both funds and suspects in real time. The reason for the most often heard statement that "they (terrorists) are always a step ahead of authorities."

THE EVER CHANGING NATURE OF TERRORISM

Attempts at having a universally accepted definition of terrorism has proved abortive. This, as stated earlier above is because there is no generally accepted definition of who a terrorist is. One man's terrorist is another one's freedom fighter or another person's liberator and even another person's messiah. The difficulty of the definition of a terrorist has led to attempts at agreeing on what terrorism acts are. The tendency has been that most people turn to agree on the fact that terrorism involves violent actions carried against a people, a state with the intention of letting the perpetrators opinion, ideology or believe to prevail. This is well established in the various laws and conventions or community regulations that address terrorism. Are we therefore to take it that an act will only amount to terrorism if it is violent in nature? Since the 9/11 terrorist actions in the USA and the subsequent pursuit of terrorists and world-wide criminalisation of terror, the world has witnessed a gradual change of tactics by the terrorists; moving away from what we can call "hard core terrorism" to "softer terrorism". That is movement away from violent actions to safer non-violent actions. Massive invasions of the internet which has become formidable tool in terrorist activism, invasion of regulated markets and at its complex level, psychological terrorism where there is a slow and progressive use of either religion or ideology to "reformat" the psychology of an individual. The truth is, when these actions are carried out massively, they amount to terrorism on those targeted. This aspect of soft terrorism is not addressed in terrorism laws.⁴⁷ With an increase in cyber-attacks around the world, cyber warfare is becoming eminent and so why not consider it as terrorism and amend relevant legislation to reflect it.

The changing nature of terrorism even where it is violent in character is still a problem. The styles adopted to foment terror changes almost every time. From use of guns, bombs, aircraft, chemical weapons, biological produce to kidnappings, rape, racial cleansing etc. makes it extremely difficult for adequate definition of the offence of terrorism and financing of terrorism to suit the ever changing nature of terror. The conclusion one draws from this is that, again the

⁴⁷Recent cyber attacks around the world have heightened awareness of this terror. The US and Russia, China and North Korea are logged in serious allegations and counter allegations on cyber actions that certain US and Western governments are now accepting the notion of cyber warfare.

terrorists are a step ahead of authorities and it remains an issue of a cat and mouse race.

REACTIVE LEGISLATION

Consequent to the ever changing nature of terrorism, legislation becomes reactive in nature. This is evident where massive legislation has come up in countries around the world after 9/11 attacks. Cameroon had to experience violent Boko Haram attacks in the north of the country in 2014 to legislate on terrorism despite the fact that there had been earlier CEMAC regulations for each member state to legislate on terrorism and its related offences,⁴⁸ that is more than a decade after the CEMAC/UMAC Regulation.

In a bid to cover relevant acts of terrorism in the legislation, the law has only limited its self to the regulation violent acts most of which are perpetrated with the use of war weapons. The law has even failed here to look on rape, a well-known and established weapon seldom used by terrorists in legislating as a violent act against the victims. With the soft terrorism acts, the law is completely silent on it. Cyber terrorism is taking centre stage now in national and international spheres. The earlier acts of soft terrorism are provided for in our terrorism law, the better, if not, there will still continue to be neglect of these aspects of terror and terrorists will as usual take advantage of it to perfect their tactics and actions. In an effort to catch up with terrorist action and thinking, legislation and terrorism should strive to be proactive. For this to be effective, a unique institution can be put in place to work with the authorities in charge of terrorism activities with man power having a potential to think "terrorist like" and prefer legislation pre-empting styles and modes of terrorism not just a counter terrorism force to neutralise or extinguish terror when it occurs.

CHANGING NATURE OF TRANSFER OF FUNDS

One genius of terrorists is their ability to move funds from one location to another, most at times where terrorist acts are committed far away from where the sponsors of such acts are located. Terrorists need money for various reasons; from daily up keep to financing of operations. Where they cannot raise money locally, they rely on the help or sponsorship coming either from other locations nationally or international. In both cases, the funds will have to move either exchanging hands or through regular movements in the financial system. With recent stringent measures on identification of source and use of funds transferred through regular financial systems, terrorists derive new methods or abuse other non-conventional but acceptable means of transfers to move funds around. However, note should be taken that at times terrorists use regular financial services to transfer funds especially where heavy amounts are involved. Their pattern has been to use charitable organisations or even float certain companies or associate with friendly business institutions that can move funds around easily on account of their business activity, funds that end up in terrorists hands.⁴⁹ However in this area of transfers,

stringent regulations requiring documentation has scared them off for fear of identification. This has led to the use of alternative less documentation means of transfers most often involving smaller amounts of funds. The Hawala system of transfer popular in South East Asia has been used. This practice is fairly recent in Cameroon and even though not known to many, is however being used to transfer funds for licit purposes. In this system, there is no actual physical movement of cash across international borders but one person in another country deposits cash in one Hawalanda agent and this agent who deals with another Hawalanda in the country of destination of funds simply effects payment to the beneficiary upon production of a password which at times may be nothing but a handshake. The Hawalands then settle their accounts later in similar versa transactions. It is a system that works on trust.⁵⁰

Another means of transporting funds is by the use of couriers. In this case, physical cash is moved from one place to another hidden in either goods or cars. These may be a single courier just as there may be many of them. Again this method is built on trust and couriers where they are many recognise each other based on previous instructions and codes or passwords to hand funds from courier to another. Funds transferred in this way run a very high risk of theft; so only well trusted couriers are employed.

