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Strasbourg, 15 December 2010

**MONEYVAL(2010)32**

**EUROPEAN COMMITTEE ON CRIME PROBLEMS  
(CDPC)**

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

**33<sup>rd</sup> PLENARY MEETING OF MONEYVAL**

**Strasbourg, 27 September – 1 October 2010**

**MEETING REPORT**

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

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## **EXECUTIVE SUMMARY**

During the 33<sup>rd</sup> plenary meeting, held in Strasbourg from 27<sup>th</sup> of September to the 1<sup>st</sup> of October, 2010, the MONEYVAL Committee:

- adopted the mutual evaluation report on the 4<sup>th</sup> assessment visit of Hungary;
- examined and adopted the first progress report resubmitted by Ukraine;
- examined and adopted the first progress report submitted by Armenia and the second progress report submitted by Poland;
- considered and adopted the procedure to be applied as a result of the process of analysis of progress on all NC and PC ratings in respect of those countries which had more than 30 NC and PC ratings in the third round, with a view to deciding whether there was a basis for opening compliance enhancing procedures in respect of those countries;
- examined the state of compliance on all NC and PC ratings in the 3<sup>rd</sup> Round in respect of 6 countries (Albania, Azerbaijan, Bosnia and Herzegovina, Georgia, Moldova and Slovakia) and decided to apply step (i) of the Compliance Enhancing Procedures in respect of Albania and Bosnia and Herzegovina;
- adopted the typologies report on ML through private pension funds and the insurance sector;
- considered and endorsed the FATF key principles for Mutual Evaluation and Assessments prepared by the FATF in collaboration with FATF style regional bodies, the IMF and the World Bank;
- took note that CoE's Committee of Ministers adopted the Resolution CM/Res(2010)12 on MONEYVAL's Statute and that this new statute will elevate MONEYVAL as from 1 January 2011 to an independent monitoring mechanism within the Council of Europe answerable directly to the Committee of Ministers;
- elected a new member of MONEYVAL's Bureau, Ms Izabela Fendekova (Slovak Republic) for a mandate until December 2011; and agreed to nominate Mr Anton Bartolo (Malta), vice-Chair of MONEYVAL, as candidate to the position of ERRG co-chair.
- heard progress on responses to the non-conviction based confiscation questionnaire;
- took note of the current status of work on typologies in the context of the projects on (1) The use of Internet gambling for ML and TF purposes, and (2) Criminal money flows on the internet: methods, trends and multi-stakeholder counteraction; and of the preparations for the organisation of the joint EAG/MONEYVAL meeting in November 2010;
- discussed on MONEYVAL participation to the Council of Europe Conference's on "Prevention of Terrorism: Prevention Tools, legal instruments and their implementation" which will be held in Istanbul from the 16th to the 17th of December, 2010;
- discussed the agenda of evaluations and meeting for 2011 and agreed that Georgia would be assessed by the IMF in 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 related to the entry into force of 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);

## **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 Annex I. The list of participants appears at Appendix II.
2. The Chairman firstly welcomed all delegates and invited the relevant Heads of delegation concerned in the discussion on the state of compliance on all NC and PC ratings in the 3<sup>rd</sup> Round to participate in a face-to-face preparatory meeting before the general and country specific discussion.

#### **3.1 Bureau Meeting**

3. The Chairman informed the plenary firstly about the Bureau meeting on Friday 24 September 2010, particularly on the discussions on the 2010 preliminary analyses, and there was a meeting of the Heads of Council of Europe monitoring mechanisms on 19 March 2010. The Chairman secondly referred to the meeting of the Presidents of FSRBs and the President of the FAFT in June 2010 at the Amsterdam plenary. This was a very positive and useful meeting and the MONEYVAL/MENAFATF paper on the FATF 4<sup>th</sup> round of assessments had been well received. The plenary was informed of the Bureau's discussions, and decisions on these issues are noted under the various agenda items.

#### **3.2 Meeting of the Heads of Monitoring Mechanisms (19 March 2010)**

4. The Chairman advised that the COE monitoring mechanisms were seeking better to coordinate internally in order to try to avoid overlaps of onsite where the same national authorities were likely to be involved (e.g. GRECO and MONEYVAL). Alignment of the monitoring bodies' findings with the Council of Europe co-operation programmes was crucial. It was also pointed out that it is sometimes necessary to translate the technical findings of the monitoring bodies into political action when they revealed major recurring or structural defects. In view of this, the Chairman had supported the view that there was a need to intensify the dialogue between MONEYVAL and other monitoring mechanisms with the Committee of Ministers, the Parliamentary Assembly and the Secretary General. The chairman informed the plenary that there was also a meeting with the CoE's Deputy Secretary General to whom he reported on MONEYVAL's progress.

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

#### **4.1 Information on election for the Bureau**

5. The Executive Secretary informed the plenary that following the departure of one of the Bureau members, Mr Damir BOLTA (Croatia), elections will be held and delegations were invited to put forward nominations. The result of the election appears at Agenda item 14.

#### **4.2 Information on progress with Draft Statute for MONEYVAL**

6. The draft Statute had been circulated 2 weeks ago to Permanent Representatives. The Committee of Ministers Rapporteur Group (GR-J) were due to examine the draft Statute on Thursday of the plenary week. The Draft Statute substantially remained the same as discussed at the last plenary though some changes had been taken on board in the light of legal advice. The Executive Secretary would report back later in the week (see Agenda item 30).

#### 4.3 Agenda of evaluations and meetings for 2011

7. A draft agenda of evaluations and meetings for 2010 had been circulated as a room document.

##### *Decision taken:*

- Mutual evaluation of Andorra: The onsite between 21-27 March 2010 was agreed.
- Mutual evaluation of Georgia: will be conducted by the IMF.
- Mutual evaluation of Poland: because of the rotating EU presidency the onsite visit will be moved to 2012 and Lithuania volunteered as replacement.
- Mutual evaluation of Lithuania: will be conducted in November 2011, replacing Poland.
- All ongoing progress reports of the 3<sup>rd</sup> round should be finished by the end of 2011.
- A typology event for 2011 and a further training seminar for 2011 should be introduced in the 2011 calendar. Volunteers for the 2011 training seminar were requested.

#### 4.4 Participation in FATF meetings

8. The Executive Secretary informed the plenary about MONEYVAL participation in the FATF June plenary meeting. The FATF had adopted the joint study on "Money laundering through money remitters and currency exchange providers" which will be published subject to some editorial changes. India became a full member of the FATF and the mutual evaluations of the Kingdom of Saudi Arabia, India and Brazil were approved. Also, as part of its on-going action to identify and work with jurisdictions with strategic AML/CFT deficiencies, the FATF has updated its two public documents issued in February 2010. MONEYVAL had participated actively in the further development of the FATF law enforcement standards through the Executive Secretary's membership in the relevant project group.

