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**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

41st PLENARY MEETING / 41^e SESSION PLÉNIÈRE
Strasbourg, 9 – 12.04.2013

MEETING REPORT / RAPPORT DE REUNION

The Committee of Experts on the evaluation of anti-money laundering measures and the financing of terrorism (MONEYVAL) held its 41st plenary meeting from 9 to 12 April 2013 in Strasbourg under the chairmanship of Mr. Vladimir NECHAEV (Russian Federation).

Day 1: Tuesday 9 April 2013

Agenda items 1 & 2 – Opening and Adoption of Agenda

1. The agenda was adopted as set out in the enclosed annex.

Agenda item 3 – Information from the Chairman

2. The Chairman reported to the Plenary on the exchanges of letters related to the reporting by countries monitored under the NC/PC process as well as to the request put forward by the Russian Federation, to consider replacing its 4th round follow-up evaluation, scheduled in November 2013, by the submission of a follow-up report and upon which the Plenary would be expected to take a decision.
3. The Plenary was also informed that following the examination by the Rapporteur Group on Legal Co-operation (GR-J) of MONEYVAL's annual report on 26 March 2013, the Chairman and Executive Secretary would formally present it to the Committee of Ministers on the following day (10th of April).
4. The Chairman reported on the outcome of the 26th Bureau meeting, held on 27 March 2013, and which examined a number of Plenary agenda issues, including the 4th round follow-up reports of Albania, Hungary and Slovenia; the Compliance Enhancing Procedures in respect of Albania and Bosnia and Herzegovina; the NC/PC processes applied to Croatia, Moldova and "the former Yugoslav Republic of Macedonia"; the future of the NC/PC process; possible amendments to the MONEYVAL statute and rules of procedure; the joint typologies exercise with the Egmont group; and the relations with the Parliamentary Assembly.

Agenda item 4 – Information from the Secretariat

MONEYVAL's special assessment of Cyprus upon invitation of the Eurogroup Working Group on behalf of the Troika institutions (the European Commission, the European Central Bank, and the IMF)

5. The Plenary heard a report from the Executive Secretary on the decision-making process regarding MONEYVAL's participation in this special assessment, following the receipt of a formal request to that effect from the President of the Eurogroup Working Group, Thomas Wieser, on 9 March. The Terms of Reference (ToR) of the process were circulated to delegations for information.
6. The MONEYVAL assessment took place from 19 to 31 March. The assessment by MONEYVAL was intended to evaluate the level of CDD compliance in the banking sector with the FATF Recommendations. The assessment focused exclusively on the effectiveness of implementation of the CDD standards. A decision was taken to conduct the assessment on the basis of the FATF 2003 Recommendations and 2004 Methodology since the programme of evaluations under the 2012 revised FATF Recommendations had not yet been commenced by either the FATF or MONEYVAL. The MONEYVAL team was composed of financial experts with supervisory backgrounds, the Executive Secretary, who led the team, and a member of the MONEYVAL Secretariat. The team had held intensive and detailed meetings with a representative selection of banks (covering more than 70% of Cyprus' banking assets). Despite the difficult circumstances in Cyprus, both the authorities and the banks interviewed had been very cooperative during the meetings. Following the interviews, a report containing

the findings and recommendations had been drafted by the team on-site. Since the exchange of preliminary findings with the auditors envisaged in the Terms of Reference had not taken place due to the delay in the appointment of the auditors, the assessment report could not yet be submitted. The decision regarding the publication of both the auditors' and MONEYVAL's reports rested in the hands of the Eurogroup, since it had commissioned both assessments. It was emphasised that the ToR specifically provided that the findings of MONEYVAL's special assessment could be taken into account in MONEYVAL's follow-up processes.

7. The Executive Secretary explained that the President of the Eurogroup Working Group, Thomas Wieser, had written to MONEYVAL on 9 March. In his letter, he had advised that, as part of the preparations for a programme to underpin financial assistance, the Finance Ministers of the Euro area had agreed with Cyprus on the commissioning of an independent evaluation of the implementation of the AML framework in Cypriot financial institutions. The letter went on to say that the Troika institutions (the European Commission, the European Central Bank, and the IMF) and Cyprus had agreed that MONEYVAL's participation in this process would be invaluable, "in view of MONEYVAL's widely recognised expertise in this field." Independently, the Cyprus authorities had also indicated to MONEYVAL that they would appreciate MONEYVAL's involvement.
8. Mr Ringguth stated that MONEYVAL had been asked to consider urgently whether it could undertake such an evaluation. Before committing to MONEYVAL's participation, the Chairman, Vice Chairman and Executive Secretary of MONEYVAL had considered the proposed terms of reference for this exercise and had made comments on the proposed draft. As soon as the Chairman and Vice Chairman had been satisfied with the contents of the terms of reference, the Eurogroup was informed by the Executive Secretary that MONEYVAL was prepared to conduct the assessment on an exceptional basis. That decision had later been endorsed by the MONEYVAL Bureau.
9. Following the Executive Secretary's intervention, Cyprus thanked MONEYVAL and the team of evaluators for accepting the invitation to conduct the assessment and for their efforts during the mission. The delegation emphasised that this assessment had been indeed exceptional, as it went beyond the scope of the existing rules of procedure.
10. Liechtenstein thanked the Secretariat for the information received and welcomed the possibility of engaging in a brief discussion on this exceptional assessment. Concern was expressed that to some extent the assessment had been prompted by an unpublished intelligence report which alleged that the Cypriot banking sector was regularly used as a conduit for the flow of criminal proceeds, calling into question the findings of the MONEYVAL 4th round assessment report. It was also clarified that the report was considered as a report prepared by an international team of experts brought together under the auspices of MONEYVAL and not as an official MONEYVAL report, since it was not to be subject to MONEYVAL's plenary process. Nevertheless, Cyprus would be expected to report on the progress achieved with respect to the recommendations made in the special assessment report within MONEYVAL's follow-up processes. Israel inquired whether the fact that the findings of the special assessment could potentially be different from the findings of the fourth round evaluators of Cyprus would have a bearing on the perception of MONEYVAL's assessment process. The Executive Secretary emphasised that the special assessment focused solely on –the effective implementation of CDD in the banking sector. The report of the special assessment built upon the findings of the fourth round report. The Russian Federation thanked Liechtenstein for the comments made, which they share, and expressed their support for the decision taken by MONEYVAL to conduct the assessment.
11. In his concluding comments, the Chairman noted that in the upcoming process to amend the Rules of Procedure, consideration should be given to introducing procedures that cater for exceptional situations which might call for MONEYVAL's intervention outside of the regular rounds of mutual evaluations and compliance enhancing procedures.

Decision taken:

12. The plenary supported MONEYVAL's involvement in the special assessment, noting that the terms of reference enable it to take into account the findings in the MONEYVAL follow-up process. It agreed that Cyprus should be expected to report also on the progress achieved with respect to the recommendations made in the special assessment report within MONEYVAL's follow-up process and requested the Secretariat to report on further developments at the next Plenary.
13. It also took note that in the process of revision of the Rules of Procedure, consideration should be given to the possibility of introducing a provision to deal with similar exceptional situations.

Information on election of Chairman

14. The Executive Secretary provided a brief update on the process and procedures applied for the election of the Chairman.

