



Strasbourg, 23 March 2012

**MONEYVAL (2012) 13**

**COMMITTEE OF EXPERTS ON THE EVALUATION  
OF ANTI-MONEY LAUNDERING MEASURES  
AND THE FINANCING OF TERRORISM  
(MONEYVAL)**

**38<sup>th</sup> PLENARY MEETING OF MONEYVAL**

**Strasbourg, 5-9 March 2012**

**MEETING REPORT**

Memorandum  
prepared by the MONEYVAL Secretariat

## **EXECUTIVE SUMMARY**

During the 38<sup>th</sup> plenary meeting, held in Strasbourg from 5-9 March 2012, the MONEYVAL Committee:

- adopted the mutual evaluation report on the 4<sup>th</sup> assessment visit of Malta;
- adopted the mutual evaluation report on the 4<sup>th</sup> assessment visit of Andorra;
- heard a presentation on the recently adopted revised FATF Recommendations;
- heard and discussed the 4<sup>th</sup> round first regular follow-up report of Slovenia;
- examined and adopted the second 3<sup>rd</sup> round progress report of Montenegro;
- examined under step (ii) of the Compliance Enhancing Procedures (CEPs) the report of Albania and decided to retain step (ii) until the next Plenary meeting;
- examined under step (i) of the Compliance Enhancing Procedures (CEPs) the interim report of Bosnia and Herzegovina and maintained step (i) of the CEPs;
- examined measures taken by countries on identified important deficiencies as a result of the process regarding the state of compliance on all NC and PC ratings in the 3<sup>rd</sup> Round in respect of 6 countries (Azerbaijan, Croatia, Georgia, “the former Yugoslav Republic of Macedonia”, the Republic of Moldova and Ukraine) and requested Croatia and Azerbaijan to report back before the next Plenary meeting. “The former Yugoslav Republic of Macedonia”, Ukraine, Georgia and the Republic of Moldova are requested to report back in December 2012;
- heard and discussed the template and statistics for the 4<sup>th</sup> round follow-up reports;
- heard information from the Secretariat on its participation in the FATF meetings as well as on-going FATF initiatives on Associate Membership;
- had an exchange of views with the European Commission on the EU Member States’ common understanding on the procedure for the recognition of third countries equivalence;
- took note of the information from the Europe/Eurasia Regional Review Group (EERG) Co-chair;
- heard an update on the status of work on typologies in MONEYVAL and in other forums;
- took note of information on AML/CFT initiatives in MONEYVAL countries (tour de table) and in other forums ;
- took note of developments in relation to signing and ratification of the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS 198).

## **SUMMARY ACCOUNT OF THE MONEYVAL PROCEEDINGS**

### **Items 1, 2 and 3 – Opening of the plenary meeting, adoption of the agenda and information from the Chairman**

1. The Chairman, Mr Vladimir NECHAEV (Russian Federation) opened the meeting, following which the Committee adopted the agenda as it appears in Appendix I. The list of participants appears at Appendix II.

#### **3.1 Chairman's correspondence**

2. The Chairman informed the plenary on the exchange of letters he had with countries taking measures on identified important deficiencies as a result of the process regarding the state of compliance on all NC and PC ratings in the 3rd round mutual evaluation reports and with countries under the compliance enhancing procedures that were going to be discussed during the plenary week.
3. The Chairman also drew attention to the letter from EAG he had recently received on the possibility of having a joint MONEYVAL/EAG seminar on the revised FATF Recommendations. The Chairman also advised that the Parliamentary Assembly had written to Chairs of several Council of Europe monitoring bodies seeking views on whether the bodies would be prepared to respond in writing to any issue connected with the monitoring body which might be raised during a Parliamentary Assembly debate. He indicated that the Bureau had agreed in principle to respond to issues which fall within MONEYVAL's competence in the light of publicly available information on jurisdictions evaluated by MONEYVAL.

#### **3.2 Report of Meeting of the Heads of Monitoring mechanisms (19 December 2011)**

4. The Chairman informed the plenary of his participation in the Meeting of the Heads of Monitoring mechanisms on 19 December 2011 after the reorganisation of the Council of Europe, where all Presidents and Secretariat of the monitoring mechanisms of the CoE were present. That meeting concluded that there was a need to continue strengthening the coordination mechanisms of monitoring bodies and for better communication in respect of outputs.

#### **3.3 Annual Report to the Committee of Ministers**

5. The Chairman advised that he and the Executive Secretary are required to report to the Committee of Ministers and in this respect a written report had been submitted in January 2012. The report has already been discussed within the Ministers' Deputies Rapporteur Group on Legal co-operation. The Chairman also informed that on 4<sup>th</sup> April there will be an oral discussion of MONEYVAL's report, where the Chairman and the Executive Secretary would be present. It was also noted that the report will be published on the web-site of the Committee of Ministers.

### **Intervention of the Director of Information Society and Action Against Crime (extra item)**

6. The Director of the Information Society and Action against Crime Directorate, Jan Kleijssen, made a brief presentation welcoming delegates to the MONEYVAL meeting. He congratulated FATF on the finalisation and publication of the revised FATF Recommendations of 2012. He noted with approval that new FATF Recommendation 36 encourages countries globally to ratify two important Council of Europe Conventions (the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism [Warsaw Convention CETS 198]), and the Council of

Europe Convention on Cybercrime of 2001 (CETS 185). He encouraged all jurisdictions to consider the ratification of these instruments. He underlined that the MONEYVAL draft Annual Report was warmly received in GR-J, and paid tribute to the work of MONEYVAL.

#### **Item 4 - Information from the Secretariat**

7. The Secretariat reminded countries that an e-mail had been sent to all Heads of delegation that are acting as Rapporteurs or interveners to let the Secretariat have their presentations in advance for the interpreters. The Executive Secretary welcomed Ms. Cristina Marin from Spain, who had recently joined the Secretariat on secondment.

##### **4.1 Agenda of evaluations and meetings for 2012 and 2013**

8. The Secretariat informed the plenary of the revised agenda for evaluations and meetings for 2012 and 2013. In 2012 there will be 6 on-site missions: Lithuania (23-28 April); Poland (28 May – 2 June); Bulgaria (1-5 October); Croatia (19-23 November), Monaco and Liechtenstein (November).
9. It was also noted that during the course of 2013 other 4<sup>th</sup> round on-site missions will be held, though the dates needed agreeing bilaterally with the Executive Secretary in the margins of the meeting. At present the schedule was:
- January – Romania;
  - February – Israel;
  - April – “the former Yugoslav Republic of Macedonia”;
  - July – the Russian Federation;
  - September – Estonia;
  - November – Azerbaijan.
10. The Executive Secretary encouraged bilateral discussions.

##### *Important issue raised*

11. The Chairman proposed that for future years consideration should be given to having plenaries in April or May (spring plenaries) in order for the Secretariat to have more time to prepare documents.

##### **4.2 Participation in FATF meeting and other forums**

12. The Executive Secretary informed the plenary about the Secretariat’s participation in a FATF intersessional meeting in January and a FATF Plenary meeting in February 2012. FATF had almost finalised revision of its Recommendations at the January intersessional meeting, which were subsequently adopted at the plenary meeting in February.

##### *Important issues raised*

13. The FATF Secretariat informed the plenary on a proposal made at the FATF February plenary for the Russian Federation to assume the FATF presidency for 2013-2014. The Russian Federation has proposed Mr. Nechaev for this position.
14. The Executive Secretary informed the plenary on the recently established sub-group within WGEI in the FATF that will specifically deal with the issue of evaluating effectiveness of implementation of the new FATF Recommendations. The Executive Secretary also noted that the new FATF Methodology should be adopted in February 2013 and that FATF is planning to start its evaluations by the end of 2013.

