

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 12 May 2020

MONEYVAL(2020)4\_DEC  
English only

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

**MONEYVAL**

**1<sup>st</sup> INTERSESSIONAL CONSULTATION**

**via “silent procedure” in accordance with  
Rule 6, paragraph 6 of the MONEYVAL Rules of Procedure  
for the 5<sup>th</sup> Round of Mutual Evaluations**

**ADOPTED DECISIONS**

## I. INTRODUCTION

MONEYVAL carried out its 1<sup>st</sup> Intersessional Consultation between 23 April and 6 May 2020. MONEYVAL members were proposed to take decisions on 4 (four) Items listed below using the “silent procedure” in accordance with Rule 6, paragraph 6 of the MONEYVAL Rules of Procedure for the 5<sup>th</sup> Round of Mutual Evaluations. This document contains the list of decisions taken as a result of the Intersessional Consultation.

## II. DECISIONS TAKEN

### **ITEM 1: Adoption of the 4<sup>th</sup> Round Second Revised Follow-up Report submitted to MONEYVAL by Montenegro**

*MONEYVAL(2019)31\_REV ANALYSIS*

*Decision taken: Adopt the Follow-up Report and remove Montenegro from the 4<sup>th</sup> Round regular follow-up process.*

Objections: no objections received.

Comments: no substantive comments received.

### **ITEM 2: Application of written procedure for the discussion and adoption of the 5<sup>th</sup> Round Follow-up Reports of Czech Republic, Isle of Man, Lithuania and Ukraine (application of Rule 21, paragraph 9 of Rules of Procedure).**

*Decision taken: Allow the application of written procedure for the 5<sup>th</sup> Round Follow-up Reports of Czech Republic, Isle of Man, Lithuania and Ukraine in accordance with Rule 21 of the Rules of Procedure.*

Objections: no objections received.

Comments: no substantive comments received.

### **ITEM 3: Postponement of deadlines for the 61<sup>st</sup> Plenary meeting's 5<sup>th</sup> Round Follow-up Reports impacted by current COVID-19 restrictions (Albania, Armenia, Hungary, Malta, Republic of Moldova, Slovenia)**

*Decision taken: Extend the follow-up reporting deadline for Albania, Armenia, Hungary, Malta, Republic of Moldova and Slovenia by an additional 4 months (until 5 October 2020).*

Objections: no objections received.

Comments: no substantive comments received.

#### **ITEM 4: Introduction of amendments to the MONEYVAL Rules of Procedure for the 5<sup>th</sup> Round of Mutual Evaluations concerning follow-up reports**

##### **Sub-Item 4.1: Amendments concerning deadlines for entry of legislation into force and effect (Rule 21, paragraph 7(a))**

*Decision taken:* Add footnote <sup>21</sup> to Rule 21, paragraph 7(a) of the MONEYVAL Rules of Procedure for the 5<sup>th</sup> Round of Mutual Evaluations as follows:

“7. The process for follow-up reports is set out below:

a) The country/territory seeking a technical compliance re-rating should indicate on which Recommendations a re-rating will be requested, 7 months in advance of Plenary meetings. The country/territory shall provide its report, based on the templates agreed by MONEYVAL for this purpose, **at least 6 months** before the update report is due to be discussed by MONEYVAL; the Plenary will take into account relevant laws, regulations or other AML/CFT measures that are in force and effect at that time<sup>21</sup>.

<sup>21</sup> This rule may only be relaxed in the exceptional case where the legislation is not yet in force at the six-month deadline, but the text will not change and will be in force by the time of the Plenary. In other words, the legislation has been enacted, but is awaiting the expiry of an implementation or transitional period before it is enforceable. In all other cases, the procedural deadlines should be strictly followed to ensure that experts have sufficient time to do their analysis.”

Objections: no objections received.

Comments: no substantive comments received.

##### **Sub-Item 4.2: Amendments concerning the timeline for reporting on enhanced follow-up procedure (Rule 23 paragraph 1)**

*Decision taken:* Amend Rule 23, paragraph 1 of the MONEYVAL Rules of Procedure for the 5<sup>th</sup> Round of Mutual Evaluations as follows:

“1. The Plenary may decide, at its discretion, that the country should be placed in enhanced follow-up, which would result in the country reporting back more frequently than for regular follow-up. Countries in enhanced follow-up would typically first report back ~~4 Plenary meetings~~ **two years** after the adoption of the country’s MER, and subsequently report twice more at **yearly** intervals ~~of 3 Plenary meetings~~. Plenary retains the discretion to vary the specific frequency of reporting.”

Objections: no objections received.

Comments: no substantive comments received.