

THE ROLE OF LEGAL EDUCATION IN RAISING AWARENESS OF FINANCIAL INSTITUTIONS ON THE PREVENTION OF MONEY LAUNDERING CRIME IN PROPERTY TRANSACTIONS

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Abstract. Money laundering is an illegal activity that has a serious impact on the global economy. It involves the process of concealing or covering up traces of the origins of illegal funds by channelling them through legitimate financial transactions. One sector that is vulnerable to money laundering is property transactions, where criminals often use investments in property to launder their dirty money. This research will explain the role of legal education in raising awareness of financial institutions on the prevention of money laundering in property transactions. This research is a literature review that uses a qualitative approach, which implies that data will be analysed and interpreted using information and text obtained from various sources. The results of the study show that legal education plays a crucial role in raising the awareness of financial institutions on the prevention of money laundering in property transactions. This awareness is needed especially in property transactions that have a high risk of abuse and money laundering, given that they involve large sums of money and high asset values. The importance of legal education is seen through several key aspects, including understanding of the law, risk identification, legal compliance, business ethics, employee training, co-operation with authorities, and internal policy development.

Keywords: Legal Education, Money Laundering, Property Transactions

Abstrak Pencucian uang adalah kegiatan ilegal yang memiliki dampak serius pada perekonomian global. Tindakan ini melibatkan proses menyembunyikan atau penutupan jejak asal-usul dana ilegal dengan mengalirkannya melalui transaksi finansial yang sah. Salah satu sektor yang rentan terhadap pencucian uang adalah transaksi properti, dimana penjahat sering kali menggunakan investasi dalam properti untuk mencuci uang kotor mereka. Penelitian ini akan menjelaskan peran pendidikan hukum dalam meningkatkan kesadaran lembaga keuangan terhadap pencegahan tindak pidana pencucian uang dalam transaksi properti. Penelitian ini merupakan sebuah literatur review yang menggunakan pendekatan kualitatif, yang mengimplikasikan bahwa data akan dianalisis dan diinterpretasikan dengan menggunakan informasi dan teks yang diperoleh dari berbagai sumber. Hasil studi menunjukkan bahwa pendidikan hukum memiliki peran krusial dalam meningkatkan kesadaran lembaga keuangan terhadap pencegahan tindak pidana pencucian uang dalam transaksi properti. Kesadaran ini diperlukan terutama dalam transaksi properti yang memiliki risiko tinggi terkait penyalahgunaan dan pencucian uang, mengingat melibatkan jumlah uang besar dan nilai aset yang tinggi. Pentingnya pendidikan hukum terlihat melalui beberapa aspek kunci, termasuk pemahaman undang-undang, identifikasi risiko, kepatuhan hukum, etika bisnis, pelatihan pegawai, kerjasama dengan otoritas, dan pengembangan kebijakan internal.

Kata Kunci: Pendidikan Hukum, Pencucian Uang, Transaksi Properti

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INTRODUCTION

Money laundering, as a pervasive illegal activity, has a serious and pervasive impact on the wider global economy (Isolauri & Ameer, 2023). It involves a series of practices designed to conceal or eliminate traces of the origins of illicit funds by channelling them through a network of legitimate and documented financial transactions. Property transactions, for all their complexity, have proven to be one sector that is particularly vulnerable to these devious money laundering practices. Criminals often misuse investments in property as a primary vehicle to diversify and launder illicitly obtained funds, making the prevention of money laundering in the context of property transactions particularly urgent and significant for the integrity of the global economy and national financial stability (Europol, 2023). In this framework, preventive measures, stricter supervision, and cross-border cooperation in preventing and addressing money laundering in property transactions are urgent and crucial to more effectively halt the spread of its negative impacts.

Financial institutions, such as banks and other financial intermediaries, play a centrally important role in preventing money laundering, monitoring global finance, and ensuring the integrity of the financial system (Utkina et al., 2023). Their primary responsibility is to identify suspicious transactions and report them to the competent financial supervisory authorities, so that preventive and enforcement actions can be taken effectively. However, in reality, financial institutions often do not fully understand the crucial role they play in combating money laundering, especially when dealing with complex and varied transactions. It is important to understand that preventing money laundering in the context of property transactions is a very significant matter in maintaining the integrity of the property and financial sector as a whole. Financial institutions need to be more in-depth in reviewing and identifying suspicious property transactions, and more proactive in reporting their findings to the competent authorities (Mardiansyah, 2021). Better awareness and understanding of money laundering risks in property transactions will help financial institutions fulfil their responsibilities more effectively and ultimately contribute to the further prevention of money laundering practices that undermine the integrity of the global financial system.

