

To:

MONEYVAL Chair: Ms. Elżbieta Frankow-Jaśkiewicz

MONEYVAL Vice-Chair: Mr Alexey Petrenko

MONEYVAL Vice-Chair: Mr Richard Walker

MONEYVAL Executive Secretary: Mr. Igor Nebyvaev

Subject: Formalised Channels for Meaningful NPO Engagement

The Financial Action Task Force (FATF) has long recognised the vital importance of NPOs in providing crucial charitable services around the world, as well as the difficulties in providing that assistance to those in need. The FATF has engaged closely with NPOs over the years to refine the FATF Standards to provide flexibility to ensure that charitable donations and activity can proceed expeditiously through legitimate and transparent channels and without disruption. The FATF also [committed](#) itself a few years ago to engage in a more formalized dialogue with the NPO sector, which was welcomed by many NPOs. Moreover, the FATF has recently opened up various channels for NPO engagement – among others, a direct option for NPOs and civil society organisations to [provide input](#) into FATF Mutual Evaluations. In addition, several NPO representatives participate as permanent members in the FATF Private Sector Consultative Forum, directly discussing relevant issues for the NPO sector. Finally, the FATF conducts additional *ad hoc* thematic meetings and briefings, both offline and online, with NPO sector representatives, to gain input on the topics of standard implementation, standard development and education.

Similarly, NPO sector wishes to engage with the FATF-style regional bodies, including Moneyval. Therefore, the undersigned NPO representatives urge the Moneyval to:

1. Commit, in a similar manner as the FATF, to a formalized regular dialogue and engagement with the NPO sector;
2. Provide avenues and protocols for the NPO sector to raise concerns over abuse and unintended consequences of the FATF standards in Moneyval member jurisdictions;
3. Conduct thematic briefings with the NPO sector to improve effective and risk-based implementation of Recommendation 8 in Moneyval member jurisdictions.

In order to facilitate concrete discussion about possible models of engagement, we are attaching below the proposed draft concept note for guidelines for engagement with the NPO sector. Such guidelines could be drawn based on practices that exist by other institutions, most notably the Council of Europe.¹

We kindly ask the MONEYVAL to consider these proposals and organize a wider consultation meeting with the NPO sector to discuss feasible and meaningful options for future engagement.

Thank you.

¹ Examples of international practices and standards can be found in Annex 1.

**CONCEPT OUTLINE:
GUIDELINES ON ENGAGEMENT FOR MONEYVAL AND NPOS**

1. Annual Consultation with NPO sector

- Organize annual dialogue with the NPO sector representatives, similar to the FATF Private Sector Consultative Forum.
- Include various NPO representatives to reflect the diversity of the sector and geographical coverage. Criteria to be considered include umbrella groups or coalitions that represent a large constituency, geographic balance, representatives from different types of NPOs affected by the FATF standards, etc. (specific criteria should be finalized in consultation with NPOs).
- Consider rotating NPO representatives on 2-yearly basis to allow for more diversity.
- Ensure timely (early) announcements regarding NPO meetings and details for NPOs on how to participate.
- Provide NPOs with the opportunity to contribute by organizing a session at the meeting, or by suggesting topics and speakers.
- Ensure timely distribution and publishing all relevant material and draft documents in their early form.
- Allow enough time for meaningful input and discussion at the meeting.
- Publish written NPO contributions online.
- Provide feedback from plenary discussion on the draft documents.

2. Ad hoc engagement on implementation and consequences issues

- Organize (online or live) meetings with the NPO sector on issues concerning effective implementation of the Recommendation 8, e.g. good practices of outreach, self-regulation and detecting TF abuse concerns.
- Circulate questions and share any draft documents for input with the NPO sector beyond the annual consultation.
- Provide a contact point and allow for online (written) contributions as one form of consulting to reach out to different NPOs and enable broad geographical representation. Online (written) contributions can be managed by providing a simple template with limited space to ensure streamlined input.
- Provide timely announcements of the process, steps, deadlines and how NPOs can participate.
- Provide feedback from any discussion on the draft documents.