Agenda of evaluations and meetings in 2013

15. The plenary took note of the calendar of events for 2013.

Participation in FATF meetings and other forums

16. The Secretariat reported on the outcome of the working groups and plenary meetings of the FATF held in February. Delegations were referred in particular to the changes introduced by the newly adopted 4th round methodology and in respect to the evaluation schedule and requirements for both evaluators and country evaluated. The Scientific expert on legal aspects expressed concern as regards its impact on the staff of the Secretariat, in comparison with the FATF current staff resources, as under the new methodology, the involvement of at least three administrators appears to be necessary both during the offsite preparation work and the onsite evaluation. As regards the Global Network Coordination Group meeting, it was noted that further input should be provided by MONEYVAL on the mapping of the tasks of the FATF and FSRBs secretariats and on the possibility to develop a global document-sharing system. The FATF report to MONEYVAL sets out in detail the issues discussed and decisions adopted by the FATF.
17. The Plenary was informed about the Secretariat's participation to the United Nations Security Council Counter-Terrorism Committee Executive Directorate (UNSC CTED) Comprehensive Visit to Serbia from 18 to 21 March 2013. The visit's objectives were to assess Serbia's implementation of the provisions of Security Council resolution 1373 (2001) and to recommend areas in which Serbia would benefit from receiving technical assistance in order to fully implement its requirements. The discussions focused notably on the legislative measures to counter terrorism, the criminal justice system, counter-financing of terrorism, law enforcement and border control, relevant human rights issues, and Serbia's planned introduction of a national counter-terrorism strategy. The preliminary conclusions document was presented on Thursday, 21 March to the Serbian authorities and the final contributions followed shortly after.
18. The Plenary took note that MONEYVAL was invited to contribute to the work of the newly established Council of Europe Ad Hoc Drafting Group on Transnational Organised Crime which will hold its first meeting in Paris, from, 24-26 June 2013. MONEYVAL should be represented at their meeting by a Bureau member.

Agenda item 5 – ICRG Process update from the Co-chair of the Europe/Eurasia Regional Review Group

19. Mr Anton Bartolo, MONEYVAL Deputy Chairman and Co-chair of the ERRG reported on the outcomes of the meeting held in Paris in January 2013 and the subsequent decision taken by the FATF at its February Plenary meeting in their respect. The progress made by the countries covered by the process is expected to be discussed by the EERG before the June FATF Plenary.

Agenda item 6 – Statute of MONEYVAL – proposed amendments

20. The Plenary discussed a paper outlining a proposal to amend the Statute. It was noted in particular that Israel had been the first country non-member State of the Council of Europe to submit to MONEYVAL's mutual evaluation processes and fully engage in the work of the Committee. The same was anticipated from the other jurisdictions that had recently joined and submitted to MONEYVAL's evaluation process, namely the Holy See (including the Vatican City State) and the UK Crown Dependencies. Since all of them contribute financially to MONEYVAL's budget, their situation, in comparison with other MONEYVAL members, had become clearly inequitable. Therefore, the Bureau proposed that the MONEYVAL Statute be amended and a request to that effect be put forward to the Committee of Ministers to consider granting voting rights to these jurisdictions. It was proposed that Israel and the Holy See would each be entitled to one vote. The Crown Dependencies would be collectively entitled to one vote since the United Kingdom would only dispose of one vote, had it been a member of MONEYVAL. The Executive Secretary informed the plenary that, according to the Statute, such a proposal required a two thirds majority.
21. Liechtenstein, supported by Ukraine, Poland, Cyprus, Russia and Romania, suggested a vote by show of hands. This was agreed and the proposal was accepted with 29 votes in favour, none against and one abstention.

Decision taken:

22. The Plenary adopted the Bureau's proposal regarding the modification of the Statute. MONEYVAL requested the Bureau to finalise a draft amended version of the Statute, in close co-operation with the Jurisconsult office and submit it for a final decision to the Committee of Ministers as soon as possible.

Agenda item 7 – Roadmap to the 5th round

Decision, as necessary, arising from Chairman's correspondence re 4th round evaluation

23. **Status of the Russian 4th MER** – The Chairman had received a letter from Mr Chikanchin, Head of the Russian delegation, concerning the Russian Federation's 4th round evaluation scheduled for November 2013. Since Russia is a member of both the FATF and MONEYVAL, and will hold the Presidency of FATF from July 2013 to June 2014, it was proposed and agreed that the organisation of an evaluation visit would not be feasible in 2013. The plenary considered whether it could accept the FATF report on Russia's proposed removal from the regular follow-up in lieu of the MONEYVAL's 4th round report. The Bureau proposed that Russia be invited to submit a further 3rd round progress report by September 2014, which would then include a MONEYVAL Secretariat review, and a further assessment under the 2012 FATF Recommendations will be undertaken jointly by the FATF, MONEYVAL and EAG in 2016. The proposal received support from Liechtenstein, Poland, Bulgaria, Armenia and Albania. No countries objected.

Decision taken:

24. The Russian Federation will report back to MONEYVAL with a third round progress report, by September 2014.

Future of the 3rd round Progress reports

25. The plenary examined a paper regarding the status of third round progress reports. For most countries participating in the third round, their first and second progress reports had been adopted and published. There were now 11 countries left to undertake the 4th round evaluation. Considering the outstanding reports and MONEYVAL's workload, it was proposed that those 11 countries, with few exceptions, should not be required to submit a 3rd round progress report.

Decision taken:

26. The Plenary decided that the remaining countries to be evaluated under the fourth round would not be required to submit a further 3rd round progress report if their second 3rd round progress reports had been adopted. This decision does not apply to Bosnia and Herzegovina, Montenegro and the Russian Federation, nor to the jurisdictions which became subject to MONEYVAL processes after the end of the 3rd round (the Holy See (including Vatican City State), and the UK Crown Dependencies of Guernsey, Jersey and the Isle of Man).

4th round follow-up

27. The plenary noted the programme of upcoming follow-up reports. In September 2013, the plenary will examine the 4th round mutual evaluation reports of Bulgaria, Croatia and Monaco and the first follow-up reports of San Marino and Slovak Republic. In December, the Holy See will present its first 3rd round progress report, Romania and Israel their 4th round MERs and Cyprus its biennial report.

Revision of the Rules of Procedure

28. MONEYVAL's current Rules of Procedure were last revised at the 32nd Plenary meeting in March 2010. A number of modifications will be necessary to be made in order to adjust the Rules of Procedure to the latest developments, both in MONEYVAL and the FATF. A two-step process for the revision of the Rules of Procedure was proposed. Following the Plenary decision in April 2013 on the issue related to 3rd round progress reports, a "minimalistic" revision could be prepared for the Plenary to consider in September 2013. This revision will primarily cover the issue of 3rd round progress reports. Following that, a "substantive" revision would be proposed for consideration and adoption by the Plenary in December 2013. The revision would set out the rules and procedures for MONEYVAL's 5th round, based on the FATF's 4th round rules, should those be adopted by October 2013. Other necessary modifications would also be included. A number of key issues as regards the new evaluation round are yet to be discussed and finalised by the FATF, i.e. procedures for finding assessors, format of information updates, review mechanisms and plenary discussions, how to assess international cooperation, length of the evaluation round, FSRBs' processes and procedures. (See Annex I and FATF_WGEI(2013)2Rev1).
29. The Plenary was invited to consider also the following preliminary ideas and issues for discussion in the context of a more substantive revision of the Rules of Procedure: the approach to ensure the transition of countries from 4th round follow-up to the 5th round; processes for joint mutual evaluations with FATF; burden-sharing arrangements with IMF/WB; the possibility to address exceptional circumstances with more flexibility; and burden sharing arrangements with the Conference of the Parties to CETS 198.