#### 4.3 Participation in other forums

15. The Secretariat informed the plenary of its participation in the OSCE seminar in Vienna in February this year. The aim of this seminar was promoting stability through the good governance focusing particularly on anti-money laundering and countering the financing of terrorism.

### **Item 5 – The revised FATF Recommendations 2012**

#### 5.1 Presentation by the FATF Secretariat

16. The FATF Secretariat delivered a presentation on the recently revised FATF Standards and informed the plenary that the new FATF Recommendations could be found on the FATF web-site in both the English and French languages.

#### *Important issues raised*

17. The FATF Secretariat noted that at the moment it is unclear whether FATF is going to continue using the terminology “Core and Key”.
18. The FATF Secretariat informed the plenary that the issue of postponement of transactions by the FIU or other competent authorities as an administrative measure was broached during the discussion of old R.26; there was no support for this to be accepted to become part of the standards. However, in future, considering the fact that the Egmont Group and the World Bank are working on this issue, it could become part of the FATF Standards. This could happen during a minor revision or a full revision.

#### 5.2 Endorsement by MONEYVAL

19. The Executive Secretary informed the plenary that there is a need to endorse the new FATF Recommendations.

#### *Decisions taken*

20. Since the FATF has a procedure for endorsing the revised Recommendations by its member-states, the Committee agreed that MONEYVAL's Chairman should write a letter to FATF on behalf of MONEYVAL confirming that we endorse the new FATF Recommendations.

#### 5.3 Raising awareness of the new standards

21. The Chairman informed the plenary that additional measures will be taken in respect of raising awareness of the new standards, in particular evaluator training in 2013 as well as in the projected joint seminar with FATF and EAG.

### **Item 6 – Associate Membership – Reinforcing the Global Network**

22. The Executive Secretary informed the plenary of the Secretariat's participation in the discussion of Associate FATF membership – peer review process document, which took place at the last FATF plenary. The Secretariat noted that it had originally suggested that a peer review process might be instituted where there were identified and justified concerns about a particular Associate Member. It was underlined that MONEYVAL was not advocating a wholesale review process, which would be very resource intensive, particularly for those bodies still conducting evaluations.

*Important issue raised*

23. The Executive Secretary informed the plenary that a proposal was made, which MONEYVAL endorsed, that the informal contact group, which had prepared the document on Associate Membership – Reinforcing the Global Network, will now become formalised and will be called the Global Coordination Group. One co-chair will be from the FATF and the second one will be from an FSRB.

**Item 7 – Report of Bosnia and Herzegovina under Step (i) of the Compliance Enhancing Procedures and discussion of any next steps**

24. Bosnia and Herzegovina was placed under Step (i) of the Compliance Enhancing Procedures by the decision of the 33<sup>rd</sup> plenary. The important deficiencies, which were identified at the 33<sup>rd</sup> Plenary, were under some core and key Recommendations (R.1, R.5, R.26, SR II and SR III), and also under other Recommendations (SR VIII and SR IX). The MONEYVAL Secretariat presented to the plenary the analysis of the current situation and the action taken to date by the Bosnia and Herzegovina authorities in the CEPs process.
25. At the previous plenary it was noted that the short term issues in the Action Plan, on which steps are required, are due to be completed by 10 April 2012. The Committee agreed to retain step (i) until the 39<sup>th</sup> plenary in July 2012 and to ask authorities to present a detailed report on progress at that meeting.

*Decisions taken*

26. The Committee has agreed that overall the Bosnian authorities appear to have made some progress against most of the short term objectives. In particular, a number of awareness raising and training initiatives have been undertaken and are continuing throughout 2012 and revised guidance is being produced. Furthermore, amendments to legislation are under consideration. The Committee also stated that the authorities should submit a full report to the Secretariat in advance of the 39<sup>th</sup> plenary in July that will be presented at the plenary.

**Item 8 – Discussion on the Second 3<sup>rd</sup> Round Progress Report of Montenegro**

27. The Secretariat presented its analysis of the Progress report on the core Recommendations. The full progress report was subject to peer review by the plenary, assisted by the Rapporteur country (Slovakia), which acknowledged the progress made by Montenegro and raised a number of clarifications, together with other delegations.

*Decisions taken*

28. The plenary noted the information provided and the progress being undertaken. However several concerns were raised in respect of R.1, SR.II and SR.III. The Committee adopted the report with necessary amendments to the text together with the Secretariat analysis on the core Recommendations. Paragraph 42 of the Rules of procedures has been applied and Montenegro was invited to provide a further progress report in December 2012. The progress report is subject to automatic publication in accordance with the Rules of Procedure.

**Item 9 – ICRG process - update**

9.1 Update from the Europe/Eurasia Regional Review Group (EERG) Co-chair

29. The Co-Chairman of the ERRG informed the plenary of recent FATF developments. In particular in respect of Albania whereby, after examining the *prima facie* review, the EERG recommended to the ICRG that a targeted review should be carried out.

#### 9.2 Responses to the FATF Public statements

30. Attention was drawn to MONEYVAL INF-9.2 (the responses received from MONEYVAL countries as to action taken under the FATF public statements). MONEYVAL countries which had not yet responded were encouraged to do so before the full compilation of responses is sent to the FATF.

#### **Item 10 - Information on AML/CFT initiatives in MONEYVAL countries (tour de table)**

31. The representatives of Armenia, Austria, Bulgaria, Cyprus, Czech Republic, Estonia, France, Hungary, Israel, Latvia, Liechtenstein, Lithuania, Monaco, Poland, Romania, Russia, San Marino, Serbia, Slovakia, and the Holy See informed the plenary on their respective AML/CFT initiatives.

#### *Important issue raised*

32. The Chairman reminded the plenary that the countries should submit completed forms of tour de table to the Secretariat.

#### **Item 11/12 –Discussion on the draft 4<sup>th</sup> round Mutual Evaluation Report on Malta**

33. The Plenary examined the draft 4<sup>th</sup> round evaluation report on Malta. The Secretariat introduced the evaluation team, explained the proposed changes to the report and highlighted the issues raised by the review group and scientific experts which have not been accepted by the evaluators during the pre-meeting with the Maltese authorities and which require plenary resolution. The Secretariat briefly outlined details of the on site visit, conducted from 29 May to 4 June 2011.
34. Georgia constituted the Ad-Hoc group. The intervener countries were: Bosnia and Herzegovina (legal aspects), the Holy See (law enforcement aspects) and Lithuania (financial aspects).
35. The Chairman proceeded with the discussion on the draft report, with the interventions of the scientific experts and delegations from Armenia, Slovenia, Andorra, Cyprus, Latvia, San Marino, Ukraine, Poland, Liechtenstein, Slovakia, Albania, Romania, Russian Federation, IMF, FATF and World Bank. Based on the outcome of the discussions, the following recommendations and issues were considered:

#### *Important issues arising:*

36. **Criminalizing the financing of terrorism and associated money laundering (SR.II):** a deficiency was raised concerning the definition of terrorist acts in Maltese legislation. The intentional element (to intimidate a population or cause serious bodily injury...) which appears in the second part of the Terrorist Financing offence based on A.2(1)(b) of the TF Convention also applies in Malta to A2(1)(a) offences covering listed terrorist acts. This additional mental element is not required under A.2(1)(a) of the Convention. Several countries supported this and raised an issue of inconsistency with the Convention. In this respect it was proposed to downgrade the rating to PC. However several delegations pointed out that in the Slovenian MER SR.II was rated LC with similar bullet points. Since

there was no consensus to downgrade the rating of SR.II from LC to PC the rating of LC was not changed.

