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MONEYVAL(2011)8

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

35th PLENARY MEETING OF MONEYVAL

Strasbourg, 11-14 April 2011

MEETING REPORT

Memorandum
prepared by the MONEYVAL Secretariat
Directorate General of Human Rights and Legal Affairs (DG-HL)

EXECUTIVE SUMMARY

During the 35th plenary meeting, held in Strasbourg from 11-14 April 2011, the MONEYVAL Committee:

- heard an address from Mr Thorbjørn Jagland, Secretary General of the Council of Europe, marking the occasion of MONEYVAL's first meeting since becoming an independent monitoring mechanism reporting directly to the Committee of Ministers;
- welcomed representatives of the Holy See and Vatican City State, the Committee of Ministers having accepted on 6 April 2011 their application to participate in MONEYVAL's evaluation procedures;
- adopted the mutual evaluation report on the 4th assessment visit of the Czech Republic;
- adopted the mutual evaluation report on the 4th assessment visit of Albania;
- further examined the revised first 3rd round progress report on Bosnia and Herzegovina and adopted the report as amended during the 35th plenary;
- further examined and adopted the revised second 3rd round progress report on Moldova;
- examined and adopted the second 3rd round progress report on Bulgaria;
- examined and adopted the second 3rd round progress report on Croatia;
- examined under step i of the Compliance Enhancing Procedures (CEPs) the reports in respect of Albania and Bosnia and Herzegovina and maintained step i of the CEPs in both cases, though in the case of Bosnia and Herzegovina the plenary gave a mandate to the Chairman to institute step ii between plenaries if a satisfactory action plan was not produced;
- heard a report of the high level mission to Moldova on 1-2 February 2011 and examined under step iv of the CEPs the report of Moldova in relation to the action taken in response to the decision of the Constitutional Court of 25 November 2010 relating to the STR regime, and decided that Moldova should report only under step I to the next plenary;
- continued the review of Croatia commenced at the 33rd plenary in September 2010, on the state of compliance in respect of countries which had more than 30 NC/PC ratings in the 3rd round reports, and decided that the Chairman would write to the Head of Delegation outside the CEPs procedures, drawing attention to the ongoing important deficiencies;
- discussed the FATF proposals on Reinforcing the FATF Global Network and agreed to respond in writing with detailed comments;
- discussed the continued assessment of SR.IX by MONEYVAL in its 4th round in respect of EU States and adopted a pragmatic solution, for endorsement by FATF which would not involve assessments of the supranational elements of the revised Methodology;
- decided that the venue for the 2011 Training Seminar for Evaluators would be Strasbourg;
- took note of the current status of work on typologies and that the 2011 Typologies meeting would be held in Tel Aviv, Israel, from 31 October – 2 November 2011;
- took note of information on AML/CFT initiatives in MONEYVAL countries and heard information on anti money laundering issues in other fora;
- took note of developments in relation to the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS 198) and decided that the MONEYVAL Chair should represent the Committee in the Conference of the Parties (COP);
- took note of the publication of MONEYVAL's 3rd Horizontal Review.

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, with amendments, the agenda as it appears in Appendix I. The list of participants appears at Appendix II.
2. The Chairman drew attention to the information document at item 3.1 setting out the correspondence he had had with “the former Yugoslav Republic of Macedonia” and Ukraine in respect of the plenary’s decisions on the analyses of the “state of progress on all NC/PCs in the 3rd round”. The Bureau and plenary would revert to these issues in December and review the progress that has been made in respect of all the countries that had been identified with less than 4 important deficiencies in at least 4 Recommendations, and to which Compliance Enhancing Procedures were not applied. The Chairman also drew attention to the correspondence with Albania, Bosnia and Herzegovina and Moldova with regard to step i of the Compliance Enhancing Procedures.
3. In the case of Moldova, the Chairman explained developments since the 34th plenary. The decision of the Constitutional Court was published in the Official Gazette in December 2010, after the last plenary. Accordingly, in line with the mandate from the plenary, Compliance Enhancing Procedures at step iv (high level mission) were instituted on 21 December 2010. The Chairman went on to report that subsequently a MONEYVAL High Level Mission to Moldova took place on 1-2 February 2011. The mission had comprised Mr Christos Giakoumopoulos, Director of Monitoring, Mr Vladimir Nechaev, Chairman of MONEYVAL, Mr Boudewijn Verhelst, scientific expert to MONEYVAL and Mr John Ringguth, Executive Secretary to MONEYVAL. The mission met with the Acting President of the Republic, Mr Marian Lupu, the Prime Minister, Mr Vladimir Filat, and representatives of authorities dealing with anti-money laundering and countering the financing of terrorism (AML/CFT) issues, including representatives of the banking sector. The mission also had meetings in the Constitutional Court of Moldova. The mission had examined closely all issues relating to the AML/CFT Law in the light of the decision by the Constitutional Court. The Chairman indicated that the results of the mission were positive and that the plenary would discuss the results fully under item 21.2.
4. The Chairman also drew attention to the information document under item 3.3 – the application by the Holy See to be evaluated by MONEYVAL. The Committee of Ministers had adopted Resolution(2011)5 on 6 April 2011 accepting the application of the Holy See (including the Vatican City State) to participate in MONEYVAL’s evaluation procedures. The Chairman welcomed the representatives of the Vatican attending MONEYVAL for the first time.
5. The Chairman also drew attention to the list of decisions of the Bureau meeting which had been circulated – most of which were for discussion under separate agenda items.

Item 4 - Information from the Secretariat

6. The Secretariat introduced the updated agenda of evaluations and meetings for 2011. The plenary took note of this document and that an evaluation visit of the Holy See may be undertaken in the coming months. The Secretariat also drew attention to the publication in March of the Horizontal review of the 3rd round of evaluations and the accompanying press release of 1 April 2011. The French version would be available in the coming months.

7. The Secretariat informed the plenary of the MONEYVAL and COP participation in the December Council of Europe Conference "Prevention of Terrorism: Prevention Tools, Legal Instruments and their implementation" in Istanbul, and on its participation in the February FATF plenary in Paris.
8. The Secretariat advised that Liechtenstein had applied to be evaluated in 2012 by the IMF. The issue was discussed by the plenary.