Legal education plays a critical role in developing a deeper understanding among financial institutions of the offence of money laundering and effective strategies to combat this practice (Shehu, 2012). While the importance of legal education in this context is well recognised, there is still a lack of a comprehensive understanding of how legal education actually plays a role in raising awareness among financial institutions. Therefore, the purpose of this research is to delve deeper into the role that legal education plays in raising the awareness of financial

institutions regarding the prevention of money laundering offences, particularly in the context of property transactions which require a more complex and focused understanding. It is important to emphasise that this research not only aims to identify the role of legal education in raising awareness of financial institutions, but also to formulate concrete recommendations that can be practically applied in the context of education and training. By understanding the deeper role of legal education in countering money laundering in property transactions, we can strengthen our collective efforts to maintain the integrity of the property sector and the financial system at large, and ensure that financial institutions can more effectively identify and report suspicious property transactions to the authorities.

This research is important because money laundering is not only a legal issue, but also has far-reaching impacts on economic stability and national security. Improving financial institutions' understanding of money laundering offences can help prevent them more effectively, reduce the risk of financial loss, and strengthen the financial system as a whole. Moreover, a better understanding of the role of legal education in this context can make a valuable contribution to the fight against money laundering and enhance collaboration between financial institutions and legal education institutions. As a result, this research will provide better guidance and recommendations for improving legal education related to money laundering prevention and increasing financial institutions' awareness of their role in this endeavour.

METHOD

This study represents an extensive qualitative literature review with the purpose of systematically consolidating, evaluating, and summarizing the existing knowledge related to how legal education contributes to enhancing the awareness of financial institutions regarding the prevention of money laundering in property transactions. The process of gathering data encompasses a wide range of sources, including academic journals, books, official documents, and articles, spanning from 1997 to 2023. There are several compelling reasons to answer that statement. Firstly, the process of collecting data from various sources, such as academic journals, books, official documents and articles over a broad period (1997-2023), has important value in producing comprehensive and relevant information. Secondly, involving diverse types of data sources helps to increase the reliability and validity of the research results and reduce bias. Third, data from a broad period provides a richer context, enabling an understanding of long-term trends and changes in the research topic. Fourth, the use of multiple data sources supports stronger generalisations, reflects multiple viewpoints, and supports comprehensive

research. Fifth, including data from multiple sources and over a long period of time enables replication of research and builds credibility. Sixth, it helps capture changes and innovations over time. Finally, avoiding single time bias by covering a wide time span reduces the risk of bias in the research. In this way, expanding the scope of data sources and time spans is a wise move in research.

By employing a qualitative research methodology, we aim to clarify complex topics, consider diverse viewpoints, and identify recurring themes in the literature. This qualitative approach employed in this investigation allows us to delve deeply into the subject matter, facilitating a nuanced understanding of the multifaceted aspects of the impact of digital transformation on businesses and their competitive advantage. Additionally, this approach enables us to critically evaluate the credibility and reliability of the various sources of information under examination. It is essential to acknowledge that, like all research endeavors, this study has its inherent limitations, which we duly recognize and address within our analysis. Ultimately, the overarching goal of this research is to provide a comprehensive and holistic review of the literature concerning the role of legal education in enhancing the awareness of financial institutions regarding the prevention of money laundering in property transactions. Furthermore, we strive to offer valuable insights and recommendations that can inform and guide future research endeavors in this dynamic and evolving field of study.

RESULTS

Legal education has an undeniably central role in deepening financial institutions' understanding of money laundering prevention strategies, particularly in the context of property transactions which are notoriously high-risk areas for abuse and money laundering (Borlini, 2008). Property transactions, which often involve large sums of money and high-value assets, require a particularly deep level of understanding of the legal regulatory framework governing money laundering. This includes an understanding of the tactics and techniques used by money launderers to conceal the origins of illicit funds, as well as concrete measures that can be taken to stop or reduce the risk of this practice.