#### 4.5 Report on MONEYVAL's training seminar and list of trained evaluators

9. The Executive Secretary thanked the Andorran authorities for organising the last joint FATF-MONEYVAL evaluator seminar in July where 16 States were represented, including a considerable number of potential French speaking evaluators. Also the trainers were thanked for their valuable support and efforts. Heads of delegation were invited to confirm the accuracy of the list of trained evaluators to the MONEYVAL secretariat, and that all experts are available for evaluations.

#### 4.6 Council of Europe Conference "Prevention of Terrorism: Prevention Tools, legal instruments and their implementation" – Istanbul, 16 - 17 December 2010

10. The Executive Secretary advised the plenary about this conference and advised that 9 participants representing MONEYVAL and the Conference of the Parties could be accommodated at CoE expense. Priority would be given to the Bureau members. Other nominations were invited.

#### **Item 5 – ICRG process**

11. The Chairman invited the Executive Secretary to update the plenary about the ongoing ICRG process. An ICRG onsite mission to Azerbaijan to verify implementation of the agreed action plan had taken place early in September, in which the Executive Secretary had participated. A full report will be given to the Europe/Eurasia Regional Review Group (ERRG) on Friday 1 October 2010 and to the ICRG in October. After then a decision will be taken by FATF as to whether Azerbaijan can exit these procedures.

12. Dr Vasil Kirov (Bulgaria), former MONEYVAL President, had moved to the European Commission, and will no longer attend MONEYVAL's Plenaries. Therefore, a new ERRG Co-Chair has to be appointed by FATF to replace Dr Kirov.

*Decision taken:*

13. MONEYVAL's Deputy Chair, Dr Anton Bartolo, was nominated by the Bureau, and confirmed by the plenary, as MONEYVAL nominee for the co-chair of the ERRG. Communication by the Secretariat of this decision to the FATF should proceed immediately.
14. The Executive Secretary informed of the upcoming *prima facie* review by February 2011 of Georgia and Moldova, first by ERRG and then by the ICRG.

#### **Item 6 – Consideration and endorsement of key principles for Mutual Evaluations and Assessments**

15. The Executive Secretary introduced the FATF president's paper on key principles for Mutual Evaluations and Assessments. The plenary discussed the principles in the paper.

*Decision taken:*

16. After discussion, the plenary endorsed the Key Principles, noting also that MONEYVAL assesses its countries additionally on the 3rd EU Directive.

#### **Item 7 - Progress on the Review of the FATF Recommendations and preparation for FATF's 4<sup>th</sup> Round**

##### 7.1 Overview of developments from FATF on revision of standards

17. The Executive Secretary informed the plenary about the latest developments on the FATF revision of standards.

##### 7.2 Operational Issues Subgroup – Report of Executive Secretary to MONEYVAL

18. The Executive Secretary gave a further report on the conclusions of the project team as endorsed by the relevant working groups. As a result, FATF will consider next year a proposal for enhancements to R.27 to include the importance of parallel financial investigations in major proceeds-generating cases.

##### 7.3 Experts Groups A and B

19. The Executive Secretary informed the plenary that two review groups are analysing and looking into the standards to be reviewed for the FATF 4th Round (group B: R.35–40 ) (group A: R.6-domestic PEPs, R.3, refining the risk based approach, R.5, R.9 and R. 33). Questions were raised as to whether the Warsaw Convention would be included in the new FATF standards. The Executive Secretary informed that he had promoted inclusion of the Warsaw Convention and the Cybercrime Convention in the revised Recommendations. This had been remitted to the Group dealing with A.35 and a decision was pending on that.

##### 7.4 Review of the quality and consistency of Assessment reports in the 3<sup>rd</sup> Round

20. This work was likely now to be taken forward on an inter Secretariat basis.

##### 7.5 The AML/CFT evaluation process going forward - Paper for Presidents' meeting - FATF Secretariat paper

21. The joint MONEYVAL/MENAFATF paper had been circulated to the membership and it will to be fed into the WGEI discussion on the 4<sup>th</sup> round process in 2010-2011.

**Item 8 – Information on 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)**

22. The Executive Secretary informed the plenary about the latest developments on 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) since the last plenary. The Conference of the Parties had met between 15-23 April 2010 and an evaluation questionnaire had been adopted. Albania would be the first country to be assessed. There were now 21 ratifications of CETS 198.

**Item 9 – Further consideration of the First 3<sup>rd</sup> Round Progress Report of Ukraine**

23. The representative of the delegation of Ukraine introduced the members of the delegation and provided an overview of the main developments and measures implemented since the adoption of the mutual evaluation report in March 2009 and the last progress report in March 2010. The Secretariat presented its review of the status of implementation of the core recommendations.
24. San Marino, in its capacity as rapporteur country, highlighted several positive measures which have been taken by Ukraine in order to address the recommendations formulated in the mutual evaluation report. A number of questions were asked by San Marino, followed by additional clarifications sought by the delegations of Estonia, IMF, Latvia and the Financial expert and the Secretariat on the following issues:
- R.13 – On the high number of STRs;
  - R.23 – Supervisory authorities and action taken to reduce the number of fictitious companies;
  - R.32 – Clarifications regarding statistics on the number of autonomous money laundering investigations and prosecutions, on confiscated assets, on the number of cases opened by the FIU and case referrals;
  - SR.II – Freezing assets.

*Decision Taken*

25. As a result of the discussions held in the context of the examination of this first progress report, the plenary was satisfied, considering also the amendments made, 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. Pursuant to Rule 41 to the Rules of procedure, the progress report will be subject of an update in every two years between evaluation visits (i.e. September 2012), though the plenary may decide to fix an earlier date at which an update should be presented.

**Item 10 – Discussion on the Second 3<sup>rd</sup> Round Progress Report of Poland**

26. The representative of the delegation of Poland introduced the members of the delegation and provided an overview of the main developments and measures implemented since the adoption of the mutual evaluation report in June 2007 and the last progress report in July 2008.
27. The Executive Secretary presented the review on the Progress report, on the core recommendations and the various amendments.

28. Montenegro, in its capacity as rapporteur country, highlighted several positive measures which have been taken by Poland in order to address the recommendations formulated in the mutual evaluation report. A number of questions were asked by Montenegro, followed by additional clarifications sought by the Legal expert and the Secretariat on the following issues:
- R.6 – treatment of PEPs clients;
  - R.23 – Supervisory authorities and its responsibilities;
  - R.32 – clarifications regarding statistics on the number of autonomous money laundering investigations and prosecutions, on confiscated assets, on the number of cases opened by the FIU and case referrals;
  - SR.II – Freezing assets.

#### *Decision Taken*

29. As a result of the discussions held in the context of the examination of this second progress report, the plenary was satisfied, considering also the amendments made, 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. Pursuant to Rule 41 of the Rules of procedure, the progress report will be subject of an update in every two years between evaluation visits , though the plenary may decide to fix an earlier date at which an update should be presented.

#### **Item 11 – Information on AML/CFT initiatives in other fora**

##### 11.1 FATF

30. The FATF representative gave further information on the work of the expert groups reviewing some of the FATF standards. Expert Group B is analysing the possibility of merging the 40 + 9 recommendations and consulting with the private sector. Work is still continuing through WGTYP on revisions to R.27 and 28 in which the Executive Secretary of MONEYVAL is actively engaged.