Roadmap to the 5th round

30. The Executive Secretary of MONEYVAL introduced a paper outlining the roadmap to MONEYVAL's future round of evaluations. He explained that the 4th follow-up round should be completed as planned, including the six on-site visits in 2014 (Montenegro, Azerbaijan,

Ukraine, Armenia, Serbia and Bosnia and Herzegovina). The Secretariat had also committed to a full evaluation of one Crown dependency in 2014 for which plenary endorsement was required. In the second half of 2014 work could also commence on 5th round on-site visits. The first full year of 5th round onsite visits would be 2015. The fifth round was expected to last until 2020-2021. An evaluator training for the 5th round would be organised in 2014, while awareness-raising on the new standards should continue in 2013 during plenary meetings.

Decisions taken:

31. The plenary endorsed the paper containing the Bureau's proposals:
 - one Crown Dependency would be evaluated in the 4th round in 2014;
 - the other Crown Dependencies and the Holy See would submit third round progress reports in 2013 and be evaluated early in the 5th round;
 - the Holy See's first 3rd round Progress Report would be examined by MONEYVAL in December 2013 and based on the Holy See's request, the review would include an extended analysis of all core and key Recommendations
 - fifth round on-site missions are expected to commence in 2015;
 - the evaluator training for the new evaluation round would be held in 2014.
32. The plenary also requested the secretariat to draw up a tentative timetable for 5th round assessments in the period 2015-2020.

Agenda item 8 – Update of recent jurisprudence (ECHR, Chamber – Judgment *Michaud v. France*, 6.12.2012)

33. The Plenary took note of the Secretariat's paper on the judgment of the ECHR judgment *Michaud v. France* (application no. 12323/11) and heard a presentation by the legal scientific expert, Prof. William Gilmore, who analysed the relevant aspects of the case with respect to AML/CFT regimes.
34. The law enforcement scientific expert, Mr Boudewijn Verhelst, presented Belgium's situation where, following the adoption of an indirect reporting system, the law was challenged in court. The Belgian constitutional court had decided that the legal privilege applied to a lawyer when providing legal counsel to a client. As a result all services offered by a lawyer to a client in Belgium are being interpreted as involving legal counsel, in effect barring the application of the law.

Agenda item 9 – 4th round follow-up – Application by Slovenia to be removed from the regular follow-up

35. Slovenia has submitted its follow-up report, with a request to be removed from the regular follow up process, upon consideration that it had taken sufficient action with regard the overall set of recommendations that were rated NC or PC at the time of the adoption of the MER in March 2010. In order to be removed from the regular follow-up process, Slovenia should demonstrate that it had reached a level equivalent to at least LC in all Core and Key Recommendations as set out in Art.50 of the Rules of Procedure, as well as making sufficient progress on all other recommendations. The Secretariat presented its analysis.
36. Slovenia had been rated PC on R.1, R.3 and SR.III in its 4th round report. With regard to R.1, Slovenia referred to a number of convictions for money laundering, including convictions for autonomous money laundering, which had been achieved since the 4th round. It was concluded that as a result of these measures Slovenia's compliance with R. 1 was equivalent to largely compliant rating. With regard to R.3, it was noted that Slovenia had adopted new laws which were intended to give priority to asset detection and asset recovery and had also achieved significant seizures and freezing orders which it was anticipated would result in final confiscations. It was concluded that Slovenia's compliance with R.3 was equivalent to a

largely compliant rating. With regard to SR.III, it appeared that the steps taken, which included elaboration of clear national procedures and guidance, had also brought Slovenia's compliance with SR.III to a level equivalent to largely compliant. With regard to the other seven Recommendations, improvements were noted with regard to the quality of law enforcement action in ML/FT investigations, supervisory activity and the sanctioning regime, although some deficiencies still remain. Notwithstanding the fact that a review of the NPO sector had been undertaken, little other action had been taken to remedy the deficiencies related to non-profit organisations.

Decision taken:

37. The Plenary adopted the follow-up report of Slovenia and decided to remove Slovenia from the regular follow up process because it has reached a satisfactory level of compliance on relevant Recommendations. Slovenia shall report back to the Plenary under biennial follow-up early 2015.

Agenda item 10 – Information from the European Union

38. The Plenary heard an update from the representative from the European Commission on the proposal for a 4th AML/CFT directive , which had been published on 5 February, and noted that an AML conference would be held on 15 March in Brussels to discuss issues relating to the new directive proposal.
39. The Plenary also heard an update from the Secretariat of the Council of the EU. The Counter-terrorism Coordinator's report on the implementation of the revised strategy on terrorist financing was expected to be issued soon, giving an inventory of the achievements at EU level in this field and drawing on the implications of the new FATF standards and the revision of the 3rd AML directive.

Agenda item 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)

40. The Plenary heard an update on the status of work related to the Warsaw Convention. There are currently 23 ratifications and 14 signatories. The latest country to ratify the convention was Bulgaria on 23 February, while Denmark and Estonia recently signed the Convention. The Secretariat had also received expressions of interest from countries in North Africa. The Conference of the Parties was scheduled to be held in June and to examine the assessment reports of Croatia and Poland. The Conference of the Parties will also be considering a Secretariat review in light of the new FATF recommendations. Finally, negotiations are on-going with the EU with a view to the EU's ratification of the convention.

Agenda item 12 – Template and statistics for 4th round follow-up reports

41. **Adoption of the 4th round statistics template** – The secretariat presented a revised version of the 4th round statistics template that had been discussed at the 40th plenary. It was noted that comments had been received from [Latvia](#), [Poland](#) and [Ukraine](#) and that, wherever possible, these had been taken into account in the template. One delegation requested that the Chairman write to delegations requesting that they amend their statistics collection processes to take the revised requirements into account.

Decision taken:

42. The Plenary adopted the statistics template for use on all 4th round follow-up reports and the remaining evaluation reports.

Agenda item 13 – Information on AML/CFT initiatives in MONEYVAL countries (tour de table)

43. All delegations provided an update on on-going national AML/CFT initiatives since the last

Plenary. A separate paper compiling these contributions will be posted on the restricted website by the secretariat based on delegations' contributions.

Day 2: Wednesday 10 April 2013

Agenda item 14 – Presentation by the FATF Secretariat on the adopted Methodology for Assessing Technical Compliance with the FATF Recommendations and the Effectiveness of AML/CFT systems

44. MONEYVAL heard a presentation by the FATF secretariat representative on the new FATF methodology. Liechtenstein raised the point on the data needed to support the increased focus on effectiveness. Statistics can be interpreted in different ways and are no more than a starting point. Lithuania raised the issue of the relative importance of each criterion in the evaluation process. It was pointed out that the FATF currently has not singled out any criteria as being more important than others. The idea is that, depending on the jurisdiction and the structure of its economy, certain criteria will prove more important than others. The Secretariat will help evaluators identify key criteria for each jurisdiction under evaluation. The World Bank raised the issue of risk assessments and how they can affect the evaluation. Evaluators are not to perform the risk assessment themselves, nor second-guess its content. During the visit however, should information be missing, evaluators are free to criticise the risk assessment. If the country does not provide a risk assessment, all ratings are likely to go down. More information concerning risk assessments can be found in the booklet provided by the FATF. Jersey asked whether “core” and “key” categories would continue being used. This issue remains undecided since these categories were created for follow-up purposes. An analysis of technical compliance will be performed but it remains to be seen what the core and key elements will be.