3. Addressing over-regulation of NPOs and abuse of Recommendation 8

- Provide clear procedures and expectations for NPOs on how to raise concerns about over-regulation or abuse of Recommendation 8
- Integrate UN Security Council Resolution 2462 concepts and Council of Europe human rights principles and safeguards
- Potentially use the similar mechanism as the FATF for the NPO input into the Mutual Evaluation process (MER) since this process is an ongoing

cycle and NPO concerns and input could be used also during the follow up stages of the evaluation cycle. (see: <https://www.fatf-gafi.org/faq/mutualevaluations/#d.en.448461>). Such mechanism could also formalize points of intervention/submission from NPOs for specific time points in the regular follow up reviews.

- Establish an internal mechanism to deal with emergency situations of abuse of Recommendation 8- e.g. an online “letterbox” with specific form and content requirements, where submissions can be made according to set guidelines.
- This would allow the Moneyval to have additional overview from the stakeholders on the implementation and compliance with the FATF standards, receive and review submissions, play an advisory function and offer technical assistance.

Annex 1

An illustrative list of best practices examples and standards for public participation in decision-making can be found in these documents:

- Council of Europe: [Guidelines for Civil Participation](#)
- Council of Europe: [Code of Good Practice for Civil Participation in the Decision-Making Process](#)
- UN Human Rights Council / OHCHR: [Guidelines on public participation](#)
- Open Government Partnership: [Civil Society Dialogue](#)

LIST OF SIGNATORY NPOs:

Institute for Democracy and Mediation (IDM), Albania
 Child Rights Centre Albania (CRCA/ECPAT)
 The Initiative Center to Support Social Action “Ednannia”, Ukraine
 Civil Society Institute (Georgia)
 Transparency International Georgia (Georgia)
 Institute for Development of Freedom of Information (Georgia)
 Civic Initiatives, Serbia
 BIRODI, Serbia
 Crta, Serbia
 Youth Initiative for Human Rights, Serbia
 Independent Journalists’ Association of Serbia, Serbia
 Libertarian Club Libek, Serbia
 CANVAS, Serbia
 Humanitarian Law Center, Serbia
 Belgrade Centre for Security Policy, Serbia
 Lawyers’ Committee for Human Rights – YUCOM, Serbia
 Belgrade Centre for Human Rights, Serbia
 Balkan Investigative Reporting Network, regional
 National Coalition for Decentralization, Serbia

European Movement in Serbia
 Institute Alternative, Montenegro
 Novi Sad School of Journalism, Serbia
 Partners Albania for Change and Development
 Albanian Center for Population and Development
 Social Contract Institute - Albania
 Center for civil society development PROTECTA - Serbia
 Gender Alliance for Development Centre, Albania
 Centre for Democracy and Rule of Law (CEDEM), Ukraine
 MG Consulting LLC, Azerbaijan
 Entrepreneurship Development Foundation, Azerbaijan
 Transparency International Anticorruption Center, Armenia
 Catalyst Balkans, Serbia / Regional
 Kosovar Civil Society Foundation (KCSF), Kosova
 Trag Foundation, Serbia
 Bulgarian Center for Not-for-Profit Law, Bulgaria
 Youth Centre CK13, Serbia
 Institute for Integration and Social Cohesion Policies (IPIKS), Albania
 CIVIL SOCIETY ADVOCATES, CYPRUS
 Center for Not for profit Law Romania [a](#)
 Expert Forum, Romania
 Centrul de Resurse Juridice (CRJ), Romania
 TERRA Mileniul III, Romania
 Fundația Noi Orizonturi Lupeni (FNO), Romania
 CeRe: Centrul de Resurse pentru participare publică, Romania
 Funky Citizens, Romania
 Fundatia Izvorul Alb, Romania
 CNVOS - Centre for Information Service, Co-operation and Development of
 NGOs, Slovenia
 Expert-Grup, Moldova
 Civil Society Development Foundation (CSDF), Romania
 Macedonian Young Lawyers Association, N. Macedonia
 Konekt, N. Macedonia
 Center for Public Innovation, Romania
 Asociatia Techsoup, Romania
 Community Foundation Slagalica, Croatia
 Youth for Youth Foundation, Romania
 ECNL - European Center for Not-for-Profit Law, The Netherlands / Regional