Decision taken

9. The plenary agreed that the IMF could conduct the Liechtenstein evaluation in 2012 under the current burden-sharing arrangements with the IMF.

Item 5 - Participation in the Seminar on Effectiveness hosted by the Canadian authorities

10. Mr Herbert Zammit Laferla, scientific expert to MONEYVAL, reported on his participation in the Workshop on Assessing Effective Implementation of International Standards, hosted by the Canadian authorities on 6-7 April, which is relevant in the context of the FATF 4th round. The conclusions of MONEYVAL's Horizontal Review had been shared with the workshop (particularly on the need for more law enforcement success in achieving convictions in major professional laundering cases) as well as the focus that MONEYVAL is placing on effectiveness in its own 4th round of onsite visits. Work is likely to continue on this project until February 2012 in order, *inter alia*, to identify what meaningful information should be routinely required by assessors in the FATF 4th round and, possibly, to prepare a new guide for assessors on this issue. MONEYVAL would continue to participate, as far as possible, in this project, which is under the direction of the WGEI.

Item 6 - ICRG process

11. The Co-Chairman of the ERRG informed the plenary of recent developments. Georgia had exited the process after the *prima facie* review, while Moldova is currently subject to a targeted review. Ukraine remains within the process at this time.
12. Attention was drawn to MONEYVAL INF6.2 (the responses received from MONEYVAL countries as to action taken under the FATF public statements in February 2011). MONEYVAL countries which had not yet responded were encouraged to do so before the full compilation of responses is sent to FATF.

Item 7 – Exchange of views on the paper in reinforcing the FATF Global Network

13. The Secretariat explained how this paper has been introduced in FATF. The FATF was considering the expectations it had of its Associate Members and equally encouraged FSRBs and Associate Members to consider what expectations they had of the FATF in this relationship. It appeared that there were some problems in the global network which needed addressing. Reference was made in this context to the speech of the FATF President to CFATF, which was contrasted with the remarks made in his December visit to MONEYVAL. Some of the solutions proposed in the paper were considered by the Bureau to be very intrusive. The Bureau's view was that "one size fits all" solutions were not appropriate and that some of the proposals failed to appreciate fully the position of MONEYVAL within a permanent international organisation. Moreover, there was a serious concern that this document was also potentially damaging to all those FSRBs, like MONEYVAL, which consider they are working effectively.

14. Romania strongly supported this view, considering it wrong for the FATF not to draw any distinctions between FSRBs which had demonstrated their maturity and others. There was also concern that some of the solutions proposed were potentially in conflict with the principles MONEYVAL had committed to in the “key principles of mutual evaluations and assessments” document (particularly in respect of an FATF veto in reports). The plenary considered that if there are problems with a particular FSRB they should be dealt with bilaterally, on a case by case basis.

Decision taken

15. The plenary endorsed all the Bureau’s concerns about this paper and it was agreed that the Secretariat would prepare a reasoned response to be sent to FATF by the due date, which may also propose alternative solutions. The MONEYVAL response would be approved in advance by the Chairman and Vice Chairman.

Item 8 - Discussion on the Second 3^d round Progress report of Bulgaria

16. The Secretariat presented its analysis of the Progress report on the core recommendations, which showed the developments on the effectiveness of money laundering criminalization and the implementation of CDD measures. There was developing jurisprudence in respect of ML criminalisation and Bulgaria was encouraged to continue challenging the courts with the more difficult (third party) laundering cases.
17. However it was noted that the penal legislation still needs to be completed with regard to some designated categories of predicate offence (market manipulation and insider trading) and criminal liability of legal persons also still needs to be addressed.
18. Regarding SR.II and SR.IV, developments in draft legislation were noted, but also a potential inconsistency between the proposed definition of financing of terrorism for reporting purposes in the LMFT and the definition of the financing of terrorism crime was pointed out.
19. The full progress report was subject to peer review by the plenary, assisted by the Rapporteur Country (Israel). Additional issues were raised in respect of Recommendation 3 (statistics on confiscation of equal value property), Recommendation 6 (statistics on STRs relating to family members of PEPs) and Recommendation 7 (Bulgarian legislation in relation to financial institutions other than banks).
20. Other issues which were raised included: R.1 on time frame for the changes in the Penal Code; R.5 on CDD procedures; R.6 on the definition of PEPs and relevant identification procedures; definition and listing of reputable jurisdictions; and SR.III on freezing of assets.
21. Following the discussions of the Progress report the Rapporteur country informed the plenary that it was satisfied with the information provided.

Decision taken

22. The plenary was satisfied with the information provided and the progress being undertaken and thus approved the progress report and the analysis of the progress on the core Recommendations with amendments on Recommendations 3, 6 and 7. A new progress report should be presented by Bulgaria in 2 years time. The progress report is subject to automatic publication in accordance with the Rules of Procedure.

Item 9 - Bosnia and Herzegovina

Item 9.1. Further consideration of the first 3rd round progress report of Bosnia and Herzegovina

23. The 34th plenary had, pursuant to Rule 43 of the revised Rules of Procedure, invited Bosnia and Herzegovina to provide a fuller report to this plenary. The Secretariat presented its analysis of the revised progress report on the core recommendations, describing the measures taken by the Bosnia and Herzegovina authorities in addressing the deficiencies identified in the 3rd MER.
24. The United Kingdom, as Rapporteur country, raised a number of issues related to the Bosnia and Herzegovina legal and preventive AML/CFT system in place, expressing concerns in respect of the terrorism financing reporting system, the level of resources (technical equipment and staff) of the FIU and on the lack of guidelines and instructions for obliged entities. It was also noted that the registration system for legal persons remains weak.
25. The plenary examined the evaluation report and the Secretariat's analysis. Remarks were made by the countries and scientific experts with regard to the length of the report and of the annexes. Also, concerns were expressed as to the relevance and appropriateness of some answers provided by the Bosnia and Herzegovina's authorities in relation a number of questions.
26. After bilateral discussions and amendments to the progress report, the Secretariat presented to the plenary the further amendments and the supplementary clarifications supplied by Bosnia and Herzegovina.
27. The Rapporteur country assessed the progresses made in the light of the revised draft and considered the report to have reached a standard which allows it to be adopted. This view was endorsed by the scientific experts.