37. **Suspicious transaction reporting (R.13):** The aforementioned deficiency in respect of incrimination of FT might also limit the reporting obligation. Moreover the Malta reporting obligation's use of the 3<sup>rd</sup> Directive's language (suspicion of money laundering or terrorist financing) rather than the FATF language – (suspicion) that funds are the proceeds of a criminal activity also might have an impact on the low level of STRs. This deficiency was added to the rating box. It was decided to downgrade the rating of R.13 from LC to PC.
38. **Freezing and confiscating terrorist assets (SR.III):** Malta disagreed with the rating of PC and asked for an upgrade of SR.III to LC. Further clarification was requested in relation to attachment orders and the need of having a suspect in order to issue one. In addition, the effectiveness of the freezing system has been questioned. No support was expressed for an upgrade to LC. The rating remained unchanged.
39. **The Financial Intelligence Unit (R.26):** There were several outstanding issues raised by several delegations, the evaluation team and the Maltese delegation regarding the analysis of compliance with the requirements, as well as the rating. The lack of direct access by the FIU to different databases which may be used for analytical purposes by the FIU was discussed. It was noted that the standards require a timely access, either direct or indirect, and in this respect Malta expressed its view that the rating should be upgraded from LC to C. The plenary considered that the lack of a time limit for public authorities and police to respond in a timely manner to FIU requests does not impact on the effectiveness. The rating was upgraded to C.
40. **Sanctions (R.17) and Wire transfer (SR.VII):** an observer delegation questioned if a lack of sanctions is a lack of effectiveness. Malta asked for an upgrading from PC to LC, but after discussions on the rating and bullet points the plenary supported the evaluator's position and the ratings remained unchanged. The Secretariat mentioned that, under the methodology, it is up to the country to establish the effectiveness and not for the evaluators to establish ineffectiveness. The plenary considered that the effectiveness has not been demonstrated completely.
41. **Guidelines and feedback (R25):** The Maltese delegation disagreed with the rating and considered that the feedback was given according to the law and that the same feedback was given to all entities, so the rating should be upgraded from PC to LC. Some countries proposed to upgrade the rating from PC to LC. Evaluators considered that a lack of feedback was a general weakness and not a lack of effectiveness. There was no consensus to upgrade the rating for this Recommendation, so it remained unchanged.

*Decision taken*

42. As a result of the discussion, the Plenary decided to amend the draft report and the summary to reflect the clarifications raised by delegations and the amendments set out in the room document and modified the rating of R.13 (downgraded from LC to PC) and Recommendation 26 (upgraded from LC to C).
43. The Plenary adopted the executive summary and the 4th round assessment visit report on Malta, with the agreed amendments and subject to consequential editorial changes. The executive summary and report as adopted are subject to automatic publication in accordance with the Rules of Procedure.
44. Pursuant to Rule 48 of the Rules of Procedure, Malta was placed in the regular follow-up process. This process requires the country to provide, no later than two years after the

adoption of the report (i.e. March 2014), information on the actions it has taken to address the factors/deficiencies underlying any of the 40+9 Recommendations that are rated "Partially Compliant" or "Non Compliant" and encourages it to seek removal from the follow-up process within three years after the adoption of the 4th round MER or very soon thereafter.

**Item 13 – Report from Albania under Step (ii) of the Compliance Enhancing Procedures and discussion of any next steps**

45. By the decision of the 33<sup>rd</sup> plenary, Albania was placed in compliance enhancing procedures at Step (i) which was applied in respect of any country which had identified important deficiencies in at least 4 Recommendations, as a result of the analysis of the state of progress on all NC/PC ratings in the 3<sup>rd</sup> round.
46. At the 37<sup>th</sup> plenary the Committee concluded that overall, one year after the implementation of Compliance Enhancing Procedures, Albania has not demonstrated sufficient action to resolve in a timely manner the important deficiencies identified in September 2010 in respect of R.5, SR.II and SR.VIII. Considering the remaining concerns, it had decided to apply step (ii) in the procedures, which involves a letter from the MONEYVAL Chairman to the Secretary General of the CoE, and Albania was requested to report back on progress made before the 38<sup>th</sup> plenary.
47. The Secretariat presented its analysis of the progress made and highlighted the remaining issues of concern. It was noted that some preliminary progress appears to be made primarily as regards the implementation of corrective measures in respect of R.5 and SR.VIII. As regards SR.II, some progress appears to have been made with the adoption in Parliament of the amendments to the Criminal Code. However, the scope of these changes has not yet been fully considered, bearing in mind the recent adoption of the relevant texts (28<sup>th</sup> of February 2012 for the Ministry of Finance's instructions and 1st of March 2012 for the Criminal Code amendments) and the relevant revised texts need to be fully reviewed.

*Decisions taken*

48. Considering that the Secretariat still needs to carry out a comprehensive analysis of the provided legislation and taking into account that Albania is under the ICRG process, the Committee decided to retain step (ii) until the next plenary and to ask Albania to report back in July.

**Item 14 - Further discussion of measures taken by « the former Yugoslav Republic of Macedonia » on identified important deficiencies as a result of the process regarding the state of compliance on all NC and PC ratings in the 3rd round mutual evaluation report and next steps**

49. The Secretariat introduced the analysis of the current situation and the steps taken by «the former Yugoslav Republic of Macedonia» to address the identified important deficiencies. The Bureau welcomed the introduction of the Law on International Restrictive Measures and also the amendment to the AML/CFT Law and the Law on Games of Chance.
50. The Secretariat informed the plenary that progress has been made on SR.III and R.24. However there was still no progress on SR.II.

*Decision taken*

51. The plenary heard the information from the Secretariat and agreed with the proposal of the Bureau, since deficiencies in respect of SR.II are still pending, to ask the Chairman to write a letter to «the former Yugoslav Republic of Macedonia» and to request them to report back in December in respect of SR.II.

**Item 15 – Further discussion of measures taken by Ukraine on identified important deficiencies as a result of the process regarding the state of compliance on all NC and PC ratings in the 3rd round mutual evaluation report and next steps**

52. One year after the adoption of the preliminary analysis of the state of compliance of Ukraine on all NC/PC ratings in the third round mutual evaluation report in December 2010, the Plenary examined the report presented by Ukraine in respect of measures taken to address the identified important deficiencies (R.3 (Confiscation), SR.III (Freezing and confiscation of terrorist assets) and SR.IX (Cross border declaration or disclosure)) and the Secretariat analysis.
53. At the 37<sup>th</sup> plenary it was decided to invite Ukraine to report back in March 2012 on progress made in respect of adopting the draft legislation amending the confiscation provisions of the Criminal Code and of the Criminal Procedure Code (R. 3), as well as on other measures to implement the requirements of SR.IX. The Secretariat presented its analysis of the progress made and highlighted the remaining issues of concern.

*Decision taken*

54. The Committee decided to ask Ukraine to report back in December, since in total, there remain, apart from effectiveness issues, several deficiencies in R.3 and SR.IX which have not yet been fully addressed. The information for the NC/PC report should be considered in conjunction with the progress report which is due to be considered at that meeting.

**Item 16 – Further discussion of measures taken by Georgia on identified important deficiencies as a result of the process regarding the state of compliance on all NC and PC ratings in the 3rd round mutual evaluation report and next steps**

55. The plenary heard the analysis of the Secretariat of the current situation and the steps taken by Georgia to address the identified important deficiencies in R.12 & 16 relating to lawyers, accountants and auditors. The Secretariat noted that progress on CDD obligations in respect of accountants and auditors had been taken. Although lawyers remained outside the scope of the amendments.