Agenda item 15 – Information on AML/CFT initiatives in other forums

45. The Plenary heard an oral report from selected observers on their AML/CFT initiatives and projects.
46. **World Bank:** It was reported that Serbia had reached the final stage in conducting its national risk assessment and a draft had been circulated for comments. In February, following requests from Estonia, two workshops were organised for the working group on national assessments. At the same time, a request from the Azerbaijani FIU was received concerning the organisation of a workshop to promote the World Bank methodology. Other countries including Slovenia, Croatia, “the former Yugoslav Republic of Macedonia” and Montenegro had requested assistance for their national risk assessments. Jointly with the US embassy, the OSCE, the EAG and the Russian Training Centre, the World Bank organised two FIU strategic analysis courses (using Egmont group material) in Kazakhstan. The attendees were mainly EAG members and observers and Montenegro, Azerbaijan, Armenia, Russia, Slovenia and Ukraine. It was also indicated that a report on Suspending Suspicious Transactions was expected to be published shortly.
47. **GIFCS:** initiated a review of its own procedures taking into account the new FATF Methodology. GIFCS participated in FATF plenaries and meetings on evaluations and implementation and continued sharing experience on AML/CFT. Furthermore, GIFCS is currently participating in an FATF typologies exercise in relation to the legal profession. The group's next meeting will be held in Panama in November. Experts from Central America were expected to join the discussions on financial stability and macro-prudential matters.
48. **Eurasian Group on Combating Money Laundering and Terrorist Financing (EAG):** In December 2012, the EAG held a workshop in Beijing, China on money laundering and proceeds from illicit production of drugs and drug trafficking. A decision was taken to organise annual workshops. The EAG organised a mission to Kazakhstan to provide assistance on the

country's follow-up report. In Uzbekistan, the group organised a workshop on revised FATF methodology, jointly with the OSCE, the World Bank and the IMF. Finally a workshop was organised in Kazakhstan on FIU strategic analysis, which was based on the Egmont Strategic Analysis Training Package. The main EAG event planned for the coming months is a joint EAG-Egmont Group workshop organised in Minsk, Belarus. The EAG also plans to coordinate with FATF to prepare for future evaluations.

49. **FATF:** Since the last meeting, the FATF had issued three publications: the new methodology, guidance on risk assessment and guidance on AML/CFT measures and financial inclusion. The FATF also produced an activity report detailing the progress of working groups and decisions made at the last Plenary.
50. **CTED:** CTED recently completed visits in Serbia and of the Russian Federation and is planning a focused visit of Ukraine in October, to which MONEYVAL is invited. CTED also recently introduced a new *research* tool to help in analysis of implementation of resolution 1373, especially for issues such as border control, terrorist financing and incentives for the respect of human rights in counter terrorism. Planned events include a meeting, jointly organised with the Council of Europe, the OSCE and League of Arab States, on Special Investigation Techniques to Combat Terrorism and Other Forms Serious Crimes of in 14-15 May in Strasbourg. CTED also launched an initiative on national mechanisms for asset-freezing in order to look at best practices for designation, listing/delisting procedures and outreach of private sector. A first workshop was organised with West African countries last December and others will follow, including with EAG.

Agenda item 16 – MONEYVAL Evaluators' training for remaining assessments in the 4th round

51. MONEYVAL's evaluator training seminar in Strasbourg was scheduled to take place in July 2013. It was noted that as MONEYVAL is still conducting assessments under the FATF 2003 Recommendations and 2004 Methodology, the training seminar would continue to provide specific training on these Recommendations as well as concentrating on assessor techniques relevant to the MONEYVAL 4th round. Subsequent training seminars from 2014 onwards would then focus on the new FATF Recommendations and Methodologies in order to train assessors for MONEYVAL's 5th round of assessments. For the training seminar in July 2013, it was proposed that countries which are not sufficiently represented on MONEYVAL's list of evaluators should be invited to submit additional candidates. In those countries which are overrepresented in relation to a particular area of expertise, preference would be given to nominations from different sectors. Persons nominated must have an AML/CFT background and be fluent in English, both spoken and written. A CV should be provided with each nomination indicating the AML/CFT experience of the potential assessors. Each delegation would be expected to commit that the nominated assessor will be made available to participate in an evaluation over the following 2-3 years.

Agenda item 17 – Election of Chairman/Bureau member

Decision taken:

52. MONEYVAL elected Mr Anton Bartolo, head of the Maltese delegation and current Vice-Chairman, to serve as Chairman until the end of Mr Nechaev's mandate (December 2013).
53. Two candidates were presented to replace Mr Anton Bartolo as Vice-Chairman: Mr Daniel Thelesklaf (Liechtenstein) and Mr Alexandru Codescu (Romania). According to the rules of procedure, the election took place using secret ballots, requiring a two-thirds majority on the first ballot and a simple majority on the second ballot. Both rounds yielded the same result (15 to 14) and Mr Daniel Thelesklaf was elected as Vice-Chairman of MONEYVAL until the end of Mr Bartolo's mandate (December 2013).

Agenda item 18 – 4th round follow-up – Application by Albania to be removed from regular follow-up

54. Albania's 4th round evaluation report was adopted in April 2011, and Albania was placed in regular follow-up. According to the rules of procedure, Albania was expected to submit a progress report within 2 years of the evaluation and provide information on actions taken to address identified deficiencies. In a letter dated 27 February, Albania expressed its intention to be removed from regular follow-up. Since Albania's report was not submitted two months prior to the plenary (as required by Art 52 of the Rules of Procedure), the report was being merely presented as an information paper. The Plenary heard a presentation by Albania on the contents of the report.

Decision taken:

55. Albania's request for removal from regular follow-up would be considered at the forthcoming September Plenary meeting.

Agenda item 19 – Compliance Enhancing Procedures

Report of Albania under Step (ii) of the Compliance Enhancing Procedures and discussion of any next steps

56. MONEYVAL decided at its 33rd meeting (September 2010) that Albania should be placed under Compliance Enhancing Procedures at step (i), in application of Rule 55 of the Rules of Procedure. On this basis, Albania was requested to provide regular reports to the Plenary on identified important deficiencies in respect of four Recommendations (R.5, R.6, SR.II and SR.VIII). MONEYVAL decided to apply Compliance Enhancing Procedures at step (ii) at its 37th Plenary meeting. That decision was taken since one year after the beginning of the process, Albania had not demonstrated sufficient progress with respect to three of the four recommendations under review. Since then, there had been several positive developments including a review of the NPO sector that was carried out by the FIU and outreach activities undertaken in respect of NPOs. The Bureau concluded that the Plenary should decide whether the progress made in respect of compliance with SR.VIII should be considered sufficient for this process. Albania indicated that it favoured a complete removal from the CEP process, arguing that a regular follow-up would streamline the reporting process.

57. The Russian Federation stated that the CEP process was meant to achieve quick resolution of deficiencies and that Albania, through its recent legal developments had been moving in the right direction to mitigate risks and promote transparency and accountability. Russia therefore supported Albania's proposal. Lithuania, Croatia, Slovakia, Poland, Romania and Georgia also voiced their support of Albania's position.

Decision taken:

58. The Plenary confirmed that Compliance Enhancing Procedures should be lifted in respect of Albania.

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

59. Bosnia and Herzegovina had submitted an updated action plan to the MONEYVAL Secretariat as part of its report under Step (i) of the CEP. The Bosnian authorities had advised the MONEYVAL Secretariat that an expert opinion of the Council of Europe was received on 15 February 2013. They considered that it should not take more than four months from the time that the sponsoring ministry submits the draft laws to the Council of Ministers for them to enter into effect in law. As the authorities had only just received the opinion of the Council of Europe, they have not had the opportunity to fully consider and integrate the necessary

changes into the revised drafts of the AML/CFT Law and the Criminal Code at the time the attached report was submitted to the MONEYVAL Secretariat.