Decision taken

28. The plenary adopted the revised Bosnia and Herzegovina Progress report together with the Secretariat analysis on the core Recommendations in accordance with art. 43 (b) of the revised rules of procedures, a full progress report being required in 2 years time. The progress report is subject to automatic publication in accordance with the Rules of Procedure.

Item 9.2 - Report from Bosnia and Herzegovina under Step i of the Compliance Enhancing Procedures and discussion of any next steps

29. The MONEYVAL Secretariat presented to the plenary the analysis of the current situation and the action taken by Bosnia and Herzegovina authorities in the CEPs process.
30. The plenary examined the report and required a clear action plan with a realistic time scale to address the deficiencies.
31. It was stated that a political commitment is necessary from the Bosnia and Herzegovinan authorities, which should be reflected in the approval of the action plan.

Decision taken

32. The Committee decided to adopt and publish the compliance report prepared by the Secretariat, and to maintain step i in the procedures, which requires a member concerned

to provide a report or regular reports on its progress in implementing the reference documents. It further reiterated its decision made at the 34th plenary that the report to be submitted before the 36th plenary of the MONEYVAL Committee (26-30 September 2011) should be a merged one that will contain replies to the important deficiencies, which were identified at the 33rd plenary, 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 will provide a template for this report.

33. The Committee invited Bosnia and Herzegovina to develop a clear action plan in response to the MONEYVAL third round mutual evaluation report. To this end, the Committee gave a mandate to the Chairman to correspond with Bosnia and Herzegovina with a view to agreeing within two months a satisfactory and practicable action plan with realistic timescales for remedying the major deficiencies identified. MONEYVAL underlined that if the Bureau is not satisfied with the action plan produced between the plenaries, the Chairman is mandated to implement step (ii) between plenaries. The Committee emphasised that in order to show a firm political commitment the agreed action plan should be approved at Government level.

Item 10 - Training seminar for assessors in 2011

34. The Executive Secretary thanked the four countries that offered to organise the training seminar for assessors in July 2011 (Armenia, Georgia, Moldova and Ukraine). Due to budgetary constraints, only one of the proposals fitted within the budget.
35. A second option discussed by the plenary was to have the training seminar in Strasbourg in the same period. It was anticipated that there would be other opportunities to hold events in the countries which had kindly made offers this time.

Decision taken

36. The plenary decided to organise the training seminar in 2011 in Strasbourg. The countries will be invited to send nominees.

Item 11 - The Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime and on the Financing of Terrorism (CETS No. 198)

37. The MONEYVAL Executive Secretary presented to the plenary the up-to-date situation on signatures and ratifications. Ukraine was the latest ratifying country, bringing the ratifications to 22. France has signed the Convention since the last plenary.
38. The plenary was also informed about new developments on COP activity: the adoption of the report on Albania and the forthcoming assessment by the COP of Romania.

Decision taken

39. The plenary took note of these developments. The Chairman of MONEYVAL was appointed as representative of MONEYVAL in the COP.

Item 12 - Information on AML/CFT initiatives in MONEYVAL countries (tour de table)

40. The Chairman informed the delegations which had not sent any information that they could still do so in the week after the meeting. The Secretariat advised that they had received responses from 12 delegations.

41. The Executive Secretary advised the plenary that the final compilation of information from the tour de table received from delegations would be available for consultation on the restricted area website of MONEYVAL.

Items 13 and 14 - Discussion on the draft 4th round Mutual Evaluation Report on Czech Republic

42. 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 and which require plenary resolution. The Secretariat briefly outlined details of the on site visit, and thanked the Czech authorities for their cooperation and excellent organisation of the exercise.
43. The evaluators presented their views on the steps taken by the Czech authorities since the last evaluation and on the shortcomings identified with respect to the evaluated Recommendations.
44. The Czech authorities acknowledged the evaluators' remarks and expressed the willingness of the decision makers to take into consideration MONEYVAL's recommendations for further development of the legal, law enforcement and preventive systems. The Chairman proceeded with the discussions on the Draft report. The three intervenors countries were: Monaco (legal issues), Montenegro (law enforcement) and Poland (financial aspects).

Important issues arising:

45. **Corporate criminal liability:** The representatives of the Czech Ministry of Justice stated that following MONEYVAL's assessment and recommendations mentioned in the Draft Report, a Law on criminal liability for legal persons is expected to be adopted within a 2 week timeframe. Also, the Czech Authorities explained to the plenary that the only obstacle to the ratification of the Palermo Convention is criminal liability for legal persons. Once this issue is solved, the Convention should be ratified by the Czech Republic.
46. **Independence of the FIU: Is the independence of the FIU ensured by AML/CFT legislation since the status and functions of the FAU are not defined in a separate legislative act, the FIU has no separate budget and the Director is appointed by the Ministry of Finance?** The Czech authorities replied that the current organisation of the FIU does not impede its independence. The FIU has a separate budget dedicated to IT equipment and for the physical protection of the personnel of the Unit. Also, it was stated that in practice, the Ministry of Finance does not intervene in the operational activity of the FIU (in the analysis and dissemination process) and that the recruitment process of the personnel is entirely an internal FIU matter.
47. Other issues raised: The need for more statistics (with a focus on statistics for confiscations), national AML/CFT risk assessment, supervision and supervision cycles, the relation between the FIU and the tax administration, the assessment of the countries considered as higher risk for money laundering, bearer pass books, accounts on fictitious names.
48. Following the discussions, remarks and comments in the plenary, some paragraphs of the draft report were amended. Discussions on the upgrading of the rating from PC to LC for SRIV were held in the plenary.

Decision taken

49. The plenary adopted the 4th round MER on the Czech Republic with some editorial amendments and modified the rating on SR.IV from PC to LC. The Czech Republic was placed in regular follow up, under Rule 48. The timetable for reporting was expedited under Rule 49, and the Czech authorities were invited to provide a report within a one year time frame, but no earlier than 12 months from the adoption of the report.