*Decision taken*

56. Following the proposal made by the Bureau the plenary agreed to ask the Chairman to write a letter to Georgia and to request them to report back in December on the AML/CFT obligations of lawyers.

**Item 17 - Further discussion of measures taken by the Republic of Moldova on identified important deficiencies as a result of the process regarding the state of compliance on all NC and PC ratings in the 3rd round mutual evaluation report and next steps**

57. The Secretariat introduced the analysis of the current situation in the Republic of Moldova in respect of the identified important deficiency related to R.17. It was noted that in respect of R.17 the progress made by the Republic of Moldova was limited.

*Decision taken*

58. The plenary supported the proposal of the Bureau to ask the Chairman to write a letter to the authorities of the Republic of Moldova requesting to report back in December on the developments in relation to R.17. In December the NC/PC report should be considered in conjunction with the MER.

**Item 18/19 – 4<sup>th</sup> round first regular follow up report of Slovenia**

59. As this was the first report on a country in regular follow up in the 4<sup>th</sup> round, and as Slovenia had requested to postpone full discussion of its request to be removed from regular follow up, the Executive Secretary briefly reminded the plenary of the Rules of Procedure in respect of the 4<sup>th</sup> round regular follow up reports. To exit regular follow up there needs to be an effective AML/CFT system in force demonstrated by a desk review of all Recommendations rated N/C or P/C. Core and Key Recommendations should be at a level essentially equivalent to an LC or C. There is limited flexibility with regard to Recommendations which are not core Recommendations if substantial progress has been made on overall Recommendations rated N/C or P/C.
60. The procedure for a country in regular follow up is that the assessed country would report back in 2 years and provide information on actions taken. The expectation is that significant progress would have been made. It is expected that countries would seek removal from regular follow up within 3 years of the adoption of the 4<sup>th</sup> round report or soon thereafter. It was noted that many FATF countries had taken several years before removal from regular follow up. It was advised that, having considered the draft secretariat review, Slovenia had proposed to postpone full discussion of the application for removal from regular follow up for a further year.
61. The Secretariat briefly presented its current analysis of the follow up report of Slovenia in respect of all FATF Recommendations that were rated PC or NC in the 4<sup>th</sup> round mutual evaluation report, including those Recommendations where there had been some substantial progress and also those where work was still required.
62. The plenary also heard a report on the recent developments in the AML/CFT system from the Slovenian delegation.

*Decision taken*

63. Considering that Slovenia had requested to postpone the discussion of removal from the 4<sup>th</sup> round follow up, the plenary agreed to support this proposal and to ask Slovenia to report back in one year (March 2013).

**Item 20 – Template and statistics for 4<sup>th</sup> round follow up reports**

64. The Secretariat briefly reminded the plenary of the discussion of this issue at the previous MONEYVAL plenary. It was noted that the statistics template includes a lot of information that is normally set out in the mutual evaluation reports and is aimed at getting more information in order to accurately assess the issue of effective implementation of the AML/CFT standards.
65. The Secretariat also noted that the new FATF Recommendations require a national risk assessment, and that this template sets out the type of data that countries are going to need to compile in order to undertake properly their own internal assessments.

*Important issues raised*

66. Poland raised concerns on the need to request data that pertains to MLA and extradition other than ML and TF and proposed to consider the possibility of removing this part.
67. Ukraine noted that it would be complicated for some countries to collect such statistics and may require a governmental decision. Ukraine also proposed the inclusion of tax offences into the template; to change “cases without prior STR” to “cases without FIU disclosure” in chapter 2; and to include the amount frozen by FIU in chapter 3. Ukraine also noted in respect of chapter 4 that for the police type of FIU these statistics would work perfectly, however, for administrative FIUs – this could prove more difficult.
68. Latvia raised the issue that the Secretariat should prepare an interpretative note for the statistics template and also noted that the reporting entities usually do not know what predicate offences STRs are related to.
69. Liechtenstein stated that an additional paragraph should be added to the introduction part that clarifies that the quality of activities is also an important factor in assessing effectiveness. A note of caution was raised by Liechtenstein in respect of the table on the estimated economic loss.

*Decision taken*

70. The Committee agreed that all comments made by countries should be considered and taken on board. It was also agreed that countries should send their written comments to the Secretariat. As soon as the Secretariat amends the statistics template it should be sent to the Bureau and after approval to the Czech Republic.

**Item 21 - Information from the European Union**

21.1 European Commission

71. The European Commission informed the plenary that it is still in the process of reviewing the 3rd EU Directive, and is expected to propose a new Directive to the European Parliament by October 2012. This revision will not only be based on the FATF standards, but also on the EU's experience and anomalies that came up during discussion of MONEYVAL MERs. Another initiative of the EU Commission that is underway is the review of Regulation 1781 (2006) on fund transfers.

*Important issues raised*

72. The scientific expert asked the EU Commission if it was possible to share the relevant public document that will be available in April with the Secretariat, so it could be brought to the attention of MONEYVAL countries.
73. The EU Commission also advised that the draft text of the 4<sup>th</sup> EU Directive as well as the new Regulation on fund transfers will be publicly available.

21.2 Secretariat General of the Council of the European Union

74. The Secretariat General of the Council of the European Union informed the plenary on the future enlargement of the European Union, in particular that Croatia will become a full EU member in 2013.

**Item 22 - EU Member States' common understanding on the procedure for the recognition of third countries equivalence**

75. The Executive Secretary briefly informed the plenary on the outcome of the discussion of the third countries equivalence list at the 37<sup>th</sup> plenary. It was noted that the Secretariat took part in the January meeting of the Committee for the Prevention of Money Laundering and Terrorist Financing (CPMLTF), where the process and procedures for further countries wishing to be considered for the third countries equivalence list had been discussed. The Executive Secretary also noted that the Secretariat proposed to analyse the up-to-date situation in those MONEYVAL countries that are willing to be considered for the equivalence list. In June, as presently advised, the CPMLTF is planning to include in the agenda consideration of new candidates to the list.

*Important issues raised*

76. Romania stated that it is ready to support those countries that would like to be considered for this equivalence list.
77. The Russian Federation informed the plenary that when the latest third countries equivalence list became publicly available, Russia had been removed. It was also recalled by the Russian Federation that during the last MONEYVAL plenary in December the Secretariat had presented the EU Member States' common understanding on the procedure for the recognition of third countries equivalence. This procedure includes criteria for FATF members, under which there were, in Russia's view, no technical reasons to justify the decision of the CPMLTF. Russia also underlined that its recently discussed progress reports received positive responses from FATF, MONEYVAL and EAG Secretariat.
78. Liechtenstein noted that some countries rely on the EU practice to issue such lists and for these countries the removal of the Russian Federation from this list came as a surprise. Liechtenstein proposed that an explanation could be given for removing the country from that list which would be helpful for MONEYVAL's future assessments.