##### 11.2 IMF and World bank

31. The IMF representative presented a report on their activities. He thanked the plenary for its agreement to the IMF leading the assessment of Georgia in 2011. The Policy on updating of reports was still not settled by the Board of the Fund and he indicated that should policy clearance not be given for an updating report using the MONEYVAL 4th round Methodology in time for the Georgia mission it would be a full re-assessment. Georgia agreed to this approach. The WB also presented a report on WB's activities.

##### 11.4 EBRD

32. The representative of the EBRD presented a report on EBRD activities since the last Plenary.

##### 11.5 OGBS

33. The representative of the OGBS presented a report on OGBS activities. The main OGBS internal debate is focused on how to enhance OGBS follow-up processes. OGBS is still actively participating in the two experts groups of the FATF, particularly in relation to trust and company services (R.33 and 34). OGBS is promoting further typologies work on ML and human trafficking.

##### 11.6 OSCE

34. The representative of the OSCE presented a report on OSCE activities since the last Plenary.

#### 11.7 Egmont Group

35. Mr Boudewijn VERHELST, Chair of the Egmont Group of Financial Intelligence Units and MONEYVAL's Scientific Expert in Law Enforcement, presented a report on Egmont Group activities and on the next working group in Moldova planned for October 2010.

#### 11.8 Eurasian Group on Combating ML and TF (EAG)

36. A report was given on EAG activities, on the last onsite evaluation and that EAG became an FATF Associate Member. It was noted that in 2010 MONEYVAL and EAG will collaborate on a joint typologies meeting in Russia planned for November in Moscow.

### **Item 12 - Discussion of the state of compliance on all NC and PC ratings in the 3<sup>rd</sup> Round report in respect of Azerbaijan**

37. The Executive Secretary introduced the topic commenting on the High-level onsite mission organised by the FATF with the participation of MONEYVAL in early September 2010.

38. The Secretariat presented its review, after discussion and analysis by the Bureau, on the preliminary analysis of the state of compliance of Azerbaijan. In the light of the Secretariat analysis, MONEYVAL noted that considerable progress has been made in a very short time on the legislative front on the preventive side and in the creation and implementation of a working FIU that is receiving, analysing and disseminating reports to law enforcement. There has been one conviction for ML (with embezzlement) and a related confiscation order. The following deficiencies were discussed:

- **SR.II–Criminalisation of terrorist financing** (important deficiency): The law of Azerbaijan has not established criminal liability for legal persons, and civil and administrative liability for terrorist financing by legal persons is not clear;
- **R.3-Confiscation and provisional measures** (important deficiency): Not all predicate offences have an associated power of confiscation. With the exception of the ML offence, confiscation is generally not available for the basic form of predicate offences carrying less than two years imprisonment.

39. In the context of this process, Azerbaijan had 2 Recommendations with important deficiencies – SR.II and R.3 (asterisked) and, according to the threshold agreed (see Agenda item 29) for the opening of compliance enhancing procedures (CEPs), no CEPs should be imposed.

#### *Decision taken*

40. The plenary decided not to put Azerbaijan under compliance enhancing procedures. A letter would be sent to the authorities drawing attention to the two identified important deficiencies and inviting them to take further remedial action.

### **Item 13 –Discussion on the First 3<sup>rd</sup> Round Progress Report of Armenia**

41. The Head of delegation of Armenia introduced the members of the delegation and presented developments since the adoption of the first progress report in September 2009.

42. Austria, as rapporteur country, acknowledged the significant steps taken by Armenia during the last years. It also raised several questions, including:
- R.3 – Confiscation and provisional measures ;



- R.9 – Customer due diligence and record-keeping;
- R.12 – DNFBPs Customer due diligence and record-keeping;
- R.16 – DNFBPS Reporting of suspicious transactions and compliance.

Responses received from Armenia were satisfactory. It was agreed that some of the further clarifications should be reflected in the report.

43. Albania, Austria, Bulgaria, Georgia, Lithuania, the Russian Federation, San Marino, the Chairman, the Scientific expert on Financial issues – Mr Laferla, the Scientific expert in Law Enforcement issues – Mr Verhelst and the Secretariat of MONEYVAL raised some further questions. Armenia responded to the clarification requests. “The former Yugoslav Republic of Macedonia” indicated that the report itself was clear and described well the progress made.

#### *Decision taken*

44. As a result of the discussions held in the context of the examination of this first 3<sup>rd</sup> progress report, the plenary was satisfied, considering also the amendments made, 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. Pursuant to Rule 41 of the Rules of procedure, the progress report will be subject to an update every two years between evaluation visits (ie. September 2012), though the plenary may 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 14 –Election of a Bureau Member**

45. The election of a Bureau member is on a simple majority. There were three candidates, Ms Izabela FENDEKOVA (Head of Delegation, Slovak Republic), Ms Oxana GISCA (Head of Delegation, Moldova), Mr Milovan MILOVANOVIC (member of the Serbian delegation). As a result of the elections and the three ballots held, Ms Izabela FENDEKOVA was elected as the new MONEYVAL’s Bureau member to replace Mr Bolta and to serve out his term of office.

#### **Items 15 - Discussion of the state of compliance on all NC and PC ratings in the 3<sup>rd</sup> Round report in respect of Albania**

46. The Secretariat presented its preliminary analysis of the state of compliance of Albania, after discussion by the Bureau. In the light of the Secretariat analysis, MONEYVAL noted that Albania has taken a number of measures to improve its AML/CFT system, thus making progress to remedy several deficiencies identified in the 3<sup>rd</sup> MER. The following deficiencies were discussed:
- **R.5-CDD (important deficiency):** Essential criteria 5.5.1, 5.5.2, 5.6, 5.14.1, 5.15, 5.16, 5.17 and 5.18 are not covered;
  - **R.6-PEPs (important deficiency):** The definition of PEPs covers only domestic PEPs and rules for foreign PEPs are missing;
  - **SR.II–Criminalisation of terrorist financing (important deficiency):** Not all elements of SR.II are covered and the definition of the Terrorism act/financing has to be improved;
  - **SR.VIII-NPOs (important deficiency):** No measures in place to prevent unlawful use of NPOs in relation to ML/FT (no review of risks, common practice of double bookkeeping, no policy for the supervision and control of NPOs).

#### *Decision taken*

47. The plenary decided that Albania should be placed under compliance enhancing procedures (Rule 55 of the Rules of Procedure, at step i), having identified important deficiencies in at least 4 Recommendations (see Agenda item 29). A letter in accordance with step i drawing

attention to the four important deficiencies will be sent to the Albanian authorities. Albania is requested to provide a report on the progress made on the identified important deficiencies (R.5, R.6, SR.II and SR.VII) to the 34<sup>th</sup> plenary. The CEP Preliminary analysis should be published only on the restricted access website.