Item 15 – Intervention by Mr Thorbjørn Jagland, Secretary General of the Council of Europe

50. The Secretary General joined the MONEYVAL meeting to mark the 35th plenary. In his address he extended greetings to the MONEYVAL plenary and special greetings to the Holy See's representatives present, expressing his pleasure that the Committee of Ministers had agreed that the Holy See should fully participate in MONEYVAL's evaluation processes. He outlined that the consolidation of the rule of law in all the member States is a strategic priority for the next decade. Preventing money laundering and terrorist financing is vital to defeating the threats to the rule of law. He emphasised that MONEYVAL makes a real difference to the daily lives of our citizens and is effective and delivers results. He stated that the importance and quality of MONEYVAL's work since its creation is well understood by the Committee of Ministers, which is why they had taken the rare step of upgrading MONEYVAL within the Council of Europe structure to be a permanent monitoring mechanism, reporting directly to the Committee of Ministers. He looked forward to the first report presented to the Committee of Ministers and assured the Committee that MONEYVAL's work in the fight against money laundering and terrorist financing and the wide ratification of the 2005 Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism are high on his priorities. He wished the plenary and the Chairman success.

Items 16 and 17 - Discussion on the draft 4th round Mutual Evaluation Report on Albania

51. The assessment of the anti-money laundering and combating the financing of terrorism regime of Albania was conducted by a team of assessors composed of staff of the International Monetary Fund (IMF) and two experts acting under the supervision of the IMF. The on site evaluation mission was conducted from 15-30 November 2010. Mr Gyula Kérdö from the Hungarian Financial Supervision Authority participated on behalf of MONEYVAL to assess compliance with the 3rd EU Directive.
52. Mr Giuseppe Lombardo, representative of the IMF, thanked MONEYVAL for their logistical support of the IMF evaluation team and the Albanian authorities for the organisation of the on site visit and all their cooperation during the evaluation process.
53. The evaluation team underlined the considerable progress achieved by Albania since the last assessment in 2006, noting that the team had a good general impression overall. Progress included the new AML/CFT Law, the new "Antimafia" Law, reforms of the companies registration system and control of the physical transportation of cash.
54. The Albanian authorities assured MONEYVAL that the recommendations of the report will constitute a useful tool to address effectively the identified deficiencies.
55. The Chairman proceeded with the discussions on the Draft report. The intervenor countries were: Romania (legal issues), Russian Federation (Law enforcement), Serbia (Financial).

Important issues arising:

56. **The lack of legal provisions on insider trading and market manipulation.** The Albanian authorities indicated the low incidence of such crimes (even from foreign jurisdictions) in the country but accepted the deficiency and expressed the authorities' willingness to implement legislation according to the recommendations stated in the report.
57. Other issues discussed: organised crime fighting legislation, the role and powers of the Assets Recovery Office and the regime of seizures, the risks related to Non Profit Organisations and SR.VIII, police investigation techniques and access to information, strategic analysis of the FIU (statistics, typologies, country risk), CDD measures, supervision with regard to the insurance and securities sectors.
58. The rating for Recommendation 26 was discussed. The powers and the independence of the FIU (its focus on dissemination, its relation with the anticorruption agency, term limit of the director of the FIU) were raised in this context. The consensus was that there should be an upgrading from PC to LC.
59. The Albanian authorities requested reconsideration of the rating of Recommendation 27 based on recently provided information (to the evaluation team and to the plenary) emphasising that in practice, the law enforcement agencies have the ability to postpone/waive arrest warrants. The plenary decided to maintain the rating as proposed by the evaluators (PC).

Decision taken

60. According to the revised Rules of Procedure, the plenary adopted the Draft Report with the upgrade of the rating of Recommendation 26 from PC to LC. Albania was placed in regular follow up under Rule 48. They were invited to present a report within the normal two years time frame, as envisaged by Rule 48.

Items 18 and 20 - Report from Albania under Step i of the Compliance Enhancing Procedures and further discussion of next steps in respect of Albania

61. By the decision of the 33rd plenary, Albania was placed in compliance enhancing procedures at step i 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 3rd round.
62. The Head of Delegation of Albania presented the steps taken since the 34th plenary to address the important deficiencies (R.5, R.6, SR.II and SR.VIII). The Secretariat noted improvements on R.6, but issues in relation to the other important deficiencies still remained.

Decision taken

63. It was concluded that, while important steps had been taken by Albania in order to upgrade the AML/CFT system and that there is a strong political will to comply with the FATF standards, Albania should remain under CEPs and invited it to report to the next plenary meeting under step i.

Item 19 – Croatia

Item 19.1 - Discussion on the Second 3rd round Progress report of Croatia

64. The Secretariat presented its analysis of the progress report on the core Recommendations.
65. The Croatian delegation commented on the analysis, answered the questions raised by the Rapporteur Country (Liechtenstein) and brought forward additional information on the implementation of the Recommendations in question.
66. Issues arising: backlog of cases within the FIU, criminal liability of legal persons, especially in relation to “white collar” crimes and environmental crimes, freezing and seizing, efficiency of mutual legal assistance system, off site administrative supervision conducted by the FIU, supervision of the NPO, guidelines for DNFBP, Recommendation 6 and the provision for senior management approval of PEP clients.
67. Liechtenstein, in its capacity of Rapporteur country, stated that it was content with the information provided.

Decision taken

68. The plenary was satisfied with the information provided and the progress being undertaken and adopted the progress report together with the Secretariat analysis on the core Recommendations. Croatia was invited, in accordance with the Rules of Procedure, to provide an update every two years between evaluation visits (i.e. April 2013), though the plenary could decide to fix an earlier date at which an update should be presented. The progress report is subject to automatic publication in accordance with the Rules of Procedure.