**Item 23 - Information on AML/CFT initiatives in other forums**

79. The following bodies presented their new or ongoing initiatives:
- The IMF informed the MONEYVAL plenary that it is conducting preliminary national risk assessments projects with certain MONEYVAL countries (Albania, Bulgaria, Croatia, "the former Yugoslav Republic of Macedonia", Poland, Romania and Serbia). The preliminary reports and findings will be discussed in the context of a seminar in Italy in September 2012. The IMF also informed about several ongoing projects of technical assistance with MONEYVAL countries (Armenia, Azerbaijan, Croatia and Ukraine). It was also noted that the IMF and the Basel Institute on Governance are developing a training manual for investigators, prosecutors and judges, which might be ready by the end of April 2012;
  - The World Bank (WB) informed the plenary on the joint Council of Europe/WB/OSCE workshop on national risk assessments in Serbia as part of the Council of Europe's MOLI-Serbia project;
  - The plenary heard the representative from the Group of International Financial Centre Supervisors (GIFCS), who briefly presented the group's activities and its participation in the work of FATF, in particular in the revision of the FATF Recommendations;
  - The OSCE informed the plenary of the recent OSCE meeting dedicated to AML/CFT issues that took place in Vienna in February this year. The OSCE also informed the plenary on its future AML/CFT activities and initiatives;

- The FATF informed the plenary that a new mandate has been prepared by the FATF plenary and now will be submitted to the FATF ministers for endorsement. The new mandate is for 8 years;
- The EAG Secretariat informed the plenary that the Agreement on EAG came into force as well as on its recent activities, in particular face-to-face meetings with the authorities of Tajikistan and Turkmenistan and a high level mission to Kyrgyzstan.

**Item 24 - The Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the proceeds from Crime and on the Financing of Terrorism (CETS No. 198)**

80. The MONEYVAL Executive Secretary presented the up-to-date situation on signatures and ratifications to the plenary.
81. The plenary was also informed that the next Conference of the Parties is fixed and will be held between 12 and 14 June, at which time the report of Romania will be discussed under the Convention's provisions that add value to the international standards.
82. In the next Conference of the Parties meeting, in June 2012, the impact of the revised FATF recommendations on the convention will be considered.

**Item 25 – Presentation of Council of Europe technical assistance projects on AML/CFT**

83. Representatives from the Economic Crime Unit of the Council of Europe informed the plenary of the recent technical assistance projects in the various member-states. In particular large projects on AML/CFT issues and assets recovery are being conducted in parallel in Serbia. The Economic Crime Unit is also providing assistance and expert assistance on amendments to the AML/CFT Law in different countries (including Albania and Montenegro).
84. It was also noted that the Economic Crime Unit is not only delivering large scale projects, but also provides expertise upon requests by countries.

**Item 26/27 – Discussion on the draft 4<sup>th</sup> round Mutual Evaluation Report on Andorra**

85. The Plenary examined the draft 4th round evaluation report on Andorra. The Secretariat introduced the members of the evaluation team, briefly outlined the details of the on site visit and thanked the Andorran FIU representatives for the excellent organisation of the visit. Furthermore they thanked the Ad-Hoc group for their useful comments.
86. The Russian Federation constituted the Ad-Hoc group. The intervener countries were: Hungary (legal aspects), Cyprus (financial aspects) and Armenia (law enforcement aspects).
87. In discussions on the draft report the interveners, the scientific experts and delegations from Georgia, Liechtenstein, San Marino, Romania, Poland, Lithuania and the IMF sought further clarifications and information. Based on the outcomes of the discussion, the following recommendations and issues were considered:

*Important issues arising:*

88. **Criminalizing the financing of terrorism and associated money laundering (SR.II):** There were several outstanding issues raised by several delegations and the evaluators regarding the issue of intimidation to an international organisation in the Financing Terrorism Convention. The IMF expressed a view that legislation in Andorra, in the

general notion of intimidating a population, goes beyond what the convention requires, while FATF supported the evaluators, considering that intimidating a population does not include automatically intimidations to an international organisation. There was no support from the plenary on this issue so the rating remained unchanged.

89. **International co-operation (SR.V):** the possibility of a downgrading in this recommendation was proposed, due to the cascading deficiencies derived from multiple cross-references with other Recommendations, such as R.36, R.37, R.39 and R.40. In this 4<sup>th</sup> round this Recommendation has been considered only in reference to mutual legal assistance (rated PC in the 3rd round), without considering the extradition part of the assessment (rated C in 3rd round), so the consideration of this Recommendation, despite being a Key Recommendation, is limited.
90. The IMF considered that there is an inconsistent approach since in some reports there are footnotes in relation to Recommendations that are not evaluated and in others not. In this respect the plenary agreed that there are supposed to be footnotes included into the reports in order to avoid such situations in the future.
91. **Wire transfer (SR.VII):** the plenary agreed with the proposal to change the first part of the effectiveness bullet point in the rating box. The rating remained unchanged.
92. **DNFBPs (R.16 and R12):** one of delegations proposed removing the bullet point related to the lack of use of self-regulatory organisations from the rating box in Recommendation 16. The requirement establishes that countries can use SROs, not that they should use them, which is not mandatory.
93. It was also proposed to delete the indication of “not applicable for casinos” in the rating box of Recommendation 12, as there are no casinos in Andorra. The plenary supported these two proposals. The ratings of R.12 and R.16 remained unchanged.
94. **The FIU (R.26):** a proposal was made to delete two bullet points, one in relation to the lack of guidelines of the typologies of suspicious transactions (which should be under R.25 or R.13) and the other one in relation to the lack of accessibility by a broader readership to the annual reports of the FIU. The plenary agreed with these proposals, which led to an upgrade of the rating to LC.

#### *Decision taken*

95. As a result of the discussion, the Plenary decided to amend the draft report and the summary to reflect the clarifications raised by delegations and the amendments set out in the room document and modified the rating of Recommendation 26 (upgraded from PC to LC).
96. The Plenary adopted the executive summary and the 4th round assessment visit report on Andorra, with the agreed amendments and subject to consequential editorial changes. The executive summary and report as adopted are subject to automatic publication in accordance with the Rules of Procedure.
97. Pursuant to Rule 48 of the Rules of Procedure, Andorra is placed in the regular follow-up process. This process requires the country to provide, no later than two years after the adoption of the report (i.e. March 2014), information on the actions it has taken to address the factors/deficiencies underlying any of the 40+9 Recommendations that are rated “Partially Compliant” or “Non Compliant” and encourages it to seek removal from the follow-up process within three years after the adoption of the 4<sup>th</sup> round MER or very soon thereafter.

**Item 28 – Further discussion of measures taken by Azerbaijan on identified important deficiencies as a result of the process regarding the state of compliance on all NC and PC ratings in the 3rd round mutual evaluation report and next steps**

98. The Secretariat introduced the analysis of the current situation in Azerbaijan in respect of identified important deficiencies related to R.3, R.2 and SR.II and noted that steps are being taken by Azerbaijan to address these important deficiencies by introducing amendments to the Criminal Code. However no concrete legal provision had been adopted. In this respect deficiencies related to R.3, R.2 and SR.II still remain.

*Decision taken*

99. The plenary agreed with the proposal of the Bureau to invite the Chairman to write a letter to Azerbaijan and to request them to report back in July on the progress with the legislation.

**Item 29 - Further discussion of measures taken by Croatia on identified important deficiencies as a result of the process regarding the state of compliance on all NC and PC ratings in the 3rd round mutual evaluation report and next steps**

100. After the adoption of the preliminary analysis in April 2011 on the state of compliance of Croatia on all NC/PC ratings in the third round mutual evaluation report, the Plenary examined the report presented by Croatia in respect of measures taken to address the identified important deficiencies (SR.II - criminalisation of financing of terrorism and SR.III - Freezing and confiscation of terrorist assets) and the Secretariat analysis.

101. As a result of the discussion, the Plenary noted that Croatia has taken steps to address the deficiencies related to SR.III. Nonetheless in total, there remain, apart from effectiveness issues, several deficiencies in SR.III, covering notably elements of criteria III.4, III.6, III.7, III.8, III.10 and possibly III.13.