**Items 16 - Discussion of the state of compliance on all NC and PC ratings in the 3rd Round report in respect of Bosnia and Herzegovina**

48. The Secretariat presented its review, after discussion and analysis by the Bureau, on the preliminary analysis of the state of compliance of Bosnia and Herzegovina. In the light of the Secretariat analysis, MONEYVAL noted that Bosnia and Herzegovina had made little progress on the Recommendations rated NC or PC in the 3<sup>rd</sup> round MER since its adoption in December 2009. It was noted that the 1<sup>st</sup> progress report had still to be presented. Nonetheless the following deficiencies were discussed:

- **R.1-Money Laundering offences (important deficiency):** Neither of the money laundering offences, as defined in all four Criminal Codes, is in full accordance with Article 3 of the Vienna Convention and Article 6 of the Palermo Convention as far as material elements of the offence are concerned. The scope of competing money laundering offences are not adequately demarcated partly because of the failure to harmonise the respective thresholds in the state-level and non-state level offences and the overly ambiguous conditions in CC-BiH Article 209(1);
- **R.5-CDD (important deficiency):** Article 28 of Law on Foreign Exchange allows the opening and retention of bearer savings accounts in foreign currency. No obligation to apply CDD measures in all instances as required by Recommendation 5. No timing for the verification of identification information and need to revise Decisions on Minimum Standards accordingly. No mandatory obligation to apply CDD measures to all existing accounts. No overall obligation to establish and identify the 'mind and management' of a legal person. The requirements for financial institutions to conduct ongoing due diligence on the business relationship are not clear. No requirement for obliged entities to consider filing a suspicious report where the identification process cannot be completed. No obligation to consider the termination of business where a business relationship is established but the identification process cannot be completed;
- **SR.II-Criminalisation of terrorist financing (important deficiency):** The present incrimination of terrorist financing ("funding of terrorist activities") in all four Criminal Codes appears not wide enough to clearly provide for criminal sanctions concerning the collection and provision of funds with the unlawful intention that they are to be used, in full or in part, by a terrorist organisation or by an individual terrorist as required by SR.II;
- **R.26-The FIU (important deficiency):** FID appears to operate in isolation from other law enforcement agencies and financial intelligence at FID is not requested by or disseminated to other law enforcement agencies at the level of the entities and Brčko District when investigating predicate offences or money laundering. The power of the FID to disseminate information to domestic authorities is limited and subject to unacceptable constraints and effectiveness of dissemination of information to domestic authorities could not be demonstrated;
- **SR.III-Freeze and confiscate terrorist assets (important deficiency):** A comprehensive system for freezing without delay by all financial institutions of assets of designated persons and entities, including publicly known procedures for de-listing etc. is not yet in place. The existing legal framework consists of parallel and overlapping regimes which either are incomplete particularly when it comes to procedural rules (Laws on Banking agencies) or were designed for other purposes (the IRM Law to support the ICTY mandate) thus both are only, to a very limited extent, applicable in this respect.
- **SR.VIII- NPOs (important deficiency):** No review of the adequacy of the relevant laws in order to identify the risks and prevent the misuse of NPOs for terrorism financing purposes. Lack of outreach to the NPO sector. No explicit legal requirement for the NPOs

to maintain business records for a period of at least five years. No particular mechanism established for responding to international requests regarding NPOs;

- **SR.IX- Cross Border Declaration** (important deficiency): No obligation at the state level for reporting cash and negotiable instruments. Limited and varying reporting obligations exist at the entity level; but not for Bosnian currency (In the Federation and BD) and not for negotiable instruments. The ITA has no authority to obtain further information from the carrier upon discovery of a false declaration (SR IX.2). The ITA has no authority to restrain currency where there is suspicion of ML/FT or where there is a false declaration (SR IX.3). The ITA does not retain the information required by SR IX.4 and is therefore not able to make such information available to SIPA in accordance with SR IX.5. No power to apply sanctions or seize funds by ITA (SR.IX.8) (SR.IX.9) (SR.IX.10) (SR.IX.11).
49. Bosnia and Herzegovina has 7 Recommendations (R.1, R.5, R.26, SR.II, SR.III, SR.VIII and SR.IX) with important deficiencies (asterisked).

*Decision taken*

50. The plenary decided that Bosnia and Herzegovina should be placed under compliance enhancing procedures (under Rule 55 of the Rules of Procedure at step i) having identified important deficiencies in at least 4 Recommendations (see Agenda item 29). A letter, in accordance with step i drawing attention to the seven important deficiencies will be sent to the Bosnia and Herzegovina authorities. Bosnia and Herzegovina is requested to provide a report on the progress made on the identified important deficiencies (R.1, R.5, R.26, SR.II, SR.III, SR.VIII and SR.IX) to the 34<sup>th</sup> plenary. The CEP preliminary analysis should be published only on the restricted access website.

**Item 17 – Discussion and adoption of the 3<sup>rd</sup> Round Horizontal Review**

51. The Executive Secretary recalled the history of horizontal reviews in MONEYVAL and presented the latest developments on the 3rd Round Horizontal Review. An interim version of the report had been circulated, which would be fully elaborated into a review for publication later this year/beginning of next year.
52. The Executive Secretary thanks the three experts who had worked on this review: Mr Lajos KORONA (Hungary – legal issues), Mr Herbert ZAMMIT LAFERLA (scientific expert – financial issues) and Mr Boudewijn VERHELST (scientific expert – law enforcement issues).

*Decision taken*

53. The plenary took note of the interim draft of the Horizontal Review. Further comments were invited from delegations, before finalising the Horizontal Review to be presented at the next plenary. These should be sent to the MONEYVAL Secretariat within the timescale advised in the Secretariat communication to Heads of Delegation after the plenary.

**Item 18 – Discussion of the state of compliance on all NC and PC ratings in the 3<sup>rd</sup> Round report in respect of Slovakia**

54. The Secretariat presented its review, after discussion and analysis by the Bureau, on the preliminary analysis of the state of compliance of Slovakia. In the light of the Secretariat analysis, MONEYVAL noted that Slovakia has taken significant steps to comply with the MONEYVAL recommendations and remedied most of the deficiencies identified in the 3<sup>rd</sup> round MER since its adoption.
55. Slovakia has no Recommendation having an identified important deficiency (asterisked) and therefore, no Compliance Enhancing Procedure were applied. The plenary noted that the 4<sup>th</sup> round evaluation visit would take place in the following week.

*Decision taken*

56. The plenary decided that in the case of Slovakia no compliance enhancing procedures should be instituted at this time.

**Item 19 – Enforcement of Civil Confiscation Orders – Discussion of responses and next**

57. The Executive Secretary informed the plenary about the analysis prepared by the Secretariat of the results of this survey. The analysis will be circulated to those who participated in the drafting of the questionnaire (as a reflection Group before the plenary considers whether further action at the normative level is required). A decision on any further action will be taken at the December plenary.

*Decision taken*

58. The plenary took note of the interim report and approved the Secretariat proposal to refer the outcome of the survey first to the reflection group.