With modern means of communication technology so present in the society today, so also has it facilitated means of transfer and carriage of funds. Electronic banking is in vogue and now clients no longer need to go to counters in the banks to withdraw money. There can be inter client transfer of money from one account to another without any physical presence in the bank. This is further facilitated with the use of ATM cards where money could be withdrawn from accounts at ease at various designated locations with only the use of the ATM card. Telephone companies have even made transfer of cash way to simple and easy without any checks. There has been a dramatic use of "mobile money" transactions in Cameroon within the last five years. Very easy client to client transfer with just the provision of a code is possible. These are very vulnerable transactions that could be exploited by terrorists to move funds from one location to another.

Transfer for a commission is also another practice on going. Here, money is transferred to a beneficiary through another person with proper documentation who clears the amount in payment of a commission. This is also a highly rated likely means of abuse for transfer of funds for financing terrorism. Here, funds can be conveniently transferred to terrorists without least detection. Another means of transfer though not prominent or very likely in Cameroon is funds converted to goods for example purchase of precious stones, gold or artefacts. In these instances, instead of physical cash, the funds are converted by purchase of the above items which are resold at their destination to redeem the cash needed.

⁴⁸See the relevant CEMAC/UMAC regulations discussed in this paper.

⁴⁹See Nick Ridley, *Organized Crime, Money Laundering and Terrorism* at <https://doi.org/10.1093/police/pan006> - 01 March 2008.

See also Eben Kaplan: *Tracking Down Terrorist Financing*, April 2006.

Michael Freeman, Moyara Ruehsen: *Perspectives on Terrorism, Financing Methods: An Overview*, Vol. 7, N° 4, 2013.

Jeremy M. Simon: *The Credit Card Terrorism Connection, How Terrorists use Cards for Everyday Needs and to Fund Operations*.

⁵⁰See Michael Freeman, Moyara Ruehsen, *Opicit*.

These items are easily hidden and some can even pass by illicitly before authorities, that is, where they are not contraband according to the state legislation.

Inter urban travel agencies in Cameroon are also actors in the money transfer landscape in Cameroon. Here entirely no documentation is needed. Money is deposited in one branch of a travel agency and receipt is given attesting only to the amount deposited and the names, the branch of the beneficiary and agency respectively where the money will be collected. With this rampant proliferation of means of transfer of funds, it is very difficult to keep money out of the hands of terrorists if it were to be done by stifling movement of funds from one place to another. Again, legislation seems to be lagging behind in addressing these alternative means of transfer of funds.

CORUPTION AND POVERTY – ENDEMIC PROBLEMS

“In my point of view, terrorism is not a problem. It is a by-product of other problems. If we solve the real problem, terrorism disappears automatically.” This statement is so true in the case of Cameroon like in other parts of the world. If there is a problem that has almost destroyed and eaten deep into the core fabric of national life be it public or private, its corruption. It is almost generally accepted as institutionalised in the country. On many occasions, Cameroon has been labelled as most corrupt nation by Transparency International. At first it was a case of denial, proof, then acceptance by state officials. The level of corruption has eaten so deep into the Cameroonian society that there is no aspect of national life that is not touched by it; from justice, maintenance of law and order, education, governance, private transactions, health and you can name them. It is almost institutionalised that for every service rendered, there must be a kick back for it either in kind or in cash. Many have blamed this state of affairs on the series of economic crisis that have hit the nation since the 1980s,

resulting in decreased living standards and endemic poverty with the gross majority of citizens living below poverty level. Low salaries and income for workers, unemployment and a fragile economy has plunged the citizens into untold hardship. As one would expect, this has compromised both moral and civic values of the citizens in their strive to survive the hardship. Most people would do anything to put food on their tables that is even if it means taking or giving bribes. This has eaten so deep into people’s morals to the extent that they see it as part of the deal or means in whatever they do.

One would therefore begin to imagine the reasons for the frequent disregard for legality and breach of rules when a hungry and desperate worker with nothing to call a home is in front of a situation where he has to uphold the law or respect regulations and go hungry or breach them and have food and shelter. The obvious option is the one most Cameroonians take today; breach the law. And if the subject of breach has to do with terrorism will it make any difference? Most often, it will even be more tempting when it offers high value to breach the rules. Corruption and poverty are vices that need to be eradicated from the society if one would count on honourable citizens to apply or uphold the law. As far as they persist, the fight against terrorism and financing terrorism especially still has a long way to go. The state though haven taken some steps to reduce these vices must be seen to act not only by words and speeches.

In conclusion, valuable strives have been made towards combatting financing terrorism as far as regulations are concerned. Despite this, more still has to be done if its eradication is the objective by not only focusing on legislation and rules, but also uplifting the standards of technology and lives of citizens. This is the only true path to success.