*Decision taken*

102. The Plenary decided to invite Croatia to report back in July 2012 on progress made to address the remaining technical gaps. Additional information should also be provided to demonstrate whether the measures in place are appropriate to monitor effectively compliance with the relevant obligations implementing SR.III by obliged persons and entities and whether sanctions have been effectively applied in cases of identified failure to comply with the applicable legislation.

**Item 30 - Typologies work**

**30.1 Criminal money flows on the internet: methods, trends and multi-stakeholder counteraction – draft typologies report**

103. Following the 36<sup>th</sup> MONEYVAL Plenary meeting decision a draft report on Criminal money flows on the internet was sent to the delegations on the 6<sup>th</sup> of February for comments. This joint project between MONEYVAL and the Cybercrime projects was presented to the workshop on criminal money flows on the internet, which was organized in Kiev between 27<sup>th</sup> and 29<sup>th</sup> of February 2012 and which included 13 countries covered by the Cybercrime projects from the Eastern partnership and south eastern Europe.

104. In terms of participation, apart from the relevant Cybercrime experts, there were also participants from VISA, Paypal, the private sector, Belgium, Ireland and FATF.
105. The general feedback received on the draft report was positive. A few changes have been introduced based on that feedback, including reflecting references to the revised FATF recommendations.
106. The report was adopted by MONEYVAL without any comments.

#### 30.2 The use of internet gambling for ML and TF purposes - draft report

107. The plenary was informed of the recent developments in respect of this project.
108. The project was led by Cyprus and the project team was composed of a number of delegates from Cyprus, Romania, Malta and other countries.
109. A number of vulnerabilities were presented and information was provided on the regulatory structure of internet gambling. The aim of the project is to determine the ML and TF situation in MONEYVAL countries with respect to internet gambling: how it is regulated; if it is regulated; and the vulnerabilities of the sector. The report deals with the responses of MONEYVAL countries by analysing those countries which regulate internet gambling and those which do not.
110. The draft report on **The use of internet gambling for ML and TF purposes** will be circulated for comments of the delegations in order to finalise the report.

#### 30.3 and 30.4 Trade based money laundering in cash intensive economies – update – and Postponement of financial transactions and the monitoring of bank accounts – update

111. The plenary heard updates on the current status of the on-going typologies projects and the next steps to be taken.
112. **Trade based money laundering in cash intensive economies.** It was noted that all the delegations attended the Tel Aviv meeting, and based on the replies to the last questionnaire, the project leaders, Romania and Ukraine, will analyse the results and prepare the draft report. A core group of experts is going to be formed in order to continue the project and delegations interested in participating in this core-group were invited to inform the Secretariat.
113. **Postponement of financial transactions and the monitoring of bank accounts.** The project leaders designed 3 questionnaires, which should be submitted by 16<sup>th</sup> April. The project leader is planning to organise a core group meeting in July to discuss the key findings and delegations interested in contributing to the project were invited to communicate their intention to the Secretariat. It is expected that the report will be presented for consideration at the plenary meeting in December 2012.
114. The World Bank informed the plenary that an ongoing World Bank/Egmont project on postponement is close to its finalisation. A draft report with findings was accepted during the last Egmont meeting in Manila in January and a final document will be adopted during the plenary in July.

### **Item 31 - Information on other typologies projects in other forums**

#### 31.1 and 31.2 FATF/ FRSBs co-operation and FATF's on-going typologies projects

115. The FATF Secretariat informed about on-going projects, such as a second review on corruption, a project on financial investigation guidance, the illegal tobacco trade issue and a joint topic of trade based money laundering, the latter together with APG.
116. The FATF Secretariat advised of the following proposals raised in the FATF February meeting in respect of future typology topics:
  - Terrorist financing, in particular in West Africa region, supported by GIABA;
  - Counterfeiting, proposed by India;
  - Diamond trade and gold trade, as well as ML & TF aspect associated to that, proposed by the Egmont Group and led by Israel.
117. One proposal, in the operational area, is to examine financial analysis more broadly - not simply the financial analysis that FIUs carry out but the type of financial analysis that law enforcement carries out and how law enforcement might use financial analysis in financial investigations. This topic was raised as a consequence of working on the financial investigation guidance.
118. The plenary was informed on other ideas for typologies, such as a review of lawyers (FATF has not looked at lawyers since year 2000) and non profit organisations.
119. FATF informed about the work on national risk assessments. There is going to be a meeting of the sub-group on providing guidance and risk assessment, which will take place on the week of 16<sup>th</sup> April in Singapore.
120. The last of the specific FATF initiatives is a joint typologies meeting. This year this will be in conjunction with GIABA (West Africa). That meeting will take place during the week of the 26<sup>th</sup> of November in Dakar (Senegal).
121. There is an initiative to try to ensure that there is more coordination in typologies between FATF and also among FSRBs. The FATF invites all the FSRBs and Secretariats to participate in this co-ordination to avoid unnecessary duplication of efforts. The co-ordination group has collected copies of all the reports done by all the FSRBs and FATF in the typologies area in a secure area with the goal of eventually creating an index available to FSRBs Secretariats and to delegations, in order to have case studies to implement the standards.

### 31.3 Information on other bodies' projects

122. The EAG Secretariat informed the plenary on the 3 typologies researches that were conducted by EAG during 2011 (**cash and non cash assets, securities markets and alternative remittance systems**) and on their status. The EAG Secretariat also provided details about the new projects for 2012: **ML and TF with physical cash and bearer instruments** (led by the Republic of Belarus), **misuse of non profit organisations for ML** (led by the Republic of Kazakhstan), **ML and TF vulnerabilities of transactions with intangible assets, particularly intellectual property** (led by Ukraine), **Research of possible areas of the EAG member states FIUs co-operation improvement for the purpose of preventing terrorist activities of organisations not listed in international documents** (led by Russian Federation). All information in respect of EAG typologies work is available in the secure section on their website and these reports will not be published.

### **Item 32 - Ad Hoc Review Group of Experts for the next plenary meeting**

123. The Ad-Hoc Review Group of Experts for the next plenary meeting will be constituted by Malta for the 3<sup>rd</sup> round mutual evaluation report on the Holy See, San Marino for the 4<sup>th</sup> round mutual evaluation report on Latvia and Slovenia for the 4<sup>th</sup> round mutual evaluation report on Georgia.
124. The intervening countries for the Holy See will be: on legal aspects – Romania, on law enforcement – Poland, on financial aspects – Cyprus.
125. The intervening countries for Latvia will be: on legal aspects – Russian Federation, on law enforcement – Liechtenstein, on financial aspects – Montenegro.
126. The intervening countries for Georgia will be: on legal aspects – Moldova, on law enforcement – Serbia, on financial aspects – Slovakia.

**Item 33 - Rapporteurs for July 2012**

127. This item of the agenda has not been discussed, as no rapporteurs are required.

**Item 34 - Future representation in FATF meetings**

128. An invitation letter will be sent to delegations, who would like to participate in the two upcoming FATF meetings in April (intersessional) and in June 2012 (Rome plenary).

**Item 35 - Financing and staffing**

129. The Executive Secretary made a brief report to the plenary on financial matters. He stated that MONEYVAL now has adequate financing for its activities in 2012, including the necessary financing for the Conference of the Parties meeting.
130. Mr Ringguth informed the plenary that Mrs. Livia Stoica has to leave the Secretariat for several months and welcomed Mr. Christophe Speckbacher, who will replace Livia during her absence.
131. The plenary was also informed that two new secondees to the Secretariat from Romania and Turkey will soon join the Secretariat.

