Introduction

1. The purpose of this Internal Governance Policy document is to specify the general principles for the internal functioning of the Inter-Governmental Action Group against Money Laundering in West Africa (GIABA). This document describes, at a high-level, the essential governance mechanisms for GIABA, including its relationship with members States and observers so as to ensure transparency and good governance, and promote a wider participation of members. It also describes the rules of procedure applicable to membership and observer status in GIABA; functioning of the organs of GIABA (statutory meetings and meetings of the working groups) to enhance efficient, effective and consistent decision-making and other operations of GIABA.

Status

2. GIABA was established as a specialised institution of the Economic Community of West African States (ECOWAS) through Decision A/Dec. 9/12/99 of 9th December 1999 of the ECOWAS Authority of Heads of State and Government of ECOWAS (“the Authority”).

3. The primary purpose of establishing GIABA is to promote concerted actions in the design and diligent implementation of AML/CFT measures among ECOWAS member states and other West Africa, based on internationally acceptable standards, particularly the Financial Action Task Force (FATF) AML/CFT standards. GIABA is a Financial Action Task Force Style Regional Body (FSRB) and an Associate Member of the organisation.¹

4. The GIABA Secretariat supports the functions of GIABA and coordinates its activities. The Government of Senegal hosts the GIABA Secretariat, while those of Cote D’Ivoire and Nigeria host GIABA Abidjan and Lagos Information Centres, respectively.²

5. The ECOWAS Commission, acting on behalf of GIABA, has signed Headquarters Agreements with the 3 host countries. The Agreements provide for the privileges and immunities of staff and other persons that contribute to the operation and development of GIABA, and related matters.

6. The Director General is appointed by the ECOWAS Council of Ministers in line with Article 18(4) of the ECOWAS Treaty.

¹ GIABA attained the status of an FATF Style Regional Body (FSRB), in June 2006, and became an Associate Member in June 2010.
² Nigeria (for Anglophone member States) and Cote d’Ivoire (for Francophone and Lusophone member States) per the decision of the Council of Ministers in May 2010.
7. The Director General is responsible for the daily administration of the GIABA Secretariat and the 2 Information Centres.³

Objectives

8. The objectives of GIABA are to: a) protect the national economies and the financial and banking systems of signatory States against the proceeds of crime; b) combat the financing of terrorism and the proliferation of weapons of mass destruction; c) improve measures and intensify efforts to combat the laundering of proceeds of crime; and e) strengthen cooperation amongst its members.

9. GIABA performs the functions outlined in the GIABA Statutes as adopted by the Authority pursuant Decision A/Dec.6/12/00 of 6th December 2000 (revised in 2006 based on Decision A/DEC.3/01/05 of the Authority to accord GIABA the mandate on Countering the Financing of Terrorism), and the relevant documents approved by the GIABA Ministerial Committee (GMC) (for example, the Mutual Evaluation Process and Procedures⁴) purposes specify its guiding principles.

10. In 2012, the Council further granted GIABA the mandate for Countering the Financing of the Proliferation of Weapons of Mass Destruction (CPF).

Financing of GIABA

11. The Council of Ministers approves the financing and budgeting of GIABA and administered through the ECOWAS Commission.

12. The sources of funds for GIABA include ECOWAS Community levy, subscription by non-ECOWAS member States, donations, development partners and such other legal sources determined by the Council.

13. The Secretariat prepares, presents and defends the draft budget for the ensuing year at the meeting of the Administrative and Finance Committee (AFC) of ECOWAS for adoption.

14. The AFC presents the budget to the ECOWAS Parliament in compliance with Article 17(2) of the Parliament’s Supplementary Act A/SA.1/12/16 relating to the Enhancement of its Powers and tables the recommendations emanating from the Parliament to the ECOWAS Council of Ministers for consideration.