60. The Bureau examined the response from Bosnia and Herzegovina on progress made since the last Plenary as well as the Secretariat analysis. It was noted that BiH is in the process of considering the Council of Europe's legal opinion and is updating the Criminal Code and AML Law. The Bosnian authorities were encouraged to expedite the adoption of the relevant amendments and bring them into force and effect promptly. On the basis of the information available in these reports, it decided to propose to the Plenary that BiH should remain at step (i) of the Compliance Enhancing Procedures.

Decisions taken:

61. It was concluded that, the BiH authorities had made progress in preparing draft amendments to the AML/CFT Law and the Criminal Code. Once these laws have been adopted and brought into effect in law there would need to be consequential amendments to laws in the BIH entities as well as revised guidance and training. It was anticipated that these revised laws will be in place before the next plenary in September 2013. The Bosnian authorities were thus encouraged to expedite the adoption of the amendments to the AML/CFT Law and the Criminal Code and to bring them into force and effect as soon as possible.
62. The plenary took note of the report in respect of short and medium-term objectives and asked Bosnia and Herzegovina to report back under step (i) of CEPS at the 42nd plenary in September 2013 on short and medium-term objectives that had not yet been addressed.

Agenda items 20, 21 and 22 – Further discussion of measures taken by the Republic of Moldova, Croatia and « 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

63. **Moldova** – The Republic of Moldova submitted an updated report on the progress achieved in respect of R 17. As described by the authorities in the letter to the MONEYVAL Chairman, on the legal side, the situation remains the same as in December 2012, but draft amendments to Art. 291 of the Contravention Code were proposed, which seem to cover all the possible infringements of obligations provided by the AML/CFT Law. Nevertheless, the shortcomings in the AML/CFT sanctioning regime remain, due to the limited list of breaches that can constitute a base for penalties at present. There also remains the issue of lack of clarity as to which supervisory authority, can exercise the sanctioning powers. This too still needs to be addressed.
64. **Croatia** – It was reported that Croatia had taken some actions since December 2012 with respect to SR.III. In particular, in January 2013 the Croatian Ministry of Foreign and European Affairs had published links to the revised Sanctions lists for Al-Qaida and Taliban. The main developments with respect to SR.III were the adoption and publication of the two new Governmental Decisions concerning Al-Qaida and Taliban. Nonetheless, there remained deficiencies to be addressed such as the need to develop provisions in place to ensure that there are clear and publicly known procedures and criteria for de-listing in the context of UNSCR 1373 and unfreezing in appropriate cases in a timely manner in the context of UNSCR 1267 and UNSCR 1373. It was noted that the effective implementation of measures in respect of SR.III will be described and analysed in the mutual evaluation report of Croatia, which will be discussed in September 2013 during the 42nd MONEYVAL plenary.
65. **“The former Yugoslav Republic of Macedonia”** – In December 2010, it was decided to follow up the progress made by “the former Yugoslav Republic of Macedonia” to remove the identified important deficiencies covered by SR.II, SR.III and R.24. At its 38th Plenary meeting, MONEYVAL noted that progress was achieved in respect of SR.III and R.24 and thus reporting was lifted on these issues. At its 41st plenary meeting, MONEYVAL considered the updated information and concluded that the draft terrorist financing offence did not appear to address fully the shortcomings identified previously nor comply satisfactorily with the relevant

international standards.

Decisions taken:

66. The Plenary decided that:
- a) The Republic of Moldova shall report back to the December 2013 Plenary on the progress achieved on the adoption of the proposed amendments to the Contravention Code and other issues concerning R.17.
 - b) Croatia shall report back on progress in September 2013, when its 4th round MER will be discussed.
 - c) “The former Yugoslav Republic of Macedonia” shall report back at the September 2013 Plenary on progress made to address the remaining technical gaps, with the understanding that the expectation shall be that substantive progress should have been made by that date.

Day 3: Thursday 11 April 2013

Agenda items 23 & 24 – Discussion on the draft 4th round Mutual Evaluation Report on Poland

67. The Plenary examined the draft 4th round evaluation report on Poland. 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 Polish authorities and which require plenary resolution. The Secretariat briefly outlined details of the on-site visit, conducted from 27 May to 2 June 2012. Austria constituted the Ad-Hoc group. The intervener countries were: Latvia (legal aspects), Monaco (law enforcement aspects) and Lithuania (financial aspects).
68. The Chairman proceeded with the discussion on the draft report, with the interventions of delegations from Albania, Armenia, Azerbaijan, Bulgaria, Croatia, Estonia, France, Georgia, Liechtenstein, Lithuania, Moldova, Romania, Russia, San Marino, the FATF, the World Bank and scientific experts. Based on the outcome of the discussions, the following recommendations and issues were considered.

Important issues discussed:

69. **Criminalisation of money laundering (R.1)** – The Polish delegation proposed deleting the bullet point related to “*property obtained directly through the commission of an offence*”, since there are Supreme Court decisions clearly resolving this issue and existing jurisprudence. The evaluators accepted that in practice this issue might not exist, however the wording of the ML offence does not explicitly cover property obtained directly. Several delegations supported the position of Poland. It was argued that as there is a case-law explicitly covering this issue this bullet should be removed. As a result, the bullet point was removed; however the recommended action point to clearly cover this issue was kept. Another issue raised by the Polish authorities was related to high evidentiary standards for some of elements of the ML offence, for instance the mental element. It was noted that a ruling of the Supreme Court lowered the level of evidence. The Court specifically stated that it is not necessary that the committing of an offence generating material benefits has been established by a ruling of any judicial entity. Additionally, the Court stated that it is only necessary to identify the type of predicate offence, not all factual circumstances of it. In this regard the level of evidence should be considered as normal. The evaluators, however, believed that the bullet point should remain unchanged since the Court’s decision only established a general rule and there were no cases that demonstrated that the mental element was proven through circumstantial evidence. Another fact that confirms the evaluators’ position is that prosecutors are only prosecuting self-laundering cases and not stand-alone cases. Several delegations proposed maintaining the deficiency with a few amendments. The rating of R.1 remained unchanged.

70. **Politically exposed persons (R.6)** – The Polish delegation explained that the requirement in the AML/CFT Law to establish the source of asset values covers both the source of wealth and the source of funds. The evaluators accepted the additional interpretation provided by the Polish authorities. In this respect the related bullet point was removed and the rating was upgraded to ‘LC’.
71. **Record keeping (R.10)** – Andorra proposed upgrading the rating to ‘LC’ since all deficiencies identified by the evaluation team are technical and minor and there are no deficiencies under effectiveness. The Polish delegation supported this proposal and added that in practice financial institutions go beyond what is required by the AML/CFT Law with respect to record keeping. Delegations supported this proposal. The rating was upgraded to ‘LC’.
72. **Suspicious transactions reporting (R.13 and SR.IV)** – Several delegations proposed merging the two bullet points related to funds suspected to be proceeds of criminal activity and TF reporting not extending to funds. The MONEYVAL Secretariat noted that these two deficiencies should not be merged since they refer to two different essential criteria of Recommendation 13. Another delegation proposed considering the impact of the deficiencies in the bullet point on the effectiveness of implementation of R.13. In particular the first two deficiencies refer to the fact that the ML/TF reporting requirement is linked to transactions and not to funds. These deficiencies could be mitigated by the fact that there is a requirement in Poland to submit STRs, although it is not linked to funds. With regard to the cascading effect of R.1 and SR.II, the delegation noted that these deficiencies are more relevant for prosecutors and not for financial institutions and in this respect these deficiencies could be considered as minor. The Polish delegation considered that “attempted transactions” were adequately covered by the AML/CFT Law and therefore asked for the bullet point “Attempted transactions are not covered under Article 11 paragraph 1” to be deleted. The evaluators explained that the AML/CFT Law was confusing on this matter and that three separate articles related to it; the Polish delegation accepted this but pointed out that attempted transactions were, nonetheless, regularly reported through STRs. It was agreed to amend the bullet point to state “Possible confusion between reporting obligations under Articles 8.3, 11.1 and 16 (e.g. attempted transactions are not covered under Article 11.1)”. Several delegations reminded the plenary that some elements of R.13 are asterisked and should be provided for in the law. There was a debate concerning whether the positive effectiveness of the STR regime should be taken into account and the rating upgraded to ‘LC’. Several delegations called for caution on this matter to ensure that a new precedent was not created. The plenary could not find a consensus. As a result of the discussion of this issue, the plenary concluded that, even though Poland demonstrated that the STR regime is working comprehensively and efficiently despite the technical shortcomings under R.13, the rating could not be upgraded based on positive effectiveness while a number of technical deficiencies existed. The rating of R.13 remained unchanged.
73. **Foreign branches and subsidiaries (R.22)** – Austria raised the issue that criterion 22.3 specifically refers to the Basel Core Principles that should be applied at the group level of financial institution, but not at the group level of the supervisory authorities. The evaluation team agreed to amend the specific paragraph. The rating of R.22 remained unchanged.