**Item 36 – Miscellaneous**

132. The Executive Secretary informed the plenary of the decision of the Bureau in respect of the EAG proposal to conduct a joint MONEYVAL/EAG workshop on the revised FATF Standards. It was agreed that the seminar should be held in the second half of September in Strasbourg and all MONEYVAL countries should be invited to participate in this seminar.

## **Appendix I – Agenda (MONEYVAL-PLEN38(2012)OJ1-prov3)**

**Day 1: Monday 5 March 2012 / 1er jour: Lundi 5 mars 2012**

### **Morning 9h30 / matin 9h30**

- 1. Opening of the Plenary Meeting at 9h30 / Ouverture de la r union pl niure a 9h30**
- 2. Adoption of Agenda / Adoption de l'ordre du jour**
- 3. Information from the Chairman / Informations communiqu es par le Pr sident**
  - 3.1 Chairman's correspondence / Correspondance du Pr sident*
  - 3.2 Report of Meeting of the Heads of Monitoring mechanisms (19 December 2011) / Rapport de la r union des Pr sidents des m canismes de monitoring (19 d cembre 2011)*
  - 3.3 Annual Report to the Committee of Ministers / Rapport annuel auprus du Comit  des Ministres*
- 4. Information from the Secretariat / Informations communiqu es par le Secr tariat**
  - 4.1 Agenda of evaluations and meetings for 2012 and 2013/ Calendrier des  valuations et r unions en 2012 et 2013*
  - 4.2 Participation in FATF meetings / Participation aux r unions du GAFI*
  - 4.3 Participation in other forums / Participation a d'autres r unions*
- 5. The revised FATF Recommendations 2012 / Les Recommandations r vis es du GAFI 2012**
  - 5.1 Presentation by the FATF Secretariat / Pr sentation par le Secr tariat du GAFI*
  - 5.2 Endorsement by MONEYVAL / Approbation par MONEYVAL*
  - 5.3 Raising awareness of the new standards / Sensibilisation aux nouvelles normes*
- 6. Associate Membership – Reinforcing the Global Network / Statut de Membre associ  Consolidation du r seau global du GAFI**
- 7. Interim report of Bosnia and Herzegovina under Step I of the Compliance Enhancing Procedures and discussion of any next steps / Rapport int rimaire de la Bosnie-Herz govine au titre de l' tape I des proc dures de conformit  renforc e et suites a donner**

### **Afternoon 14h30 / aprus-midi 14h30**

- 8. Discussion on the Second 3<sup>rd</sup> round Progress report of Montenegro / Discussion du deuxieme rapport de progrus de 3<sup>e</sup> cycle du Mont n gro**
- 9. ICRG process - update / Processus du Groupe d'examen des questions de coop ration internationale (ICRG) –  tat des lieux**
  - 9.1 Update from the Europe/Eurasia Regional Review Group (EERG) Co-chair / Mise a jour par le co-Pr sident du Groupe d'examen r gional Europe / Eurasie (EERG)*
  - 9.2 Responses to the FATF Public statements / R ponses aux D clarations publiques du GAFI*
- 10. Information on AML/CFT initiatives in MONEYVAL countries (tour de table) / Informations sur les initiatives LAB/CFT dans les pays membres de MONEYVAL (tour de table)**

**(Bureau Meeting at the close of the afternoon's business / R union du Bureau a la cl pture de la session de l'aprus-midi)**

**Day 2: Tuesday 6 March 2012 / 2er jour: Mardi 6 mars 2012**

**Morning 9h30 / matin 9h30**

- 11. Discussion on the draft 4<sup>th</sup> round Mutual Evaluation Report on Malta / Discussion du projet de rapport de 4<sup>e</sup> cycle d'évaluation mutuelle sur Malte**

**Afternoon 14h30 / aprus-midi 14h30**

- 12. Continuation of the discussion on the draft 4<sup>th</sup> round Mutual Evaluation Report on Malta / Poursuite de la discussion du projet de rapport de 4<sup>e</sup> cycle d'évaluation mutuelle sur Malte**
- 13. Report from Albania under Step (ii) of the Compliance Enhancing Procedures and discussion of any next steps / Rapport de l'Albanie au titre de l'étape (ii) des procédures de conformité renforcée et suite à donner**

**Day 3: Wednesday 7 March 2012 / 3er jour: Mercredi 7 mars 2012**

**Morning 9h30 / matin 9h30**

- 14. Further discussion of measures taken by « the former Yugoslav Republic of Macedonia » on identified important deficiencies as a result of the process regarding the state of compliance on all NC and PC ratings in the 3rd round mutual evaluation report and next steps / Discussion sur les mesures prises par « l'ex-République Yougoslave de Macédoine » sur les lacunes importantes identifiées dans le cadre du processus concernant l'état de conformité relatif aux notations NC et PC du rapport d'évaluation de 3e cycle et suite à donner**
- 15. Further discussion of measures taken by Ukraine on identified important deficiencies as a result of the process regarding the state of compliance on all NC and PC ratings in the 3rd round mutual evaluation report and next steps / Discussion sur les mesures prises par l'Ukraine sur les lacunes importantes identifiées dans le cadre du processus concernant l'état de conformité relatif aux notations NC et PC du rapport d'évaluation de 3e cycle et suite à donner**
- 16. Further discussion of measures taken by Georgia on identified important deficiencies as a result of the process regarding the state of compliance on all NC and PC ratings in the 3rd round mutual evaluation report and next steps / Discussion sur les mesures prises par la Géorgie sur les lacunes importantes identifiées dans le cadre du processus concernant l'état de conformité relatif aux notations NC et PC du rapport d'évaluation de 3e cycle et suite à donner**
- 17. Further discussion of measures taken by Republic of Moldova on identified important deficiencies as a result of the process regarding the state of compliance on all NC and PC ratings in the 3rd round mutual evaluation report and next steps / Discussion sur les mesures prises par la République de Moldova sur les lacunes importantes identifiées dans le cadre du processus concernant l'état de conformité relatif aux notations NC et PC du rapport d'évaluation de 3e cycle et suite à donner**
- 18. 4<sup>th</sup> round first regular follow up report of Slovenia / Premier rapport de progress de 4<sup>e</sup> cycle de la Slovénie**

**Afternoon 14h30 / aprus-midi 14h30**

- 19. Continuation of the discussion on 4<sup>th</sup> round first regular follow up report of Slovenia as necessary / Poursuite de la discussion du Premier rapport de progress de 4<sup>e</sup> cycle de la Slovénie – si nécessaire**
- 20. Template and statistics for 4<sup>th</sup> round follow up reports / Format des rapports de progress de 4<sup>e</sup> cycle et statistiques**
- 21. Information from the European Union / Informations de la part de l'Union Européenne**

*21.1 European Commission / Commission européenne*

*21.2 Secretariat General of the Council of the European Union / Secrătariat Gănăral du Conseil de l'Union européenne*

**22. EU Member States' common understanding on the procedure for the recognition of third countries equivalence / Mămorandum comun des Etats membres de l'UE sur la procădure de reconnaissance de l'ăquivalence des pays tiers**

**23. Information on AML/CFT initiatives in other forums / Informations sur les initiatives LAB/CFT dans d'autres institutions**

*23.1 IMF / FMI*

*23.2 World Bank / Banque Mondiale*

*23.3 EBRD / BERD*

*23.4 GIFCS / GSCFI*

*23.5 OSCE*

*23.6 Council of Europe Development Bank / Banque de dăveloppement du Conseil de l'Europe*