15. Implementation of the approved Budget takes effect from the first day of January of that year.

³ Article 4 of the GIABA HQ Agreement with Senegal and Article 4 of the Agreement with Cote d'Ivoire
⁴ GIABA’s Mutual Evaluation Processes and Procedures are governed by the FATF Consolidated Mutual Evaluation and Monitoring Processes and Procedures (Universal Procedures).
16. ECOWAS member States and all other African States adhering to the Statutes of GIABA are eligible for membership of GIABA.

17. The GIABA Statute and this document set out the specific commitments of members.

Rights of Members

18. (1) The GIABA Statutes specifies the basic obligations for member States and organisations while this document sets out additional rights and obligations of members.

(2) GIABA members have the right to:
   a) Participate in the discussions and decision-making of GIABA.
   b) A member may:
      i. assume leadership/advisory positions (Chairing of meetings of the GIABA Ministerial Committee (GMC), Plenary, co-chairs of working groups and chairing of other subgroups).
      ii. make proposals to the GMC, the Plenary and working groups on policy issues and participating in the discussion of the proposals.
      iii. have access to all the non-confidential documents, including but not restricted to
           a. the GMC, Plenary, working group or other subgroups,
           b. conference, training, or consultation documents;
      iv. have sufficient opportunity to provide input – in writing or orally – to the discussions and decision-making processes of GIABA, its working groups and other subgroups.
      v. participate in the selection of the Chairperson, Vice-Chairperson and members of the working groups and subgroups.
      vi. have adequate representation (at least one seat) in GIABA working group meeting unless a limited representation has either been agreed beforehand by the Plenary for a specific meeting or is part of an agreed procedure related to a specific process (for example, during the mutual evaluation process).

19. The Secretariat circulates the documents within a reasonable time before meetings or events to allow proper consideration of and internal coordination on the subjects considered by GIABA or its working groups.

Obligations of members
20. The commitments for GIABA members laid out in the Statutes translate into a series of concrete obligations relating to financial, technical, and human resource contributions, as well as other aspects of the work of GIABA. These obligations include:

(a) Financial contribution as agreed or specified by the ECOWAS Treaty and/or GIABA Statutes for the good functioning of GIABA;
(b) participation in GIABA mutual evaluations (assessors and reviewers);
(c) providing experts for other GIABA initiatives (country reviews, policy discussions, conducting research, drafting documents, among others);
(d) designation of National Correspondents/Heads of Delegations who will serve as the main focal points of GIABA for their countries and participate in GIABA meetings or other activities;
(e) notification of the participation of other persons who serve as representatives of their respective countries or organisation through appropriate means and within the specified period;
(f) contribution to GIABA’s engagement/partnership with the private sector, including through active participation in GIABA initiatives with the private sector;
(g) Participation in high-level advocacy and other visits to member States to promote AML/CFT compliance;
(h) provision of a high-level commitment to ensure representation of all members and observers when hosting GIABA meetings, including joint meetings with the FATF, FATF-style regional bodies and other AML/CFT technical partners.
(i) contribution of expertise to the FATF and FSRB’s peer review processes (mutual evaluations and follow-up) which would cover at least one of the following elements:
   i. providing assessors or reviewers for mutual evaluations;
   ii. reviewing draft reports and, as appropriate, provide meaningful and substantive comments on the reports; or
   iii. sending of experts to participate in the discussions of FATF and FSRB mutual evaluation or follow-up reports.

Observer Status

21. The following are eligible for observer status within GIABA:
   a. Inter-governmental organisations that support the objectives and actions of GIABA or contribute to its financing;
   b. Non-African States that support the objectives and actions of GIABA or contribute to its financing;
   c. African States which have applied for observer status of GIABA;
   d. Central Banks of the Signatory States; Regional Securities and Exchange Commissions; UEMOA; BOAD; the French Zone Anti-Laundering Liaison Committee; the "Conseil Régional de l'Epargne Publique et des Marchés Financiers"; African Development Bank; United Nations Office on Drugs and Crime (UNODC); the World Bank, the International Monetary Fund (IMF), World Customs
22. The Authority grants membership and observer status based on the recommendation of the GMC under Article 5 of the GIABA Statute and membership procedures set out in this Policy document and the Statute.