**Items 20/21 – Discussion on the Draft 4<sup>th</sup> Round Mutual Evaluation Report on Hungary**

59. The Secretariat introduced the evaluation team. The Secretariat briefly outlined details of the on-site visit and thanked the Hungarian authorities for their excellent organisation and hospitality. It was noted that two pre-meetings were held in July and in parallel of the plenary. The Secretariat highlighted that notwithstanding some existing imperfections in laws, generally the legislative basis is in place; the preventive measures are applied well; supervisory and sanctioning system is functioning; resources dedicated to AML/CFT are generally satisfactory. The Secretariat noted, however, a lack of investigations, prosecutions and convictions resulting from the STR system which raised effectiveness issues. The considerable number of convictions for proceeds-generating offences, and the numbers and quality of the relevant ML convictions impact on the effectiveness of implementation of Recommendation 1.
60. The Secretariat also explained the major changes that had been made to the report which had been previously circulated, and pointed out that two information papers were available. The first one outlined the amendments to the draft report as a result of the pre-meeting and the second one listed the issues raised by the members of the Ad Hoc and Permanent Review Group which had not been accepted by the evaluation team as well as the latter's position in this respect. Those changes reflected 1 upgrading in respect of Recommendation 3 and some textual changes and corrections in the various parts of the report and executive summary.
61. The evaluators presented an overview of their findings. The Hungarian Head of delegation thanked the evaluation team for their work and introduced the members of the delegation and gave an overview of the AML/CFT situation in Hungary. He indicated that the draft report is detailed and of a high quality.
62. The Chairman proceeded with a discussion of the draft report. The three intervener countries were: Georgia (legal aspects), Cyprus (financial aspects) and Lithuania (law enforcement aspects).

*Issues arising*

63. The plenary sought information on and discussed the following issues:
- wording of ML offences in the Hungarian Criminal Code;
  - self-laundering offence;
  - reasons for the decreasing number of STRs;

- uncertainties over the coverage of attempted transactions;
  - impact of imperfections of the ML and TF offences on the STR reporting obligation;
  - prohibition and closure of anonymous passbooks;
  - HFIU's access to information for other FIU functions;
  - operational independence of the HFIU;
  - HFIU's timely access to information;
  - assessment of the cross border declaration system and the supranational approach.
64. The plenary discussed the cross border declaration system of Hungary and supranational approach that was adopted by the FATF in February 2009 in detail.
65. By referring to the agreement reached by the FATF in February 2009 and amendments made in the Methodology, as well as paragraph 8 of the WGTM Co-chairs report of June 2009 in terms of supranational approach for assessing EU member states' compliance with SR IX, the representative of the EU Commission stated that the recommendation of the Draft report which requires Hungary to consider developing an appropriate domestic legal mechanism for cash control at the EU internal borders contradicts the supranational approach. He underlined that the procedures for the supranational assessment have not yet been determined by the FATF, however, SR IX has some elements which are supranational. He further noted that this agreement will apply in the FATF's future fourth round evaluations and as it was done in the FATF's Germany report. The IMF and Austria representatives pointed out that in the Austria report, although the new FATF Methodology was not used, cash movements between Austria and EU member states were regarded as domestic movements. The EU representative argued that Hungary should not be required to have domestic cash control system at the EU internal borders, however, other safeguards such as information sharing and common databases should be evaluated. Hungary also noted the difficulties the issue presented in the absence of any agreement by the FATF in respect of any current procedures to be followed for the supranational assessment of SR.IX.
66. The Chairman reminded the plenary of the deficiency identified in the Luxembourg report that the system is limited to movements beyond the EU, and the inconsistency in currently available reports.
67. The law enforcement evaluator pointed out that the supranational approach was taken into account as much as possible and the way in which SR.IX has been evaluated in this report was the best solution that could be followed at this stage in the absence of any finally agreed procedure. The MONEYVAL scientific expert (law enforcement) echoed what was said with regard to existing uncertainties in the supranational assessment of SR.IX. The evaluator stressed that almost all the bullet points in the rating box are applicable to both approaches (national and supranational).
68. The position of the evaluator was strongly supported by the law enforcement scientific expert and he considered the finding of the evaluator to be an effectiveness issue. He noted that there is no common database and information sharing at the EU level yet, and thus, the essential criterion IX 15 is not applicable at the EU level. According to him, these weaknesses show the relevance of the absence of internal disclosure system together with the effectiveness of a functioning cash control system as a whole. He reminded the plenary that acceptance of the EU as an internal market does not preclude EU member states from having an internal disclosure system, given that Italy, Belgium and France have such disclosure systems in place at their internal borders. He concluded that there is no need to change the finding of the evaluator with regard to effectiveness.

69. The evaluator also recalled that it is stressed in the preamble of the EU Regulation that harmonisation aimed by the Regulation should not affect the possibility for member states to apply, in accordance with the existing provisions of the Treaty establishing the European Community, national controls on movements of cash within the Community.
70. The EU Commission representative replied to the scientific expert's intervention, that if there are problems with the information sharing and common database these issues could have been elaborated more in the report as deficiencies, and Hungary should have been assessed as to whether or how effectively it participates in existing EU information sharing mechanisms. Hungary supported this position. No other comments were made by the MONEYVAL member states. The evaluators' findings were accepted as they stood.

#### *Decisions taken*

71. As a result of the discussions, the plenary decided to amend the report to reflect the clarifications raised by delegations and to modify the rating of R.16, which was downgraded to PC from LC considering the existing serious deficiencies and to make the rating consistent with the rating of R.13.
72. Pursuant to rule 48 of the Rules of Procedure, Hungary was placed in regular follow-up requiring the country to report back on progress for identified deficiencies, though Hungary may provide a report back sooner if it wishes.
73. The plenary adopted the draft report on the 4th assessment visit as amended and its draft executive summary (and subject to consequential editorial changes).

#### **Item 22 - Request from Georgia for IMF evaluation in 2011**

74. This item was taken as part of Agenda item 4 (see paragraph 8 of the meeting report).

#### *Decision taken*

75. The plenary approved Georgia's application to be evaluated by the IMF under Paragraph 2 of the Rules of Procedure.

#### **Item 23 - Discussion of the state of compliance on all NC and PC ratings in the 3<sup>rd</sup> Round report in respect of Georgia**

76. The Secretariat presented its review, after discussion and analysis by the Bureau, on the preliminary analysis of the state of compliance of Georgia. Overall there had been a continuous process of improvement to the AML Law since the 3rd round report and numerous ML investigations and prosecutions (including autonomous ML). The lack of CDD obligations in respect of lawyers, auditors and accountants remained an important deficiency in the context of Georgia.

#### *Decision taken*

77. The plenary decided that no compliance enhancing procedures should be instituted in respect of Georgia but a letter covering the ongoing important deficiency will be sent to the Georgian authorities inviting them to take further remedial action.

#### **Item 24 - Information from the European Union**

78. European Commission / Secretariat General of the Council of the European Union: Mr Peter NATH from the Council of the EU advised on progress in respect of the Working Party on General Affairs and Evaluations (GENVAL) (which had been in place since the entry into force of the Lisbon Treaty). The Annual report on Terrorism Financing gives a good overview on EU activities in this area and more information can be downloaded directly from the EU website.