In this context, legal education will not only equip financial institutions with theoretical understanding, but will also facilitate practical understanding of money laundering in property transactions (Hanafi, 2013). More than just understanding, legal education will also enable financial institutions to identify suspicious signs of money laundering, so that they can take appropriate action and report such findings to the competent authorities (Report, 2010). This is a very important step to stop the circulation of illicit funds in the property sector and, in turn,

maintain the integrity of the financial system as a whole. In addition, legal education will also help financial institutions develop an effective and sustainable framework for the prevention of money laundering offences, incorporating elements of understanding, reporting and effective preventive measures (Carrington & Shams, 2003).

It is important to remember that the role of legal education in raising awareness of financial institutions is not limited to individual efforts, but also contributes to broader efforts to maintain national security and economic stability. When financial institutions are able to play a more active role in identifying and preventing money laundering in property transactions, they indirectly participate in the protection against illegal activities that might undermine aspects of national security (Ginting & Talbot, 2023). In this context, legal education emerges as an important tool that supports financial institutions in effectively fulfilling their responsibilities and contributing to the concerted effort to create a safer and more stable economic environment.

DISCUSSION

The importance of legal education in the context of preventing money laundering in property transactions is clear and multidimensional. Firstly, legal education provides an in-depth knowledge base of the laws and regulations applicable to property transactions and effective measures to prevent money laundering (Lisanawati, 2023). Financial institutions involved in property transactions need to have a solid understanding of the applicable laws and regulations to ensure compliance with the relevant provisions, avoid the risk of violating the law, and protect the integrity of their operations (Suri & Hadad, 2014). With a deeper understanding of these legal frameworks, financial institutions will be able to minimise legal uncertainties, manage risks associated with money laundering, and ensure that the property transactions they facilitate are compliant with applicable legal provisions. In addition to providing a legal foundation, legal education also equips financial institutions with the ability to proactively identify and address signs of money laundering. This involves an in-depth understanding of the tactics and strategies used by criminals to launder the proceeds of crime, so that financial institutions can recognise suspicious transactions. Furthermore, legal education enables financial institutions to develop effective internal procedures for reporting suspicious transactions to the competent authorities (Sylph, 2004). As such, they can play an active role in preventing the circulation of illicit funds in the property sector and contribute to maintaining the stability of the financial system and overall national security. This holistic approach explains the importance of legal education in equipping financial institutions with the

necessary knowledge and skills to meet the challenges of money laundering in property transactions with greater confidence and effectiveness.

In addition, through legal education, financial institutions can deepen their understanding of how to identify and manage risks related to money laundering in the context of property transactions. In this process, they gain in-depth knowledge of the various suspicious signs that may arise, such as customers with unclear backgrounds or transactions of disproportionate value. With the ability to recognise and assess these suspicious situations, financial institutions can take appropriate precautions, including reporting to the competent authorities, so that they can take appropriate enforcement measures to stop the misuse of illicit funds (OECD, 2001). More than just theoretical understanding, legal education provides practical tools that enable financial institutions to effectively identify and address money laundering offences in property transactions, allowing them to play a more active role in keeping the financial system and the nation at large safe. As such, legal education brings much deeper and sustainable benefits in the concerted effort to create an environment free from money laundering and other related criminal offences in the property sector.

Legal compliance is a very fundamental principle and cannot be ignored within the framework of financial institutions' operations (Koh et al., 1997). In an effort to maintain integrity and trust in the financial system, these institutions must comply with various applicable rules and regulations. This includes their obligation to implement a number of necessary money laundering prevention procedures. The customer identification process, as one of the core elements in money laundering prevention practices, must be carefully executed to ensure that the customers involved in transactions are legitimate individuals or entities, as well as to identify potential suspicious signs (Schwarz & Chen, 2021). Furthermore, financial institutions also have a responsibility in reporting any suspicious transactions to the competent authorities, so that further steps can be taken to investigate and address money laundering practices. Meanwhile, customer verification is another important component in ensuring that financial institutions perform their duties in accordance with applicable regulations and maintain compliance with the laws governing these practices (FinCen, 2016). As such, these principles of legal compliance are not just regulatory formalities, but an important foundation in maintaining the integrity and reliability of the financial sector as a whole.