Conditions for Observer Status

23. The conditions for observer status include:
   (a) a stated role relating to AML/CFT and endorsement of the FATF standards;
   (b) enhancement of GIABA's global reach, geographically, sectoral or both;
   (c) The ability to contribute technically and financially to the work of GIABA;
   (d) reciprocity between the applicant and GIABA, including, attendance at meetings and sharing of information relating to AML/CFT; and
   (e) participation of the applicant in the work of GIABA, the FATF or FSRBs in granting the observer status.

Benefits derived from the observer status

24. Granting the observer status enriches cooperation between GIABA and the Observer as well as between the Observer and member States in the exchange of information on matters of common interest concerning transnational organised crime, particularly, money laundering, terrorist financing and proliferation financing.

Withdrawal of Observer Status

25. An Observer may withdraw from GIABA voluntarily by submitting a written notification to the GMC of its intention to withdraw under the procedures specified in the Rules of Procedures for Membership and Observer Status.

Organs of GIABA

26. GIABA operates through (i) the GIABA Ministerial Committee (GMC); (ii) the Technical Commission (the Plenary); (iii) the Network of National Correspondents\(^5\) (NC); (iv) the Secretariat; and (v) Information Centres.

27. This Policy document and the GIABA Statutes set out the composition, functions and functioning of the Organs of GIABA.

\(^5\) In May 2010, the GMC designated FIUs as National Correspondents for member States.
Composition of the GMC

28. The GMC consists of the Ministers responsible for Finance, Justice and Interior/Security of member States (hereafter referred to as “the Line Ministers”).

Functions of the GMC

29. (1) The GMC shall
   (a) be the principal policy and decision-making organ of GIABA;
   (b) determine the work programme and priorities for GIABA in accordance with the GIABA Statute;
   (c) approve the Activity Reports of GIABA presented to it by the Director General;
   (d) recommend the annual work programme for approval by the Council.
   (e) approve the mutual evaluation calendar;
   (f) approve the GIABA Mutual Evaluation Process and Procedures;
   (g) endorse the self-evaluation and mutual-evaluation reports of member States, including Follow-Up Reports, publication and sharing of mutual evaluations as approved by the Plenary in compliance with the GIABA Mutual Evaluation Process and Procedures;
   (h) recommend candidates for membership and observer status;
   (i) approve the issuance of formal notifications and recommend, through the Council, the suspension of member States that do not fulfil their obligations.
   (j) propose amendments to the Statute of GIABA whenever the need arises; and
   (k) consider such matters as may be referred to it by the Plenary or the Director General of GIABA.

30. In discussing an issue, the GMC has the right to accept, modify or reject any work or item submitted to it by the Plenary or the Director General.

31. The GMC may delegate certain functions to the Plenary and working groups, except its decision-making functions.

Meetings of the GMC
32. The GMC shall meet at least once a year, usually in May following the Plenary meeting and at the same location where the Plenary was held.

33. Without prejudice to paragraph 33, the GMC may hold extraordinary meetings in physical or virtual form depending on the urgency of the matter as shall be contained in a correspondence from the Director General addressed to the Chairperson, or upon request of the Chairperson of the GMC, Council of Ministers and/or the Authority.

34. All physical GMC meetings are expected to take place in a member State agreed upon at the previous GMC meeting or as formally requested through the Director General by a member State interested in hosting the meeting or where the Director General determines a most suitable location for the meeting in any member State.

35. The Line Ministers are the statutory participants in the meetings of the GMC.

36. A Minister may designate any of the following to represent him/her at the meeting

   (a) an official of an AML/CFT stakeholder Ministry, Department or Agency not below the rank of a director (for example, a technical adviser or expert);
   (b) the GIABA National Correspondent;
   (c) the Chairperson of the Plenary; or
   (d) an official whose function is to present the conclusions of the Plenary meeting to the GMC).

37. The Minister should notify the Director General in writing at least a month before the meeting of his/her intention to send a representative and the details of the representative in line with paragraph 37.