Decisions taken:

74. 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 ratings of R.6 (upgraded from PC to LC) and R.10 (upgraded from PC to LC).
75. The Plenary adopted the executive summary and the 4th round assessment visit report on Poland, 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 revised Rules of Procedure.
76. Pursuant to Rule 48 of the revised Rules of Procedure, Poland was placed under the regular

follow-up procedures. This process requires the country to provide, no later than two years after the adoption of the report (i.e. April 2015), information on the actions it has taken to address the factors/deficiencies underlying any of the 40+9 Recommendations that are rated PC or NC 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.

Agenda item 25 – Stocktaking of the process regarding the state of compliance on all NC and PC ratings and next steps

77. The Bureau, at its meeting in December 2012, discussed the necessity of taking stock of the status of progress under the NC/PC process, considering that it would be timely, three years after the process was launched, to review the results achieved and to identify whether the measures applied under this process have generated the expected results in a satisfactory timeframe. The core issues at stake in this context are the following: a) To date, to what extent has the NC/PC process achieved the initial intended outcome and is that degree satisfactory for the Committee? b) If yes, should the NC/PC process be discontinued and monitoring be pursued on the basis of MONEYVAL's follow-up processes? If not, what are the reasons in the particular cases and should then additional/complementary measures be applied to ensure that the expected outcome is achieved? Overall, it appeared difficult to conclude that the "quick-win" approach proved completely successful, particularly in respect of those countries where a 4th round evaluation visit has already been carried out, and even more in cases where the 4th round MER confirmed that the shortcomings previously identified were still outstanding (i.e. Albania, Georgia, Moldova). These cases raised questions regarding the countries' commitment to take appropriate action, particularly where issues have been outstanding since the 3rd round and have been reiterated under the 4th follow up round. Additionally, there is still a window of opportunity for those countries where a 4th round visit has not yet taken place, such as "the former Yugoslav Republic of Macedonia", Ukraine and Bosnia and Herzegovina, to take appropriate action before the visit. It was proposed that monitoring of countries on the issues selected under the NC/PC process be continued until they have demonstrated having taken substantive action to remedy the targeted deficiencies. However, the Bureau underlined that this monitoring process should be successfully completed as soon as possible and whenever possible, duplication with other reporting processes should be avoided.

Decision taken:

78. The Plenary endorsed the principles and actions set out in the paper on the stock-taking of the NC/PC process and decided that a further discussion on this issue should be held again at the forthcoming plenary meeting.

Day 4: Friday 12 April 2013

Agenda item 26 – 4th round follow-up – Application by Hungary to be removed from the regular follow-up

79. Hungary has submitted its follow-up report, with a request to be removed from the regular follow up process, upon consideration that it had taken sufficient action with regard the overall set of recommendations that were rated NC or PC at the time of the adoption of the MER in September 2010. As a result of the evaluation process of Hungary, twenty-two FATF Recommendations were evaluated as "compliant", twelve as "largely compliant", thirteen as "partially compliant", one as non-compliant and one was "not applicable". Eight core Recommendations were rated partially compliant.

80. Hungary had initially indicated to the Secretariat that it considered that it had taken sufficient

steps to deal with the deficiencies, and had made sufficient progress to be removed from regular follow-up. However, as the AML/CFT Law was still awaiting adoption in the Hungarian Parliament and the Criminal Code had yet to come into force and effect, the Hungarian authorities had subsequently withdrawn their application to be removed from regular follow-up at the 41st plenary.

81. The Secretariat pointed out that for legislation to be taken into account when assessing an application to be removed from regular follow-up, the relevant legislation must be both adopted and in force and effect; this is in line with the FATF standards.
82. The secretariat stated that since the on-site visit in January 2010, Hungary had taken positive steps to remedy a number of the identified deficiencies. It was considered that once the revised Criminal Code came into force and effect and the amendments to the AML/CFT Act had been adopted and brought into force and effect, Hungary should be in a position to apply to be removed from the regular follow-up process.

Decision taken:

83. The Plenary noted the progress achieved by Hungary since the adoption of the report. As the Criminal Code had yet to come into force and effect and the AML Law had still to be adopted, it was considered that deficiencies in core and key recommendations had not been fully addressed. Hungary was thus invited to report back, once both the Criminal Code and the AML Law are in force and effect.

Agenda item 27 – Typologies work

Discussion of the draft report on the use of internet gambling for ML and TF purposes

84. The Secretariat introduced the project by briefly referring to the timeline of the project, which had started in Limassol, Cyprus in November 2009. The Secretariat then referred to the draft report, which had been circulated prior to the plenary. It was explained that, in view of the fact that considerable time had elapsed since delegations had provided information in two questionnaires circulated by the project team, specific information on the on-line gambling environment in each MONEYVAL county had not been included in the report. The intention was to focus primarily on the ML/FT risks, typologies, red flags and vulnerabilities within the on-line gambling sector. However, for the sake of completeness, a general description of the regulatory framework governing the on-line gambling sector and the extent and type of gambling offered in MONEYVAL countries had been provided. Referring to the core part of the report, dealing with ML/FT risks, the Secretariat noted that limited information had been provided by MONEYVAL members. It was therefore difficult to determine the extent to which the on-line gambling sector is vulnerable to the risk of ML/FT within MONEYVAL countries. Nevertheless, on the basis of information gathered during typologies workshops, various typologies, vulnerabilities and red-flag indicators had been identified and included in the report. An overview of these findings was presented by the secretariat during the meeting.

Decision taken:

85. Delegations were invited to provide comments to the secretariat on the draft report by 19th April 2013. Following the set deadline and subject to any necessary revisions arising from the comments received from members, the report would be made public on MONEYVAL's website.

Discussions of the draft report on Postponement of financial transactions and the monitoring of bank accounts

86. Plenary heard a presentation by the Secretariat and Mr Raul Vahtra, project leader, on the draft report on Postponement of transactions and monitoring of bank accounts. Following this presentation, several delegations including Ukraine, Bulgaria, Poland, San Marino and the

World Bank welcomed the report, highlighting its practical approach and valuable conclusions.