*23.7 Eurasian Group on Combating Money Laundering and Terrorist Financing (EAG) / Groupe Eurasie sur le blanchiment de capitaux et le financement du terrorisme (EAG)*

*23.8 FATF / GAFI*

**24. The Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the proceeds from Crime and on the Financing of Terrorism (CETS No. 198) / Informations sur la Convention du Conseil de l'Europe relative au blanchiment, au dăpistage, a la saisie et a la confiscation des produits du crime et au financement du terrorisme (STCE no. 198)**

**25. Presentation of Council of Europe technical assistance projects on AML/CFT / Prăsentation des projets d'assistance technique LAB/CFT**

**Day 4: Thursday 8 March 2012 / 4e jour: Jeudi 8 mars 2012**

**Morning 9h30 / matin 9h30**

**26. Discussion on the draft 4<sup>th</sup> round Mutual Evaluation Report on Andorra / Discussion du projet de rapport de 4<sup>e</sup> cycle d'ăvaluation mutuelle sur l'Andorre**

**Afternoon 14h30 / aprus-midi 14h30**

**27. Continuation of the discussion on the draft 4<sup>th</sup> round Mutual Evaluation Report on Andorra / Poursuite de la discussion du projet de rapport de 4<sup>e</sup> cycle d'ăvaluation mutuelle sur l'Andorre**

**28. Further discussion of measures taken by Azerbaijan on identified important deficiencies as a result of the process regarding the state of compliance on all NC and PC ratings in the 3rd round mutual evaluation report and next steps / Discussion sur les mesures prises par l'Azerbandjan sur les lacunes importantes identifiăes dans le cadre du processus concernant l'ătat de conformită relatif aux notations NC et PC du rapport d'ăvaluation de 3e cycle et suite a donner**

**Day 5: Friday 9 March 2012 / 5e jour: Vendredi 9 mars 2012**

**Morning 9h30 / matin 9h30**

- 29. Further discussion of measures taken by Croatia on identified important deficiencies as a result of the process regarding the state of compliance on all NC and PC ratings in the 3rd round mutual evaluation report and next steps / Discussion sur les mesures prises par la Croatie sur les lacunes importantes identifiées dans le cadre du processus concernant l'état de conformité relatif aux notations NC et PC du rapport d'évaluation de 3e cycle et suite à donner**
- 30. Typologies work / Travaux sur les typologies**
- 30.1 Criminal money flows on the internet: methods, trends and multi-stakeholder counteraction – draft typologies report / Les flux de capitaux d'origine criminelle sur Internet: méthodes, tendances, et actions conjuguées des parties prenantes – projet de rapport sur les typologies**
  - 30.2 The use of internet gambling for ML and TF purposes - draft report / L'utilisation des jeux en ligne aux fins du BC et FT- projet de rapport**
  - 30.3 Trade based money laundering in cash intensive economies – update / Le blanchiment d'argent fondé sur les transactions commerciales dans les économies fortement axées sur les paiements en espèces – mise à jour**
  - 30.4 Postponement of financial transactions and the monitoring of bank accounts – update / Le report des transactions financières et la surveillance des comptes bancaires – mise à jour**
- 31. Information on other typologies projects in other forums/ Information sur d'autres projets sur les typologies dans d'autres organisations**
- 31.1 FATF/ FRSBs co-operation / Coopération entre le GAFI et les organismes régionaux de type GAFI**
  - 31.2 FATF's on-going typologies projects / Les projets du GAFI relatifs aux typologies**
  - 31.3 Information on other bodies' projects/ Informations sur les projets d'autres organisations**

**Afternoon 14h30 / après-midi 14h30**

- 32. Ad Hoc Review Group of Experts for the next plenary meeting / Groupe Ad Hoc d'experts pour la prochaine réunion plénière**
- 33. Rapporteurs for July 2012 / Rapporteurs pour juillet 2012**
- 34. Future representation in FATF meetings / Représentations futures dans les réunions du GAFI**
- 35. Financing and staffing / Financement et questions de personnel**
- 36. Miscellaneous / Divers**

**Appendix II – List of participant (MONEYVAL-PLEN38(2012)LIST1)**

**Delegations / Délégations**

**ALBANIA / ALBANIE**

Ms Brikena KASMI *legal expert*  
**HEAD OF DELEGATION**  
Deputy Minister of Justice

Mr Gazment BARDHI *legal expert*  
Ministry of Justice

Mr Arben DOCI  
**LAW ENFORCEMENT EVALUATOR FOR ANDORRA**

Ms Denada KOCIAJ *legal expert*  
Ministry of Justice

Mr Agim MUSLIA *financial expert*  
**FINANCIAL EVALUATOR FOR MALTA**  
Director of Analysis and IT Dept (GDPML)

**ANDORRA / ANDORRE**

Mr Carles FICANA PIFARRÏ *legal expert*  
**CHEF DE DELEGATION**  
Directeur de l'Unitat d'Intelligence Financiera, Minister de la Præsidence

Mrs Claudia CORNELLA-DURANY  
Head of International Relations, Ministry of Finance

Mme Maria COSAN  
Directrice INAF

Mr Jesъs GARCHA  
INAF

Mr Jesъs JIMÏNEZ  
Expert criminel

Mrs Tanjit SANDHU  
Legal Adviser, Financial Intelligence Unit

Mr Lluis VICUALES  
Expert financier

**ARMENIA / ARMENIE**

Mr Artur GOYUNYAN *law enforcement expert*  
Prosecutor, Department for Cases Investigated by National Security Bodies, Office of the Prosecutor General

Ms Astghik KARAMANUKYAN *legal expert*  
Head, International Relations Department, Financial Monitoring Center, Central Bank of Armenia

Ms Hasmik MUSIKYAN *law enforcement expert*  
Methodologist-Legal Advisor, Legal Compliance Department, Financial Monitoring Center, Central Bank of Armenia

#### **AUSTRIA / AUTRICHE**

Mr Stefan WIESER  
AML/CFT Policy Advisor, Federal Ministry of Finance

Mrs Karin ZARTL  
Financial Markets Authority (FMA), International Affairs and European integration,

#### **AZERBAIJAN / AZERBAIJAN**

Mr Rufat ASLANLI  
**HEAD OF DELEGATION**  
Chairman of the State Committee for Securities

Mr Azar ABBASOV  
Senior legal advisor of Legal and Methodology Unit of the Financial Monitoring Service under the Central Bank of the Republic of Azerbaijan

Mr Adishirin GASIMOV  
Director of the Financial Monitoring Service, Central Bank of the Republic of Azerbaijan

Mr Mehman ISMAYILOV  
Central Bank

Mr Anar SALMANOV *legal expert*  
Deputy Director, Member of the Experts Group on AML/CFT Measures under the auspices of the Cabinet of Ministers, Financial Monitoring Service, Central Bank of the Republic of Azerbaijan

Mr Jeyhun SHADLINSKIY  
Head, AML/CFT Department, Ministry of National Security

#### **BOSNIA AND HERZEGOVINA / BOSNIE-HERZĀGOVINE**

Mr Mijo GOLUB  
**HEAD OF DELEGATION**  
Deputy Chief and Acting Chief of the Financial Intelligence Department- State Investigation and Protection Agency

Mr Sanela LATIC  
Head of Department for Cooperation with international and Domestic Judicial Bodies, Ministry of Justice

Mr Samir OMERHODZIC *financial expert*  
Director Insurance Agency

Mr Vlado JOVANIC  
MUP RS

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