Beyond the legal aspects, legal education carries a deep importance in shaping financial institutions' understanding of the business ethics implications associated with money laundering in the context of property transactions. Beyond understanding the legal framework, it is important for financial institutions to internalise that money laundering carries social and

economic repercussions that are detrimental to society more broadly. As important players in the economy, these institutions must be conscious of their role in maintaining the integrity of their business and the trust that society has placed in them. Legal education enables them to better understand how money laundering can damage the economy and society as a whole, and how important it is to conduct business with high moral and ethical principles (Alldridge, 2008). In the face of the complexity of money laundering issues in property transactions, legal education helps financial institutions to understand that they have a much bigger role to play than simply fulfilling legal obligations (Ogbeide et al., 2023). They need to internalise the importance of acting with high morality and business ethics, so that they not only avoid legal risks, but also contribute to sustainable social and economic development. With an in-depth understanding of the broader implications of business ethics, financial institutions can act as agents of positive change in the fight against money laundering and ensure that their business practices are in line with the objectives of combating such criminal offences.

Legal education is emerging as a very important element in the training process of financial institution employees (Khan et al., 2014). In order to perform their duties with optimal success and compliance with money laundering prevention regulations, employees need to be equipped with a solid understanding of the legal framework governing these practices. This training process is not only limited to the pursuit of legal compliance, but also requires them to have a deeper understanding of the money laundering prevention procedures that must be followed in property transactions. This includes customer identification, in-depth knowledge of suspicious signs, and the ability to recognise situations that need to be reported to the relevant authorities. Legal education therefore helps to ensure that financial institution employees not only understand the regulations, but are also able to effectively implement money laundering prevention practices in their daily work (Mathias, 2023). In addition, legal education gives financial institution employees the opportunity to understand the deeper meaning of their role in maintaining compliance and morality in the business world. They learn how money laundering offences can negatively impact society and the economy as a whole, and how conducting business with high ethics is a fundamental principle. With this understanding, financial institution employees can feel more engaged in money laundering prevention efforts, realising that their duties are more than just routine work, but an integral part of maintaining the integrity of the financial sector and addressing broader challenges in society. Through legal education, financial institution employees are better trained and empowered to fulfil their critical role in maintaining compliance, business morality and integrity in property transactions.

Cooperation with authorised authorities, such as financial supervisory agencies and law enforcement officials, is a very important aspect and should not be overlooked in financial institutions' efforts to meet the challenge of money laundering (Akbar, 2019). In the increasingly complex context of money laundering prevention, these institutions must have a solid understanding of how to coordinate with these various external stakeholders. This includes being able to identify the role of each authority, understanding their powers and limitations, and knowing how to effectively communicate and cooperate in strategising and addressing money laundering cases. Solid co-operation with these authorities is not only a tactical element, but also fundamental in maintaining compliance and protecting the integrity of a financial institution's operations. Moreover, it ensures that money laundering offences are effectively identified and addressed (Fund, 2021). It also demonstrates that financial institutions are operating under the applicable legal and regulatory framework, and that they are an important part of the larger ecosystem to ensure national security and economic stability. Through a deep understanding of the importance of co-operation with the competent authorities, financial institutions can play a more proactive and effective role in the joint effort to prevent money laundering offences in property transactions as well as in maintaining the integrity of the financial system as a whole.

Legal education presents an invaluable opportunity for financial institutions to establish and develop robust internal policies to prevent money laundering. In the ever-changing world of finance, these institutions need to be able to adapt to evolving legal and regulatory changes (Liu, 2021). Through legal education, they can gain an in-depth understanding of the dynamics of new and existing money laundering prevention regulations, and be able to implement necessary changes in their business practices in accordance with the applicable legal framework. In other words, legal education helps ensure that financial institutions stay one step ahead in terms of compliance with these regulations. In addition, legal education also provides opportunities for financial institutions to maintain a high level of compliance through employee training (Mirestean et al., 2021). This includes providing employees with a strong understanding of the importance of money laundering prevention policies, as well as ensuring that the entire team understands and adheres to established internal policies. This helps maintain a high level of consistency and compliance in the day-to-day operations of the financial institution. As such, legal education is not only a theoretical element, but also a practical tool that helps financial institutions solidify their internal policies, ensure consistent regulatory compliance, and maintain the integrity of their operations to prevent money laundering in property transactions.