#### **Item 25 - Discussion of the state of compliance on all NC and PC ratings in the 3rd Round report in respect of Moldova**

79. The Secretariat presented its review, as amended after the Bureau's meeting, on the preliminary analysis of the state of compliance of Moldova, highlighting the areas of concern where important deficiencies were noted in respect of compliance with the FATF Recommendations. The Moldovan delegation gave their opinion on the analysis and brought forward additional information on the implementation of these Recommendations. The plenary examined the preliminary analysis and following discussions, decided that the analysis should maintain a reference only to two important deficiencies, namely R.6 (Political Exposed Persons) and R.17 (Sanctions).

#### *Decision taken*

80. The plenary decided that no compliance enhancing procedures should be instituted at this time in respect of Moldova. On the basis of the procedure agreed for this process, the Moldovan authorities shall be notified with a letter drawing their attention to the ongoing important deficiencies identified and inviting them to take further remedial action.

#### **Item 26 - Discussion of the state of compliance on all NC and PC ratings in the 3rd Round report in respect of Ukraine**

81. This agenda item was postponed to the following plenary meeting in December 2010.

#### **Item 27 – Typologies work**

82. The Chairman informed delegations that several room documents were circulated on MONEYVAL's typologies work. Project leaders and the Secretariat provided the Committee with an update on the progress made on their projects since March 2010 as well as the next steps to be taken:

##### 27.1- On-going projects: status of implementation

83. Money laundering through money remitters and currency exchange providers (led by Estonia, joint project with the FATF): The plenary was informed that the final draft report was adopted by the FATF in June 2010 and it is expected to be published in the near future.
84. Money laundering through private pension funds and insurance sector: The plenary heard a presentation by the project leaders on the findings of the draft report.
85. The use of internet gambling for ML and TF purpose (led by Cyprus): Work has been initiated on the literature review and the analysis of the responses to the questionnaire, however the work plan timelines will require adjusting and extending to 2011.
86. Criminal money flows on the internet: methods, trends and multi-stakeholder counteraction: A first working meeting was held in Strasbourg on 26 March 2010, followed by a second working meeting of the project team in Moscow planned for beginning of November 2010.

Since this project was one of the topics for the joint EAG/MONEYVAL typologies meeting, delegations contributing to the survey agreed on the outline of the project and the document as well as the organisation of the next workshop.

#### 27.2 – Future activities

87. Update on the 2010 EAG/MONEYVAL Typologies meeting: The plenary was also informed by the MONEYVAL and EAG Secretariats about the general format and concept of the November 2010 planned joint typologies meeting, as outlined in the room document MONEYVAL 32(2010)INF25.2. The plenary agreed that synergies would be developed with the EAG's project on the Risks of misuse of electronic money for money laundering and terrorist financing and that MONEYVAL delegations would be invited to complete the EAG survey related to this project. It was noted that the annual meeting would be organised in the Russian Federation on the 9<sup>th</sup> and 10<sup>th</sup> of November 2010. The draft agenda and the further practical information for the annual meeting will be circulated in due course.
88. MONEYVAL Working Group on Typologies: Delegations were reminded that nominations for the Chair and membership of the working group are expected before further work can be initiated.

#### 27.3 - France/OGBS FATF Typology project on human trafficking and other projects

89. The plenary was informed on the status of this joint France/OGBS/FATF project and the invitation that was made to MONEYVAL to participate actively in the work of this project team. Considering the Committee's previous typologies work on the topic, the plenary endorsed the principle that MONEYVAL should participate in this project, and subject to resources available, to the FATF Typologies meeting in November 2010.

#### *Decisions taken*

90. The plenary adopted the typologies report on Money laundering through private pension funds and insurance sector – Red Flags and Indicators and agreed to its publication.

#### 27.4 - Information on other typologies projects in other forums

91. The plenary took note of the update presented by the FATF Secretariat representative on its on-going projects (New payment methods; Trust and company service providers) as well as projects under preparation ("Organised maritime piracy and kidnapping for ransom" and on 'Information exchange'). The joint FATF/Egmont Group typology meeting in Cape Town is scheduled to take place from 16 – 19 of November 2010 in Cape Town. The plenary received an update also on the FATF Global ML/TF Threat Assessment and next steps.

#### **Item 28 - Egmont Group work on R.40**

92. The plenary took note that the Egmont Group were actively contributing to the FATF's work on Recommendation 40.

#### **Item 29 - Decisions on any further action to be taken in relation to countries specially assessed on their state of compliance and on all NC and PC ratings in the 3<sup>rd</sup> Round**

##### 29.1 Secretariat proposals on procedures for this process

93. The Executive Secretary summarised the document distributed on Compliance Enhancing Procedures 2010 Preliminary Analyses (MONEYVAL33(2010)27).
94. It was emphasised that this process should aim at seeking quick wins as result of the CEPs.



95. Albania, Moldova, Russian Federation and Ukraine commented positively on the document on Compliance Enhancing Procedures 2010 Preliminary Analyses and requested some further clarifications which were provided. The USA took the opportunity to welcome and congratulate MONEYVAL's progress both with the Horizontal Review and the CEP analyses.
96. The Executive Secretary informed the plenary that the Bureau has reviewed all documents provided in response to this initiative and that final decisions rest with the plenary, which is sovereign. The Chairman confirmed the Executive Secretary's statement.
97. Bosnia and Herzegovina's comments on the short timeframe that some countries had to assess their situation after the 3rd round MER were noted by the plenary.
98. Lithuania noted that it would be helpful if the relevant Compliance Enhancing Procedures were determined before the commencement of a round of evaluations. The point was understood but it was noted that the CEPs procedures had developed flexibly to address situations as and when they occur, the range of which cannot always be determined at the outset of a round.

#### 29.2 Countries:

99. The decisions on each country were recorded in the relevant paragraphs of this report above (see Items 12 (Azerbaijan), 15 (Albania), 16 (Bosnia and Herzegovina), 18 (Slovak Republic), 23 (Georgia), 25 (Moldova)). It was noted that the draft analyses on Ukraine, Croatia and "the former Yugoslav Republic of Macedonia" would be examined at the forthcoming Plenary meeting.

#### *Decision taken*

100. In the light of the draft preliminary assessments prepared by the Secretariat, the Bureau will recommend to the plenary the imposition of CEPs at step (i) for countries that have four or more Recommendations with important deficiencies. A letter from the chairman will be sent to the countries concerned under step (i), which will be copied to the plenary. The country will be requested to present a report on the identified deficiencies in response to the chairman's letter in advance of the plenary after which they were placed in compliance procedures. The preliminary assessments of these countries will be published on the restricted access website.
101. In the case of countries with identified important deficiencies in less than 4 Recommendations, the Chairman will also write to the country concerned drawing attention to the deficiencies and inviting them to take further remedial action (but not under CEPs). In respect of these countries the preliminary assessments will not be published on the restricted access website.
102. MONEYVAL examined the state of compliance on all NC and PC ratings in the 3<sup>rd</sup> Round in respect of 6 countries (Albania, Azerbaijan, Bosnia and Herzegovina, Georgia, Moldova and Slovakia) and decided to apply step (i) of the Compliance Enhancing Procedures in respect of Albania and Bosnia and Herzegovina.