Decision taken:

87. The Plenary adopted the report and decided that the report would be made public on MONEYVAL's website.

Trade based money laundering in cash intensive economies – update

88. The Secretariat informed the Plenary noted that a core group meeting had been held in Poland in October 2012 and responsibilities for production of sections of the report had been allocated at this meeting. Subsequently, a timetable had been agreed and the two project leaders were currently working on a first draft of the report. It was anticipated that the report would be presented to the MONEYVAL plenary meeting in September.

Joint Meeting of Experts on Typologies with the Egmont Group

89. The Secretariat reported that, following a recent meeting with the Egmont Group, it had been agreed in principle that MONEYVAL would hold a joint typologies meeting with the Egmont Group in Strasbourg on 9-11 October 2013. Two projects were proposed for this meeting.
- The Egmont Group would lead a study on Financial Analysis. A draft concept note was circulated. It was noted that although a project team had already been established among Egmont Group members, Egmont would be inviting more participants to join the project. It was reported that it had been suggested by the Egmont Group that a MONEYVAL member could co-chair the project and the FIU from the Isle of Man had offered to represent MONEYVAL.
 - MONEYVAL would lead on a project looking at the impact of Organised Crime in MONEYVAL States and territories. This study would consider the most prevalent types of organised crime and the most common methods utilised to launder by them to launder criminally derived proceeds.

Decision taken:

90. The Plenary endorsed the proposals.

Information on typologies and projects in other forums

91. It was noted that the FATF expected to complete 4 out of 5 typologies projects by the time of the publication of its research report, in June 2013. The projects are respectively on:
- Money laundering and terrorist financing related to counterfeiting of currency;
 - Terrorist financing in West Africa (with GIABA, not expected for June);
 - Money laundering and terrorist financing vulnerabilities for legal professionals;
 - Money laundering and terrorist financing through trade in diamonds and other precious stones; and
 - The role of Hawalas in money laundering and terrorist financing.
- The FATF is planning to organise a joint typologies exercise with MENAFATF, most likely around December.
92. It was also noted that at the last FATF plenary, the Russian FIU submitted a proposal for a typological research concerning financial flows deriving from drug trafficking, especially Afghan opiates.
93. **EAG/APG workshop** – In September 2013 a joint EAG/APG typologies workshop with the participation of the Bank of Mongolia is planned to be held in Ulaanbaatar (Mongolia). Issues of risk assessment and vulnerabilities of the precious metals sector in the light of money laundering and transborder values transfer, terrorist threat to the NPO sector risk assessment, incomes related to corruption, among other issues, are expected to be discussed in the

course of the workshop. National specialists from EAG and APG member states will be taking part in the workshop. The EAG typologies meeting will take place in May and is scheduled to include the presentation of two reports, respectively on *Money Laundering through the Securities Market* and on *Tax Crime and Money Laundering*.

94. **WB/IMF workshops** – On the margins of the FIUs' meeting, in June, the World Bank and the IMF will be organising two workshops on national risk assessment. There will also be another session of the IMF's workshop on tax crime as a predicate offense for money laundering.

Agenda item 28 – Match fixing – Proposals for a Council of Europe Convention – "The need to combat match-fixing"

95. The Plenary heard an update on the Council of Europe Enlarged Partial Agreement on Sport (EPAS)'s draft Convention against the manipulation of sports competitions. Since EPAS' presentation to the 40th Plenary, two working meetings had been held by the drafting group. The draft convention had been sent for comments to all MONEYVAL delegates but none had been received. The Bureau concluded that unless the Plenary decided otherwise, MONEYVAL would thus not be in a position to prepare comments on the issues raised by the draft in respect of options for establishing criminal offences under the Convention. The Bureau was of the view that this issue was primarily within the field of competence of the CDPC, as the main Steering Committee responsible for developing common standards in the field of criminal law, and not within that of MONEYVAL.

Decision taken:

96. It was agreed that the Secretariat should inform the Secretariat of EPAS on MONEYVAL's position on this issue.

Agenda items 29 & 30 – Ad Hoc Review Group of Experts for the next plenary meeting & rapporteurs for September 2013

97. The Committee took note of the paper circulated by the Secretariat outlining the delegations acting as Ad Hoc Review Group for the draft mutual evaluation reports, interveners and rapporteurs for the next plenary meeting.

Agenda item 31 – Future representation in FATF meetings

98. A call for expressions of interest to take part in the MONEYVAL delegation participating to the next FAFT plenary was made. Poland and Ukraine's interest to attend was noted.

Agenda item 32 – Financing and staffing

99. The Executive Secretary of MONEYVAL expressed its gratitude to the Spanish authorities for the secondment of Cristina Marin who had assisted the Secretariat in an excellent manner and formally welcomed Michael Stellini, on secondment from the Maltese Financial Intelligence Unit. There are currently five seconded officials working with the Secretariat and a further secondment was expected to join in the following month. The Committee was informed that MONEYVAL will also be reinforced by one position and one post within the Council of Europe and a fourth assistant will have joined by the time of the next plenary.

100. Mr Ringguth also expressed his appreciation for Monaco's voluntary contribution to MONEYVAL and called upon other delegations to support the activities of the Committee.

Agenda item 33 – Miscellaneous

101. The Executive Secretary expressed MONEYVAL's appreciation of the valuable contributions made by the representatives of the secretariats of the FATF and of Council of the European Union.

102. The Executive Secretary finally conveyed MONEYVAL's warmest thanks to Vladimir NECHAEV, Chairman of MONEYVAL since December 2009. Mr Nechaev thanked the Plenary, particularly the members of the Bureau he had worked with, scientific experts and the Secretariat, before reflecting upon his time with MONEYVAL, stressing that MONEYVAL had become an essential element of the global AML/CFT architecture, as recognised also by the Council of Europe's Committee of Ministers.

Appendix I – Agenda

Day 1: Tuesday 9 April 2013 / 1er jour : mardi 9 avril 2013

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**
 - 3.1 **Chairman's correspondence / Correspondance du Président**
MONEYVAL41(2013)INF-3.1
 - 3.2 **Committee of Ministers exchange of views on Annual Report 2012 / Comité des Ministres - échange de vues sur le Rapport annuel 2012**
 - 3.3 **Bureau report (meeting of 27 March 2013) / Rapport de la réunion du Bureau (27 mars 2013)**
4. **Information from the Secretariat / Informations communiquées par le Secrétariat**
 - 4.1 **Annual Report – Report on discussion in GR-J (26 March 2013) / Rapport annuel – rapport de la discussion au sein du GR-J (26 mars 2013)**
 - 4.2 **Information on election of Chairman / Informations sur l'élection de Président**
 - 4.3 **Agenda of evaluations and meetings for 2013 / Calendrier des évaluations et réunions en 2013**
MONEYVAL41(2013)INF-4.3
 - 4.4 **Participation in FATF meetings / Participation aux réunions du GAFI**
 - **WGEI (Working Group on Evaluations and Implementation) / Groupe de travail sur les évaluations et la mise en œuvre**
 - **GNCG (Global Network Coordination Group) / Groupe de coordination du réseau mondial**
 - **FATF Plenary / Réunion plénière du GAFI**
 - 4.5 **Participation in other forums / Participation à d'autres réunions**
 - 4.6 **Ad hoc Drafting Group on Transnational Organised Crime (PC-CR-COT), 24-26 June 2013 / Groupe ad hoc de rédaction sur la criminalité transnationale organisée (PC-CR-COT), 24-26 Juin 2013**
EPAS(2013)16
5. **ICRG Process update from the Co-chair of the Europe/Eurasia Regional Review Group (ERRG) / ICRG Présentation des dernières évolutions par le Vice-Président du Groupe d'examen régional Europe /Eurasie (ERRG)**
6. **Statute of MONEYVAL – proposed amendments / Statut de MONEYVAL – amendements proposés**
MONEYVAL41(2013)INF-6
7. **Roadmap to the 5th round / Feuille de route pour le 5e cycle d'évaluation**
 - 7.1 **Decision, as necessary, arising from Chairman's correspondence re 4th round evaluations / Décisions, le cas échéant, découlant de la correspondance du Président faisant référence au 4e cycle d'évaluation**
MONEYVAL41(2013)INF-7.1