Item 19.2 - Discussion of the state of compliance on all NC and PC ratings in the 3rd Round report in respect of Croatia

69. The plenary considered the Secretariat’s revised review of the preliminary analysis of the state of compliance of Croatia and heard the clarifications and position of Croatia on the findings.
70. On SR II, the Croatian delegation stated that the financing of terrorism crime, as provided by the Criminal Code, is fully in line with the Convention and covers the main scope of the criminal offence. Also the penalty for financing of terrorism will be increased from 3 years imprisonment to 1 to 10 years.
71. Other issues arising included: delisting procedures, insufficient guidance for the banking system and freezing of assets under SR.III.
72. The proposal of the Secretariat, supported by the Bureau, was that the two deficiencies (SR.II and SR.III) remain important, no CEPs should be imposed, but Croatia should report in advance of the December plenary on progress on these issues.

Decision taken

73. The plenary decided that no compliance enhancing procedures would be instituted at this time and, on the basis of the procedure agreed for this process, the Croatian authorities should be notified by a letter drawing their attention to the two on-going important deficiencies identified. Croatia was invited to take further remedial action and

report on measures taken before the 37th plenary meeting, when the plenary will re-examine the situation in respect of countries concerned by this process.

Item 21 – Moldova

Item 21.1 - Further consideration on the Second 3rd round Progress on Moldova

74. At the 34th MONEYVAL plenary meeting, the progress report on Moldova was not adopted. Moldova was invited to re-submit a fuller progress report at the next meeting.
75. The Secretariat presented its review of the implementation of the Core Recommendations in the amended Progress report.
76. The plenary examined and discussed the second third round progress report and the Secretariat's analysis on Moldova.
77. Azerbaijan, in its capacity of Rapporteur country, asked a number of additional questions.
78. Moldova introduced to the plenary the members of the delegation and stated that a period of three months would be enough for the implementation of *by laws*.
79. Questions were asked with regard to the reporting activity in the transition period. The Moldovan delegation stated that no disruption of the reporting process was encountered in practice and that even more reports were received by the FIU during this period.
80. Other issues arising: the regulation for PEPs, the influence of the Constitutional's Court decision on other legislation, the relation between internal laws and international regulations, the new reporting system.
81. Azerbaijan, in its capacity of rapporteur, indicated that it was satisfied with the sufficiency of the information provided.

Decision taken

82. The plenary was satisfied with the information provided and the progress being undertaken and adopted the progress report together with the Secretariat analysis on the core Recommendations. Moldova was invited, in accordance with the Rules of Procedure, to provide an update in two years time frame. The progress report is subject to automatic publication in accordance with the Rules of Procedure.

Item 21.2 - Report from Moldova under Step IV of the Compliance Enhancing Procedures / discussions of the next steps

83. The MONEYVAL Executive Secretary gave further details about the high level mission to Moldova. The authorities had acted expeditiously to deal with the concerns of the Constitutional Court. The new AML/CFT Law was adopted by the Parliament and is to be signed shortly by the President of the country.
84. It was considered that the new Law broadly covers all the concerns of the Constitutional Court. The new law also boosts the independence of the FIU.
85. The objective of step iv had been achieved. The progress registered between the two plenary meetings was considered as a "quick win" for Moldova and for MONEYVAL. Under A.14 of the Amended Draft Law the Government has 3 months to amend "the proper normative acts" in accordance with the revised law to ensure that all by-laws are

rendered constitutional. The proposal of the Bureau was to revert to step i for the Moldovan authorities to report at the next plenary on the implementation of the law itself and on the consequential changes to other relevant acts pursuant to A.14.

Decision taken

86. The plenary decided to move from step iv to step i of the CEPs. Moldova was invited to report to the next plenary on the implementation of the amendments and on the consequential changes to other normative acts.

Item 22 - Discussion of MONEYVAL's assessment of the European Union Member States under SR.IX in its follow up round

87. The Chairman introduced the paper MONEYVAL35(2011)INF22-rev. This paper reflected the Bureau's discussion of the issue of whether it is practical for MONEYVAL to continue to re-assess SR.IX for its EU member States on the basis of the revised Methodology on SR.IX, which recognises the EU as a supranational jurisdiction, and which contains numerous criteria relevant to supranational jurisdictions. The European Commission had written to the FATF President and the MONEYVAL Chairman on perceived inconsistencies of approach in the various FATF and MONEYVAL evaluations on SR.IX, given that at present, there is no methodology in place for conducting an assessment of the EU as a supranational jurisdiction. Concerns had also been raised in the correspondence about comments and/or recommendations in EU country reports on the introduction or reintroduction of cash declaration / disclosure systems at EU internal borders. MONEYVAL had sought an expert opinion from Mr Boudewijn Verhelst and Mr Paolo Costanzo on the overall issue. This opinion was circulated as an Annex to the information document, and had been broadly accepted by the Bureau. While the opinion considered that it was possible for evaluators still to recommend reinstatement of domestic controls if, for example, the team concluded that Criterion IX.15 was not sufficiently complied with, the Bureau considered that in future MONEYVAL should not recommend reinstatement of internal controls, and downgrading simply on the basis of lack of an intra-EU disclosure system was not appropriate.
88. The three options initially before the plenary were:
- Option A: pending FATF's 4th round to continue with full re-assessment of the 6 remaining EU countries to be evaluated;
 - Option B: to only evaluate the implementation by an EU country of controls at the EU external borders;
 - Option C: drop SR.IX entirely for EU countries, pending FATF's 4th round.
89. The European Commission thanked MONEYVAL for preparing the background papers and for the opportunity to have a full discussion on this issue. They re-iterated that inconsistencies in the reports do exist and recognised that MONEYVAL concerns on this issue were logical and justifiable. They considered, however, that an evaluation of the supranational jurisdiction is necessary under SR.IX. They also questioned some of the assertions in the opinion about the extent of EU safeguards currently in place (including databases) with respect to SR.IX. A presentation of these safeguards was made available to the MONEYVAL plenary. They emphasised that in their view absence of cash controls at EU internal borders is not a breach of SR.IX. Broadly, the European Commission inclined to support Option A, though with modifications.
90. The subsequent plenary discussion, which included interventions from the scientific experts, IMF and other observers, showed that all three options had their merits and their shortcomings.