#### **Item 30 - Further update on the future mandate of MONEYVAL**

103. The Executive Secretary informed the plenary that the Rapporteur Group GR-J had endorsed the Statute and that there was strong support for this development. The final decision will now be taken by the Committee of Ministers in October.

**Item 31 - Ad Hoc Review Group of Experts for the next plenary meeting**

104. The Ad-Hoc Review Group of Experts for the Czech Republic would be Estonia. Intervenors would be Monaco for legal aspects, Latvia for law enforcement and Hungary for financial aspects.
105. The rapporteur countries for the progress reports for the 34<sup>th</sup> plenary will be notified on the table to be circulated after the plenary.

**Item 32 – Future representation in FATF meetings**

106. The Secretariat called for expressions of interest in attending the forthcoming Working Group meetings (October 2010) and FATF plenary meeting in Paris (October 2010) and in Paris (February 2011).

**Item 33 – Financing and staffing**

107. The Executive Secretary made a brief report to the plenary on this matter informing also about the on-going procedure for an additional Secondment starting from January 2011. He thanked Monaco and the USA for their very welcome voluntary contributions.

**Item 34 – Miscellaneous**

108. The Secretariat reiterated the need for feedback to the MONEYVAL Secretariat on the availability of assessors on the list of trained assessors.

**ANNEX I**



Strasbourg, 26.09.2010

MONEYVAL-PLN33(2010)OJ2-prov 3

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

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

**MONEYVAL**

**AGENDA / ORDRE DU JOUR**

**33<sup>rd</sup> PLENARY MEETING / 33<sup>e</sup> SESSION PLENIERE**

**Strasbourg, 27.09 – 1.10.2010**

**Palais de l'Europe Room 1 / salle 1**

**Day 1: Monday 27 September 2010 / 1<sup>er</sup> jour: lundi 27 septembre 2010**

**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 Bureau Meeting / Réunion du Bureau**
  - 3.2 Meeting of the Heads of Monitoring mechanisms (19 March 2010) / Réunion des Présidents des mécanismes de monitoring (19 mars 2010)**

MONEYVAL33(2010)INF3.2-Summ  
MONEYVAL33(2010)INF3.2-pv
  - 3.3 Meeting of the Presidents of FSRBs and the President of the FATF (June 2010) / Réunion des Présidents des organismes régionaux de type GAFI avec le Président du GAFI (juin 2010)**

MONEYVAL33(2010)INF3.3  
FATF-PLEN-RD(2010)17
- 4. Information from the Secretariat / Informations communiquées par le Secrétariat**
  - 4.1 Information on election for the Bureau / Informations sur l'élection concernant le Bureau**
  - 4.2 Information on progress with Draft Statute for MONEYVAL / Informations sur les avancées concernant le projet de statut de MONEYVAL**
  - 4.3 Agenda of evaluations and meetings for 2011 / Agenda des évaluations et réunions en 2011**

MONEYVAL33(2010)INF4.3
  - 4.4 Participation in the FATF meetings / Participation aux réunions du GAFI**
  - 4.5 Report on MONEYVAL's training seminar and list of trained evaluators / Rapport du séminaire de formation de MONEYVAL et liste des 'évaluateurs formés**
  - 4.6 Council of Europe Conference "Prevention of Terrorism: Prevention Tools, legal instruments and their implementation" – Istanbul, 16 - 17 December 2010 / Conférence organisée par le Conseil de l'Europe « La prévention du terrorisme : les instruments de prévention et leur mise en oeuvre » - Istanbul, 16 - 17 Décembre 2010**
- 5. ICRG process - update / Processus du Groupe d'examen des questions de coopération internationale (ICRG) – mise à jour**
- 6. Consideration and endorsement of key Principles for Mutual Evaluations and Assessments / Examen et approbation des principes clés pour les évaluations mutuelles**
- 7. Progress on the Review of the FATF Recommendations and preparation for FATF's 4<sup>th</sup> Round / Avancées concernant le réexamen des Recommandations du GAFI et préparation du 4<sup>e</sup> cycle d'évaluation du GAFI**

**7.1 Overview of developments from FATF on revision of standards / Observations sur le progrès de la révision des standards par le GAFI**

**7.2 Operational Issues Subgroup – Report of Executive Secretary to MONEYVAL / Questions opérationnelles - mise à jour par le Secrétaire Exécutif de MONEYVAL**  
FATF-WGTY(2010)23

**7.3 Experts Groups A and B / Groupes d'experts A et B**

**7.4 Review of the quality and consistency of Assessment reports in the 3<sup>rd</sup> Round / Examen de la qualité et de la cohérence des rapports d'évaluation du 3<sup>e</sup> cycle**

**7.5 The AML/CFT evaluation process going forward / Le futur du processus d'évaluation LAB/CFT**

– **Paper for Presidents' meeting / Document pour la réunion des Présidents**

– **FATF Secretariat paper / Document du Secrétariat du GAFI**

FATF-WGEI(2010)67-REV1

**8. Information on 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)**

**9. Further consideration of the First 3rd round Progress report of Ukraine / Réexamen du Premier rapport de progrès de 3<sup>e</sup> cycle de l'Ukraine**

MONEYVAL(2010)1 REV

MONEYVAL(2010)1ANN REV

MONEYVAL(2010)1 ANALYSIS

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

**10. Discussion on the First 3rd round Progress report of Poland / Discussion du première rapport de progrès de 3<sup>e</sup> cycle de la Pologne**

MONEYVAL(2010)16

MONEYVAL(2010)16ANN

MONEYVAL(2010)16ADD-1

MONEYVAL(2010)16ADD-2

MONEYVAL(2010)16-ANALYSIS

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

MONEYVAL33(2010)INF4.3-OGBS

**11.1 FATF / GAFI**

**11.2 IMF and World Bank / FMI et Banque Mondiale**

**11.3 UNCTC / CCTNU**

**11.4 EBRD / BERD**

**11.5 OGBS**

**11.6 OSCE**

**11.7 Egmont group / Groupe Egmont**

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

**12. Discussion of the state of compliance on all NC and PC ratings in the 3<sup>rd</sup> Round report in**

**respect of Azerbaijan\*** / *Discussion sur l'état de conformité d' Azerbaïdjan concernant les notations NC et PC du rapport d'évaluation de 3e cycle\**

MONEYVAL(2010)18

**Day 2: Tuesday 28 September 2010 / 2<sup>e</sup> jour: mardi 28 septembre 2010**

**Morning 9h30 / matin 9h30**

**13. Discussion on the First 3rd round Progress report of Armenia / Discussion du première rapport de progrès de 3<sup>e</sup> cycle de l'Arménie**