38. The President of the FATF and the Executive Secretary of the FATF Secretariat or their representatives may attend the meeting of the GMC as observers and their presence in the meeting shall be announced by the Chairperson of the GMC.

39. Members of the FATF, Executive Secretaries of FSRBs, Governors of Central Banks of GIABA member States and other delegates specially invited by the Director General with the prior authorisation of the Chairperson of the GMC may attend the meeting as observers and their presence in the meeting shall be announced by the GMC Chairperson.

40. Observers may take the floor after due notification and prior authorisation of the Chairperson but shall not participate in decision making or have voting rights.

41. The GMC shall take decisions by consensus.

Venue of Meetings
42. Unless otherwise decided by the Director General in consultation with the Chairperson of the GMC, all the physical meetings of the GMC meetings take place at the Headquarters of the GIABA Secretariat, normally at the same venue as the meeting of the Technical Commission/Plenary (hereafter referred to as “the Plenary”).

43. Any member State may volunteer, at a meeting of the GMC or in writing to the Secretariat, to host a meeting of the GMC.

Chairperson of the GMC

44. A line Minister of the Member State that serves as the current Chair of ECOWAS shall chair the GMC and presides over its meetings.

45. The Line Ministers of the country in reference in paragraph 37 shall choose from among themselves who shall Chair the meeting, preferably the Minister who has the most responsibility for AML/CFT matters in the country.

46. Any of the other line Minister may also chair the meeting in his/her absence.

47. The GMC elects a Deputy-Chairperson from among the Ministers of other ECOWAS Member States for a term of one year.

48. The Deputy Chairperson shall preside over the meeting of the GMC in the absence of or upon delegation by the Chairperson.

Functions the Chairperson of the GMC

49. The Chairperson
   a) declares the meeting open and closed;
   b) presents the agenda for adoption;
   c) ensures adoption of the agenda;
   d) presents the purpose of the meeting and ensure effective time management;
   e) leads the discussions and encourages delegates to take the floor;
   f) obtains a consensus among the members on matters before it;
   g) takes decisions in accordance with the Statutes;
   h) ensures that discussions proceed smoothly and that all members present are given equal opportunity to participate in the discussion;
   i) summarises the discussions at the end of each session;
   j) refocuses the discussion to the subject matter of the moment;
k) assists to ensure proper records of the meeting by the reporters as required;
l) clarifies any misunderstandings that may arise during discussion or seeks the assistance of the Secretariat or any delegation in attendance who has prerogative on the subject matter;
m) Recalls and summarises the important issues discussed at the end of the meeting.

THE PLENARY

Composition of the Plenary

50. The Plenary shall consist of senior-level experts of the Ministries of Finance, Justice and Interior/Internal Affairs/Security of member States; investigation and prosecution services, and other AML/CFT stakeholder institutions (e.g. FIU; law enforcement agencies; anti-corruption agencies; anti-drug agencies; supervisory and regulatory authorities; supervisors of DNFBPs and others) of each member State; and representatives of observer countries/institutions/organisations.

51. The Head of Delegation of the ECOWAS member State that currently chairs the Authority chairs the Technical Commission/Plenary and presides over its meetings.

Functions of the Plenary

52. The Plenary shall

a) discuss and validate the reports of self-evaluation, mutual evaluation of member States and making recommendations to the GMC for approval of same;
b) make proposals to the GMC through the Director General of GIABA on measures to combat money laundering, terrorist financing and other matter of interest;
c) discuss and validate reports on typologies, policies and strategies/plans developed to address ML/TF/PF, emerging risks and trends and methods of ML/TF/PF;
d) discuss and validate the follow-up reports of member States and making recommendations to the GMC for approval;
e) contribute to the strategic plans, programs of activities and technical and financial results of the GIABA Secretariat; and
f) perform such other functions as may be assigned to it by the GMC.
53. The Plenary may delegate its functions other than those listed above to a specific working group in line with the mandates of the Working Groups\(^6\). Any function not delegated remains the responsibility of the Plenary.