91. The FATF representative considered that the only realistic option for the time being is to have a national assessment as the supranational approach cannot be evaluated properly as yet.
92. After a further reflection, a revised text for Option A, prepared by all the directly interested parties, including the IMF and the European Commission, was submitted to the plenary. The revised text of Option A was as follows:

Pending the FATF's 4th round, as an interim solution, MONEYVAL will continue with full re-assessments of SR.IX in the 6 remaining EU countries to be evaluated. Under the supranational approach, there is a pre-condition for a prior supranational assessment of relevant SR.IX measures. It has to be noted however that there is as yet no process or methodology for conducting such an assessment (although one is planned). Therefore, these countries will be evaluated using the non-supranational approach. Nevertheless, it should also be noted that, for the purpose of Criterion IX.1, the EU has been recognised by the FATF as a supranational jurisdiction and therefore there is no obligation to comply with this criterion for intra-EU borders. Downgrading solely for the lack of a declaration/disclosure system is thus not appropriate. The other criteria that mention supranational approach (C.IX.4, C.IX.5, C.IX.7, C.IX.13 and C.IX.14) would not be evaluated against the requirements that apply to the supranational approach, and C.IX.15 would not be evaluated.

93. The plenary supported the revised text of Option A.

Decision taken

94. The revised text of Option A was in principle adopted as the future guideline for handling SR.IX in MONEYVAL's 4th round of assessment visits so far as EU countries are concerned. MONEYVAL and the FATF Secretariat would seek to obtain WGEI and FATF endorsement of this pragmatic solution as it contemplates a departure from the language of the Methodology in some areas. FATF would be urged to endorse this approach at its June plenary in Mexico, in order that the Slovakia discussion on SR.IX can proceed at MONEYVAL's 36th plenary in September 2011.

Item 23 – information from the European Union

95. The Council of the European Union informed about the evaluation reports from the fifth round of mutual evaluations on financial crime and financial investigations that have been adopted by the Council Working Party on General Affairs and Evaluations (GENVAL). Those reports have been de-classified and are now publicly available in the register of documents of the Council of the European Union (www.consilium.europa.eu)
Report on Latvia: doc. 14873/2/10
Report on Luxembourg: doc. 15644/2/10
Report on Estonia: dos. 17768/2/10.

Items 24 and 25 - Information on AML/CFT initiatives in other forums

96. The following bodies presented their new or ongoing initiatives:
 - IMF informed the MONEYVAL plenary about the project on assessing effectiveness in relation to the FATF recommendations and invited all interested parties to join. Also, they described the ongoing technical assistance to a number of MONEYVAL countries.
 - The World Bank described: the technical assistance provided for Armenia and Azerbaijan; the regional workshop on FIU cooperation; the project on regional/country

risk assessment (tools, best practices); the typologies project on FIU powers to postpone a transaction (to be finalised in July) and the study on illicit financial flows deriving from drug trafficking and organised crime.

- The FATF informed the plenary about numerous of its activities, including: the Expert Meeting on Corruption to gather information on how AML/CFT measures usefully contribute to the fight against corruption and enhance engagement with this issue; the corruption typology research - red flags and indicators (draft report expected in June); the project on enhancing information exchange between FIUs; the national risk assessment joint working group, which will issue guidance and tools; the joint (IMF) project covering an inventory of statistics available on ML/TF issues and information on the typologies meeting in South Korea (December).
- The EGMONT GROUP referred to their input into the project on R.26 redrafting and the project related to the revision of R.40, particularly in respect of diagonal (indirect) FIU cooperation.
- GIFCS (formerly OGBS) informed about: their input into the expert groups on Recommendations 33 and 34, and R.5 and R.9; the typologies exercise on laundering the profits deriving from human trafficking; the recent mutual evaluation report on Guernsey carried out by the IMF.
- The EAG highlighted the new membership of India; the follow up evaluation round on member states; the annual typologies report on foreign trade, the working group on technical assistance and that MENAFATF had recently become observers.
- Item 25 was not discussed.

Item 26 - Typologies work

97. The plenary heard an update on the current status of the on-going typologies projects and the next steps to be taken. As regards the project on *Criminal money flows on the internet: methods, trends and multi-stakeholder counteraction*, it was noted that the draft report will be circulated for comments in the course of May, and that the final draft report will be examined for adoption at the 36th plenary meeting. As regards the project on *the use of internet gambling for ML and TF purposes*, the project leader reported that the project team will hold a meeting from 17-18 May 2011 in Malta, which would also give the opportunity to hold consultations with representatives of the industry. It is anticipated that a draft report will then be prepared and shared with members for comments, before it is formally presented for adoption to MONEYVAL.
98. The Annual typologies exercise will be organised from 31 October to 2 November 2011 in Tel Aviv, Israel. The Secretariat will prepare, with the assistance of the Israeli authorities, a preliminary programme which will be made available in advance of the meeting.

Decision taken

99. The Secretariat was instructed to liaise with the delegations which had proposed typologies topics, in order to help them prepare a revised paper and concept notes, which would take into account the preliminary factors to be considered, as outlined in the paper. MONEYVAL plenary will examine and decide upon the new typologies projects which would be initiated for the period 2011-2012 at its forthcoming 36th plenary meeting.

Item 28 - Ad Hoc Review Group of Expert for the next plenary meeting

100. The Review Groups will be as follows: Estonia (Cyprus), Hungary (Slovakia), Lithuania (San Marino).

Item 29 - Rapporteurs for 2011

101. The Rapporteur countries for the next plenary will be as follows: Malta (Russian Federation) and Moldova ("the former Yugoslav Republic of Macedonia").

Item 30 - Future representation in FATF meetings

102. San Marino and Monaco expressed their interest in participating to the next FATF plenary in Mexico City. Apart from the Chairman and Vice Chairman of MONEYVAL, no other Bureau members will be attending.