With a deep understanding of the legal regulations and associated risks, financial institutions play a pivotal role in efforts to prevent money laundering from permeating property transactions. They must have a comprehensive insight into the legal framework governing money laundering, understand the business ethics implications underlying their actions, and be aware of their moral and legal obligations in preventing these harmful practices. Their awareness of their duties and responsibilities in maintaining the integrity of property transactions and ensuring compliance with applicable laws are important milestones in meeting the challenge of money laundering. Legal education becomes a very strong foundation in achieving this goal, by providing a deeper knowledge and understanding of the legal and ethical aspects involving money laundering offences. The investment they make in legal understanding not only protects the property sector, but also reduces the risk of money laundering that could threaten the stability of the financial system as a whole. Not only that, through a deeper understanding of the law, financial institutions are also able to take a more proactive role in maintaining the integrity and morality of their business. They can develop strong internal policies on money laundering prevention, identify suspicious signs, and report their findings to the competent authorities effectively. In addition, they can play a role in promoting the integrity of the property sector by instilling high ethical business values within their organisations. Legal education therefore helps to create an environment where financial institutions not only effectively fulfil their role in preventing money laundering, but also actively support the integrity of the property sector and the financial system more broadly.

CONCLUSION

The role of legal education in raising financial institutions' awareness of the prevention of money laundering in property transactions is a central element in effectively addressing this challenge. The importance of an in-depth understanding of this issue is particularly salient in the context of property transactions which carry a high risk of abuse and money laundering. Property transactions often involve large sums of money and high-value assets, so financial institutions must have a solid understanding of the legal framework governing money laundering offences. This includes a deep understanding of the relevant laws and regulations that must be complied with in order to maintain the integrity of property transactions. In addition to in-depth legal understanding, legal education also provides critical insight into risk identification in the context of money laundering offences. Money launderers often seek to hide traces of their illegality through complex property transactions. With an understanding of the tactics and strategies used by these criminals, financial institutions can become more

discerning in identifying suspicious signs in property transactions, so that they can take appropriate precautions. Legal education also assists financial institutions in understanding the importance of legal compliance, as well as ethical business values in the context of preventing money laundering offences. As such, legal education creates a solid foundation for money laundering prevention efforts in the property industry and maintains compliance with applicable regulations. This includes training employees to better understand the regulations and ensuring that they adhere to the internal policies set by the financial institution to prevent money laundering. Strong co-operation with competent authorities is also a key element in maintaining legal compliance, and legal education equips financial institutions with the necessary understanding of how to coordinate with these external parties to identify and address money laundering offences. Finally, legal education enables financial institutions to develop robust internal policies for the prevention of money laundering offences, ensuring that they are up-to-date with possible changes to laws and regulations, and maintaining compliance with applicable regulations. All of these elements work together to create a safer and more compliant environment for the property industry, and safeguard national integrity and security more broadly.

RECOMMENDATIONS

Financial institutions have an important responsibility in preventing money laundering offences in property transactions, and they can take a series of key steps to achieve this goal. First, a stream of resources should be allocated to improve employee understanding through legal education involving training, seminars and continuing education programmes. This will help employees understand the legal aspects relating to property transactions and money laundering prevention efforts. In addition, it is important for financial institutions to periodically strengthen their internal policies. This includes regular reviews and updates that include aligning their practices with changes in laws and regulations related to money laundering prevention, as well as ensuring that all employees understand and comply with these policies. Awareness of the ethical aspects of business should also be a focus within financial institutions. Employees should understand the social and economic consequences of money laundering offences and be expected to act ethically in the conduct of their business. Closer co-operation with competent authorities, including financial supervisory and law enforcement agencies, is another important step. This involves sharing information on suspicious transactions and co-operating in prevention and enforcement efforts. Finally, financial institutions need to undergo regular monitoring and evaluation to ensure their compliance with

money laundering prevention regulations, as well as identify and address issues that may arise during the property transaction process. With the implementation of these measures, financial institutions will be able to play a more effective role in preventing money laundering in property transactions, maintaining the integrity of the property industry, and ensuring compliance with applicable laws.

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