54. Working groups are to report to the Plenary through their co-chairs.

55. The co-chairs shall submit their work or other items to the Plenary for approval or consideration and recommendation for decision by the GMC.

56. New working group initiatives shall be considered and approved by the Plenary.

**Meetings of the Plenary**

57. The Plenary shall meet at least twice every calendar year, normally in the months of May and November.

58. Extraordinary meetings may take place physically or virtually, depending on the urgency and prevailing circumstances, at such time and place as the Director General may indicate, after due consultation with the Chairperson of the Technical Commission.

59. Every year, one meeting will be held in any Member State, and the other in Senegal, the host country of the GIABA Secretariat.

60. The venues and/or dates for Plenary meeting may change for justifiable reasons, following consultations with the Chairperson of the Plenary.

61. The date and venue of the meetings shall be communicated to the Member States at least 2 months before the meeting is held.

62. For the Plenary decisions to be valid, a quorum of members must be met (for physical meetings), must have validated their presence (for virtual meetings) or expressed themselves (in the case of a written process).

63. A quorum is half of the members present, represented or that expressed themselves during deliberations.

64. The Plenary may adopt its meeting procedures, which shall be approved by the GMC.

**Chairperson of the Plenary**

65. An expert from the country that chairs the Authority shall chair the Plenary meeting.

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\(^6\) Chapters 4 & 5, GIABA Internal Governance Document (Rules of Procedure).
66. Where the discussion of the MER of the Chairperson’s country is on the agenda, the meeting shall designate another expert who is not a national of the assessed country to chair the discussions.

67. When the discussions are concluded, the Chair shall resume his/her functions.

**Attendance at Plenary Meetings**

68. Members are entitled to attend the open and closed sessions of Plenary Meetings and any meetings of the working groups or other subgroups created by the Plenary.

69. GIABA may restrict or suspend the participation of members in GIABA’s activities for failing to meet their membership obligations.

70. Observers can participate in the open sessions of Plenary meetings.

71. GIABA may exclude observers from meetings that are only intended for its members.

72. GIABA will actively facilitate the attendance of all members and observers at these meetings, subject to paragraphs 69 and 70.

73. The Director General may invite representatives of non-members/non-observers to attend the whole or part of the Plenary meetings based on relevance and interest of the organisation.

74. In the context of special (strictly closed) sessions of the Plenary, and after consultation with members, the Director General may also invite representatives from the FATF, International Monetary Fund, the World Bank, the United Nations or other observer bodies.

**WORKING GROUPS AND SUB-GROUPS**

**Composition of working groups and sub-groups**

75. The Plenary may establish working groups, subgroups, adhoc groups and committees as it deems necessary to facilitate the work of GIABA.

76. The number and responsibilities of these groups and committees shall depend on the purpose, priorities and mandate determined by the Plenary. Working groups (and other subgroups mandated by the Plenary) shall report to the Plenary.

77. Participation in working groups and other subgroups is open to all members and/or based on prior selection by the Plenary in consultation with the Secretariat.
78. Meetings of working groups is open to all members and observers, subject to terms and condition approved by the Plenary in consultation with the Secretariat.

79. The Plenary may limit the representation for a specific meeting or as part of an agreed procedure applicable to a specific process.

80. Working groups may meet for a maximum of one day during GIABA Plenary week, thus routinely two times per year.

81. Working groups may establish informal subgroups (for example, project teams) to deal with initiatives developed in fulfillment of their mandates.

82. Notwithstanding the provision of paragraph 75, the number and duration of such groups should be consistent with the priorities determined by the Plenary and based on available resources to support their work.

**Selection and rotation of members of working groups**

83. The Plenary shall select and appoint members of working groups on the recommendation of the Secretariat. Normally, two persons from different GIABA member States chair each working group.

84. The Plenary shall appoint co-chairs and members of working groups having regard to balanced representation and rotation among GIABA member States.

85. Co-chairs of working groups should serve for three years, renewable or as decided by the Plenary.

86. To maintain some stability within the working groups, both co-chairs and members are not to be replaced at the same time.