Item 31 - Financing and staffing

103. MONEYVAL anticipates a further secondment in the coming months.

Item 32 – Miscellaneous

104. There were no issues under this item.



MONEYVAL-PLN35(2011)OJ1
Strasbourg, 29.03.2011

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

*COMITÉ D'EXPERTS SUR L'ÉVALUATION DES MESURES
DE LUTTE CONTRE LE BLANCHIMENT DES CAPITAUX
ET LE FINANCEMENT DU TERRORISME*

MONEYVAL

35th PLENARY MEETING / 35^e SESSION PLENIERE
Strasbourg, 11 – 14.04.2011

ANNOTATED AGENDA / ORDRE DU JOUR ANNOTÉ

Morning 9h30 / matin 9h30

1. **Opening of the plenary Meeting at 9h30 / Ouverture de la réunion plénière à 9h30**
2. **Adoption of Agenda / Adoption de l'ordre du jour**
3. **Information from the Chairman / Informations communiquées par le Président**
 - 3.2 **Chairman's correspondence / Correspondance par le Président**
MONEYVAL35(2010)INF-3.1
 - 3.3 **High Level Mission in Moldova / Mission de haut niveau en Moldova**
 - 3.4 **Application by the Holy See / Candidature du Saint-Siège**
MONEYVAL35(2010)INF-3.3
 - 3.5 **Bureau Meeting on 8 April 2011 / Réunion du Bureau du 8 avril 2011**
MONEYVAL(2011)7
4. **Information from the Secretariat / Informations communiquées par le Secrétariat**
 - 4.1 **Agenda of evaluations and meetings for 2011 / Calendrier des évaluations et réunions en 2011**
MONEYVAL35(2010)INF-4.1
 - 4.2 **Participation in the Council of Europe Conference "Prevention of Terrorism: Prevention Tools, legal instruments and their implementation" – Istanbul, 16 - 17 December 2010 / Participation à la Conférence « La prévention du terrorisme : les instruments de prévention, les instruments juridiques et leur mise en œuvre », organisée par le Conseil de l'Europe à Istanbul, 16 - 17 Décembre 2010**
 - 4.3 **Participation in FATF meetings / Participation aux réunions du GAFI**
 - 4.4 **Participation in other fora / Participation à d'autres réunions**
 - 4.5 **Application by Liechtenstein to be evaluated by IMF in 2012 / Demande de Liechtenstein à être évalué par le FMI en 2012**
5. **Participation in the Seminar on Effectiveness hosted by the Canadian authorities – report by Herbert Zammit LaFerla / Participation au séminaire sur l'efficacité organisé par les autorités canadiennes – exposé par Herbert Zammit LaFerla**
6. **ICRG process - update / Processus du Groupe d'examen des questions de coopération internationale (ICRG) – mise à jour**
 - 6.1 **Update from the Europe/Eurasia Regional Review Group (EERG) Co-chair / Mise à jour par le co-président du Groupe d'examen régional Europe / Eurasie (EERG)**
 - 6.2 **Responses to the FATF Public statements in February 2011 / Réponses aux Déclarations publiques du GAFI publiées en février 2011**
MONEYVAL35(2010)INF-6.2
7. **Exchange of views on the paper on Reinforcing the FATF Global Network (FATF/PLEN(2011)8) / Echange de vues sur le document relatif à la Consolidation du réseau global du GAFI (FATF/PLEN(2011)8)**

8. **Discussion on the Second 3rd round Progress report of Bulgaria / Discussion du deuxième rapport de progrès de 3^e cycle de la Bulgarie**

MONEYVAL(2011)5
MONEYVAL(2011)5-ANALYSIS

(Bureau meeting : Face to face meeting with Bosnia and Herzegovina during the lunch break / Réunion du Bureau : Réunion bilatérale avec la Délégation de Bosnie-Herzégovine pendant la pause déjeuner)

Afternoon 14h30 / après-midi 14h30

9. **Bosnia and Herzegovina / Bosnie-Herzégovine**

- 9.1 **Further consideration on the First 3rd round Progress report of Bosnia and Herzegovina / Réexamen du premier rapport de progrès de 3^e cycle de la Bosnie-Herzégovine**

MONEYVAL(2010)28-REV1
MONEYVAL(2010)28 ANN-REV1
MONEYVAL(2010)28-ANALYSIS

- 9.2 **Report from Bosnia and Herzegovina under Step I of the Compliance Enhancing Procedures and discussion of any next steps / Rapport de la Bosnie-Herzégovine au titre de l'étape I des procédures de conformité renforcée et discussion des étapes suivantes**

MONEYVAL35(2011)INF-9.2

10. **Training Seminar for assessors in 2011 / Séminaire de formation des évaluateurs en 2011**

11. **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) / Information sur la Convention du Conseil de l'Europe relative au blanchiment, au dépistage, à la saisie et à la confiscation des produits du crime et au financement du terrorisme (STCE no. 198)**

11.1 **Update / Mise à jour**

11.2 **MONEYVAL Representation in the Conference of the Parties / Représentation de MONEYVAL auprès de la Conférence des Parties**

12. **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)**

MONEYVAL35(2011)INF-12

(Bureau Meeting at the close of the afternoon's business / Réunion du Bureau à la clôture de la session de l'après-midi)

Day 2: Tuesday 12 April 2011 / 2^e jour: Mardi 12 avril 2011

Morning 9h30 / matin 9h30

13. **Discussion on the draft 4th round Mutual Evaluation Report on Czech Republic / Discussion du projet de rapport de 4^e cycle d'évaluation mutuelle sur la République tchèque**

Draft MER - MONEYVAL(2011)1 prov
Draft annexes - MONEYVAL(2010)1 ANN
Questions intervenir delegations - MONEYVAL35(2011)INF-13-QST
Comments - MONEYVAL35(2011)INF-13-COM

Afternoon 14h30 / après-midi 14h30

14. **Continuation of the discussion on the draft 4th round Mutual Evaluation Report on Czech Republic / Poursuite de la discussion du projet de rapport de 4^e cycle d'évaluation mutuelle sur la République tchèque**

Day 3: Wednesday 13 April 2011 / 3er jour: Mercredi 13 avril 2011

Morning 9h00 / matin 9h00

15. Intervention by Mr Thorbjørn Jagland, Secretary General of the Council of Europe (approx. 9h30) / Intervention de M Thorbjørn Jagland, Secrétaire Général du Conseil de l'Europe (vers 9h30)