MONEYVAL(2010)15  
MONEYVAL(2010)15ANN  
MONEYVAL(2010)15 ANALYSIS

**14. Election of a Bureau Member / Election d'un membre du Bureau**

**15. Discussion of the state of compliance on all NC and PC ratings in the 3<sup>rd</sup> Round report in respect of Albania / Discussion sur l'état de conformité de l'Albanie concernant les notations NC et PC du rapport d'évaluation de 3e cycle**

MONEYVAL(2010)17

**16. Discussion of the state of compliance on all NC and PC ratings in the 3<sup>rd</sup> Round report in respect of Bosnia and Herzegovina / Discussion sur l'état de conformité de la Bosnie-Herzégovine concernant les notations NC et PC du rapport d'évaluation de 3e cycle**

MONEYVAL(2010)19

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

**17. Discussion and adoption of the 3<sup>rd</sup> Round Horizontal Review / Discussion et adoption du Rapport horizontal sur le troisième cycle d'évaluation**

MONEYVAL33(2010)INF17

**18. Discussion of the state of compliance on all NC and PC ratings in the 3<sup>rd</sup> Round report in respect of Slovakia / Discussion sur l'état de conformité de la Slovaquie concernant les notations NC et PC du rapport d'évaluation de 3e cycle**

MONEYVAL(2010)23

**19. Enforcement of Civil Confiscation Orders – Discussion of responses and next steps / Exécution des décisions de confiscation sans condamnation pénale – Etat des réponses et suivi**

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

**Day 3: Wednesday 29 September 2010 / 3<sup>e</sup> jour: mercredi 29 septembre 2010**

**Morning 9h30 / matin 9h30**

**20. Discussion on the draft 4<sup>th</sup> round Mutual Evaluation Report on Hungary / Discussion du projet de rapport de 4<sup>e</sup> cycle d'évaluation mutuelle sur la Hongrie**

Draft MER - MONEYVAL(2010)26  
Draft executive summary - MONEYVAL(2010)26SUMM

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\* 7 of the countries which are subject to preliminary assessment by the Secretariat will be discussed at this plenary. The preliminary assessment of Croatia and "the former Yugoslav Republic of Macedonia" will be discussed at 34<sup>th</sup> plenary in December / Sept des pays concernés par l'examen préliminaire de conformité effectué par le Secrétariat feront l'objet d'une discussion lors de la 33<sup>e</sup> plénière. Les examens préliminaires concernant la Croatie et « l'ex République yougoslave de Macédoine » seront discutés lors de 34<sup>e</sup> plénière en décembre 2010. .

Afternoon 14h30 / après-midi 14h30

**21. Continuation of the discussion on the draft 4<sup>th</sup> round Mutual Evaluation Report on Hungary / Poursuite de la discussion du projet de rapport de 4<sup>e</sup> cycle d'évaluation mutuelle sur la Hongrie**

**22. Request from Georgia for IMF evaluation in 2011 / Demande de la Géorgie d'être évaluée par le FMI en 2011**

**Day 4: Thursday 30 September 2010 / 4<sup>e</sup> jour: jeudi 30 septembre 2010**

**Morning 9h30 / matin 9h30**

**23. Discussion of the state of compliance on all NC and PC ratings in the 3<sup>rd</sup> Round report in respect of Georgia / Discussion sur l'état de conformité de la Géorgie concernant les notations NC et PC du rapport d'évaluation de 3<sup>e</sup> cycle**

MONEYVAL(2010)21

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

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

**25. Discussion of the state of compliance on all NC and PC ratings in the 3<sup>rd</sup> Round report in respect of Moldova / Discussion sur l'état de conformité de Moldova concernant les notations NC et PC du rapport d'évaluation de 3<sup>e</sup> cycle**

MONEYVAL(2010)22

**26. Discussion of the state of compliance on all NC and PC ratings in the 3<sup>rd</sup> Round report in respect of Ukraine / Discussion sur l'état de conformité de l'Ukraine concernant les notations NC et PC du rapport d'évaluation de 3<sup>e</sup> cycle**

MONEYVAL(2010)25

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

**27. Typologies work / Travaux sur les typologies**

**27.1 On-going projects : status of implementation / Projets en cours : état des travaux**

MONEYVAL33(2010)INF27.1

- **Money laundering through private pensions funds and the insurance sector – draft typology report/ BC par l'intermédiaire des fonds de pension privés et du secteur des assurances- projet de rapport**

MONEYVAL(2010)9

- **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*

- **Criminal money flows on the internet: methods, trends and multi-stakeholder counteraction - update** / *Les flux de capitaux d'origine criminelle sur Internet: méthodes, tendances, et actions conjuguées des parties prenantes - Etat des travaux*

**27.2 2010 EAG/MONEYVAL Typologies meeting : update/ Réunion jointe EAG/ MONEYVAL de 2010 sur les typologies : mise à jour**

**27.3 France/OGBS FATF Typology project on human trafficking and other projects** / *Projet joint France/OGBS sur les typologies de la traite des être humains et autres projets*

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

- **FATF's on-going projects and discussion of the FATF Co-chairs Paper on Typologies work and FSRBs** / *Projets du GAFI et discussion de la Note des coprésidents du GAFI sur les travaux relatifs aux typologies et les organismes régionaux de type GAFI*
- **FATF Global ML/TF Threat Assessment** / *Evaluation mondiale des menaces de blanchiment de capitaux et de financement du terrorisme par le GAFI*
- **Information on other bodies' projects** / *Informations sur les projets d'autres organisations*

**28. Egmont Group work on R.40 / Les travaux du Groupe Egmont sur la R.40**

**Day 5: Friday 1 October 2010 / 5<sup>e</sup> jour: vendredi 1 octobre 2010**

**Morning 9h00 / matin 9h00**

**29. Decisions on any further action to be taken in relation to countries specially assessed on their state of compliance and on all NC and PC ratings in the 3<sup>rd</sup> Round** / *Décision concernant d'éventuelles mesures à prendre à l'égard des Etats évalués sur leur conformité dans le 3e cycle au regard des notations NC et PC*

**29.1 Countries/ Etats:**

- **Albania / Albanie**
- **Azerbaijan / Azerbaïdjan**
- **Bosnia and Herzegovina / Bosnie-Herzégovine**
- **Georgia / Géorgie**
- **Moldova / Moldova**
- **Slovakia / Slovaquie**
- **Ukraine / Ukraine**

**29.2 Secretariat proposals on procedures for this process** / *Propositions du Secrétariat sur les procédures relatives à ce processus*

**30. Further update on the future mandate of MONEYVAL** / *Informations additionnelles sur le statut futur de MONEYVAL*

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



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

**33. Financing and staffing / Financement et questions de personnel**

**34. Miscellaneous / Divers.**

**End of the meeting 13h00/ Fin de la reunion 13h00**



Strasbourg, 10 November 2010

MONEYVAL33(2010)LIST

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 FINANCE-  
MENT DU TERRORISME*

**MONEYVAL**

**33<sup>rd</sup> PLENARY MEETING / 33<sup>e</sup> RÉUNION PLÉNIÈRE**

27 September – 1 October 2010 / *27 septembre – 1er octobre 2010*

Palais de l'Europe  
ROOM 1 / *SALLE 1*

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