7.2 **Future of the 3rd round Progress reports / Perspectives des rapports de progrès du 3^e cycle**

MONEYVAL41(2013)INF-7.2

7.3 **4th round follow-up / Suivi du 4^e cycle**

MONEYVAL41(2013)INF-7.3

7.4 **Revision of the Rules of Procedure (information item) / Révision des Règles de procédure (éléments d'information)**

MONEYVAL41(2013)INF-7.4

7.5 **Roadmap to the 5th round of evaluations/ Feuille de route pour le 5^e cycle d'évaluation**

MONEYVAL41(2013)INF-7.5

8. **Update of recent jurisprudence (ECHR, Chamber - Judgment Michaud v. France, 6.12.2012) / Mise à jour de la jurisprudence (CEDH, Chambre- jugement Michaud v. France, 6.12.2012)**

MONEYVAL41(2013)INF-8

Afternoon 14h30 / après-midi 14h30

9. **4th round follow-up – application by Slovenia to be removed from the regular follow-up / Procédure de suivi du 4^e cycle – demande de sortie de la procédure de suivi régulier par la Slovénie**

MONEYVAL(2013)6

MONEYVAL(2013)6-ANALYSES

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

10.1 **European Commission / Commission européenne**

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

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) / Informations 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)**

<http://conventions.coe.int/treaty/Commun/ChercheSig.asp?NT=198&CM=0&DF=&CL=ENG>

12. **Template and statistics for 4th round follow-up reports / Format et statistiques concernant les rapports de progrès de 4^e cycle**

MONEYVAL41(2013)INF-12

13. **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)**

MONEYVAL40(2012)INF-32

Day 2: Wednesday 10 April 2013 / 2e jour : mercredi 10 avril 2013

Morning 9h30 / matin 9h30

14. **Presentation by the FATF Secretariat on the adopted Methodology for Assessing Technical Compliance with the FATF Recommendations and the Effectiveness of AML/CFT systems / Présentation par le secrétariat du GAFI sur la méthodologie adoptée pour évaluer la conformité technique avec les Recommandations du GAFI et de l'efficacité des systèmes de LAB/CFT**

FATF document « Methodology for Assessing Technical Compliance », Feb 2013:

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

- 15.1 **IMF / FMI**
- 15.2 **World Bank / Banque Mondiale**
- 15.3 **EBRD / BERD**
- 15.4 **GIFCS / GSCFI**
- 15.5 **OSCE**
- 15.6 **Council of Europe Development Bank / CEB - Banque de Développement du Conseil de l'Europe**
- 15.7 **Eurasian Group on Combating Money Laundering and Terrorist Financing (EAG) / Groupe Eurasie sur le blanchiment de capitaux et le financement du terrorisme (EAG)**
- 15.8 **FATF / GAFI**

FATF report of Activities

16. MONEYVAL Evaluators' training for remaining assessments in the 4th round / Formation d'évaluateurs pour les évaluations demeurantes de 4^e cycle

- **Training seminar July 2013 / Séminaire de formation en juillet 2013**
- **Evaluators for 4th round / Évaluateurs pour le 4^e cycle**

Afternoon 14h30 / après-midi 14h30

17. Election of Chairman / Election de Président

18. 4th round follow-up – application by Albania to be removed from regular follow-up / Procédure de suivi du 4^e cycle – demande de sortie de la procédure de suivi régulier par l'Albanie

MONEYVAL41(2013)INF-18

Annex I and Annex II

19. Compliance Enhancing Procedures

- 19.1 **Report of 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**

MONEYVAL(2013)7

- 19.2 **Report of 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 suite à donner**

MONEYVAL(2013)5

20. 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 / 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 3^e cycle et suite à donner

MONEYVAL41(2013)INF-20

21. 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*

MONEYVAL41(2013)INF-21

22. 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*

MONEYVAL41(2013)INF-22

Day 3: Thursday 11 April 2013 / 3e jour : jeudi 11 avril 2013

Morning 9h30 / matin 9h30

23. Discussion on the draft 4th round Mutual Evaluation Report on Poland / *Discussion du projet de rapport de 4^e cycle d'évaluation mutuelle sur la Pologne*

MONEYVAL(2013)2prov

MONEYVAL(2013)2ANNprov

MONEYVAL(2013)2SUMMprov

MONEYVAL41(2013)INF-23 / LEGAL / LAW ENFORCEMENT / FINANCIAL ASPECTS

MONEYVAL41(2013)INF-23 CHANGES

MONEYVAL41(2013)INF-23 COMMENTS

Afternoon 14h30 / après-midi 14h30

24. Continuation of the discussion on the draft 4th round Mutual Evaluation Report on Poland / *Poursuite de la discussion du projet de rapport de 4^e cycle d'évaluation mutuelle sur la Pologne*

25. Stocktaking of the process regarding the state of compliance on all NC and PC ratings and next steps / *Etat des lieux du processus concernant l'état de conformité relatif aux notations NC et PC et suite à donner*

MONEYVAL41(2013)INF-25

Day 4: Friday 12 April 2013 / 4e jour : vendredi 12 avril 2013

Morning 9h30 / matin 9h30

26. 4th round follow-up – application by Hungary to be removed from the regular follow-up / *Procédure de suivi du 4^e cycle – demande de sortie de la procédure de suivi régulier par la Hongrie*

MONEYVAL(2013)4

MONEYVAL(2013)4-ANALYSES

27. Typologies work / *Travaux sur les typologies*

MONEYVAL(2013)11prov

27.1 Discussion of the draft report on « Postponement of financial transactions and the monitoring of bank accounts » – *Discussion sur le projet de rapport « Le report des transactions financières et la surveillance des comptes bancaire »*

MONEYVAL(2013)8prov

- 27.2 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
MONEYVAL41(2013)INF-27.3
- 27.3 Joint Meeting of Experts on Typologies with Egmont Group / Réunion des experts sur les typologies conjointement avec le Groupe Egmont**
experts sur les typologies conjointement avec le Groupe Egmont
MONEYVAL41(2013)INF-27.4
- 27.4 Information on typologies and projects in other forums/ Information sur les typologies et projets dans d'autres organisations**
- 28. Match fixing – Proposals for a Council of Europe Convention - "The need to combat match-fixing" / Trucage de matches - Propositions relatives à l'élaboration d'une Convention du Conseil de l'Europe sur « la nécessité de lutter contre le trucage de matches »**
- 29. Ad Hoc Review Group of Experts for the next plenary meeting / Groupe d'examen ad hoc d'experts pour la prochaine réunion plénière**
MONEYVAL41(2013)INF-29
- 30. Rapporteurs for September 2013 / Rapporteurs pour septembre 2013**
MONEYVAL41(2013)INF-30
- 31. Future representation in FATF meetings / Représentations futures dans les réunions du GAFI**
- 32. Financing and staffing / Financement et questions de personnel**
- 33. Miscellaneous / Divers**

Appendix II – List of participants

Evaluated States and Jurisdictions / Etats et juridictions évalués

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Apologised / excuse

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