16. Discussion on the draft 4th round Mutual Evaluation Report on Albania / Discussion du projet de rapport de 4^e cycle d'évaluation mutuelle sur l'Albanie

Draft MER - MONEYVAL(2011)3 prov
Draft MER – EU Compliance - MONEYVAL(2011)3 EU
Draft executive summary - MONEYVAL(2010)3 SUMM
Questions intervenir delegations - MONEYVAL35(2011)INF-16-QST
Comments - MONEYVAL35(2011)INF-16-COM

Afternoon 14h30 / après-midi 14h30

17. Continuation of the discussion on the draft 4th round Mutual Evaluation Report on Albania / Poursuite de la discussion du projet de rapport de 4^e cycle d'évaluation mutuelle sur l'Albanie

18. Report from Albania under Step I of the Compliance Enhancing Procedures / Rapport de l'Albanie au titre de l'étape I des procédures de conformité renforcée

MONEYVAL35(2011)INF-18

19. Croatia / Croatie

19.1 Discussion on the Second 3rd round Progress report of Croatia / Discussion du deuxième rapport de progrès de 3^e cycle de la Croatie

MONEYVAL(2011)4
MONEYVAL(2011)4 ANN
MONEYVAL(2011)4-ANALYSIS

19.2 Discussion of the state of compliance on all NC and PC ratings in the 3rd Round report in respect of Croatia / Discussion sur l'état de conformité de la Croatie concernant les notations NC et PC du rapport d'évaluation de 3^e cycle

MONEYVAL35(2011)INF-19.2

Day 4: Thursday 14 April 2011 / 4e jour: Jeudi 14 avril 2011

Morning 9h30 / matin 9h30

20. Compliance Enhancing Procedures – further discussion of next steps in respect of Albania / Procédures de conformité renforcée – suite de la discussion des étapes suivantes concernant l'Albanie

21. Moldova

21.1 Further consideration on the Second 3rd round Progress report of Moldova / Réexamen du deuxième rapport de progrès de 3^e cycle de Moldova

MONEYVAL(2010)34-REV
MONEYVAL(2010)34ANN-REV
MONEYVAL(2010)34-ANALYSIS-REV

21.2 Report from Moldova under Step IV of the Compliance Enhancing Procedures / Rapport par la Moldova au titre de l'étape IV des procédures de conformité renforcée

MONEYVAL35(2011)INF-21.2

21.3 Discussion of next steps in Compliance Enhancing Procedures in respect of Moldova / Discussion des étapes à venir concernant la Moldova au titre des procédures de conformité renforcée

22. Discussion of MONEYVAL's assessment of European Union member states under SR.IX in its follow up round / Discussion sur l'évaluation des Etats membres de l'Union Européenne par MONEYVAL en vertu de la SR.IX dans le cadre de son cycle de suivi

MONEYVAL35(2011)INF-22

23. Information from the European Union / Informations de la part de l'Union Européenne

23.1 European Commission / Commission européenne

23.2 Secretariat General of the Council of the European Union / Secrétariat Général du Conseil de l'Union européenne

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

24.1 IMF / FMI

24.2 World Bank / Banque Mondiale

24.3 EBRD / BERD

24.4 GIFCS (formerly/ex OGBS)

MONEYVAL35(2011)INF-24.4

24.5 OSCE

24.6 Council of Europe Development Bank / Banque de développement du Conseil de l'Europe

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

24.8 FATF / GAFI

Afternoon 14h30 / après-midi 14h30

25. Further discussion, as necessary, on the progress on the Review of the FATF Recommendations (in particular R.26 and R.40) / Poursuite de la discussion, si nécessaire, sur les avancées concernant le réexamen des Recommandations du GAFI (notamment la R.26 et la R.40)

26. Typologies work / Travaux sur les typologies

MONEYVAL35(2011)INF-26

26.1 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

MONEYVAL(2011)8

26.2 The use of internet gambling for ML and TF purposes- update / L'utilisation des jeux en ligne aux fins du BC et FT- Etat des travaux

26.3 Future typologies work: consideration of project proposals / Travaux futurs sur les typologies: examen des propositions de projets

26.4 MONEYVAL 10th Typologies meeting (Tel Aviv, 31 Oct - 2 Nov 2011) / 10^e Réunion sur les typologies de MONEYVAL (Tel Aviv, 31 octobre – 2 Novembre 2011)

27. Information on other typologies projects in other forums/ Information sur d'autres projets sur les typologies dans d'autres organisations

27.1 FATF/ FRSBs co-operation / Coopération entre le GAFI et les organismes régionaux de type GAFI

FATF/WGTY(2011)10

27.2 FATF's on-going typologies projects / Les projets du GAFI relatifs aux typologies

- 27.3 France/OGBS/FATF Typology project on human trafficking – status of work / *Projet joint France/OGBS/GAFI sur les typologies de la traite des être humains – état des travaux***
- 27.4 Information on other bodies' projects/ *Informations sur les projets d'autres organisations***

- 28. Ad Hoc Review Group of Experts for the next plenary meeting / *Groupe Ad Hoc d'experts pour la prochaine réunion plénière***

- 29. Rapporteurs for 2011 / *Rapporteurs pour 2011***

- 30. Future representation in FATF meetings / *Représentations futures dans les réunions du GAFI***

- 31. Financing and staffing / *Financement et questions de personnel***

- 32. Miscellaneous / *Divers***



Strasbourg, 27 April 2011

MONEYVAL-PLEN35(2011)LIST1

COMMITTEE OF EXPERTS ON THE EVALUATION
OF ANTI-MONEY LAUNDERING MEASURES
AND THE FINANCING OF TERRORISM /

*COMITÉ D'EXPERTS SUR L'ÉVALUATION
DES MESURES DE LUTTE CONTRE LE BLANCHIMENT DES CAPI-
TAUX ET LE FINANCEMENT DU TERRORISME*

MONEYVAL

35th PLENARY MEETING / 35^e RÉUNION PLÉNIÈRE

11 – 14 April 2011 / *11-14 avril 2011*

AGORA
ROOM G03 / *SALLE G03*

LIST OF PARTICIPANTS

LISTE DES PARTICIPANTS

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