87. When the term of a working group co-chair or member is about to end, or the position otherwise becomes vacant, the GIABA Secretariat shall notify the Plenary of the upcoming or current vacancy.

88. The Secretariat shall propose suitably qualified candidates to the Plenary based on the number of vacancies and having regard to balance among member States.

89. Where a position becomes vacant a year before the end of a member’s term, the Secretariat will request the country concerned to propose a candidate to serve the unexpired term.

90. Where the position of a co-chair becomes vacant a year before the end of the co-chair’s term, the working group, in consultation with the Secretariat, will propose one of the members of the working group for appointment by the Plenary to serve the unexpired term.

91. The new co-chair’s position as a member shall be declared vacant.
92. The Secretariat, in consultation with the relevant working group, proposes a candidate for the vacant position to serve the unexpired term of the former member.

Selection of other chairs (subgroups and project teams)

93. The chairs of other subgroups (mandated by the Plenary) are selected and appointed by the Plenary at the President’s recommendation.

94. Since these other subgroups are usually of temporary or limited duration, the Plenary may appoint one or two chairs on the recommendations of the Secretariat.

95. As with working groups, GIABA shall select the chairs of other subgroups having regard to balanced representation among GIABA member States.

96. The tenure of the Chairperson of a subgroup terminates at the end of the mandate of the Group, or after two years, whichever one is earlier.

97. The tenure is renewable once, if the subgroup exists for more than two years.

98. GIABA members should have the opportunity to propose candidates for membership or to serve as Co-Chairs for Plenary decision.

99. Working groups are to select chairs of sub-groups they set up based on proposals from members States, in consultation with the Secretariat.

100. Chairs for projects and initiatives are to serve for the duration of the project or initiative.

Role of working group co-chairs

101. Based on their mandates and work priorities as set out by the Plenary, the working group co-chairs shall -

(a) set the agendas and chair the meetings of their Groups.

(b) submit to the Plenary, on behalf of the working group, their reports and other works or items requiring Plenary approval or decision.

(c) report to the Plenary on the progress of other work or ongoing work or initiatives.

(d) develop internal procedures or processes to facilitate the attainment of their objectives, which shall be consistent with GIABA’s objectives.

(e) maintain contact with the Secretariat and the co-chairs of other working groups to coordinate priorities and ensure maximum effectiveness in advancing their work.
THE NETWORK OF NATIONAL CORRESPONDENTS

Composition of the Network of National Correspondents

102. GIABA shall have a network of National Correspondents comprising heads of country delegation to the GIABA Plenary meetings.

Functions of GIABA National Correspondents

103. The major roles and responsibilities of the National Correspondents are to:
   a) directly represent GIABA in their respective countries;
   b) assist the Secretariat to accomplish its strategic objective by implementing the decisions of the Plenary and GMC and other tasks required by the Secretariat;
   c) assist GIABA in the delivery of AML/CFT activities, programmes and projects in their countries;
   d) implement the approved Self-Assessment and Mutual Evaluation Programmes from the Secretariat;
   e) carry out awareness-raising and public enlightenment seminar/workshops by stepping up the advocacy and sensitisation efforts and increasing stakeholder-awareness of AML / CFT issues;
   f) assist the GIABA Secretariat to identify the Technical Needs of their countries;
   g) discharge other tasks assigned by the organs of GIABA and those emanating from the global network and the Secretariat.

THE GIABA SECRETARIAT

Composition of the GIABA Secretariat

104. The GIABA Secretariat is headed by the Director General, who is supported by Directors and other staff appointed in conformity with the principles, rules, regulations and procedures governing the employment of ECOWAS personnel.

105. The GMC approves the secondment of experts to the GIABA Secretariat in line with the terms and conditions approved by the GMC, in consultation with the Director General.

Responsibilities of the GIABA Secretariat
106. The GIABA Secretariat:

a. implements and monitors the implementation of the decisions of the Council, GMC and Plenary, and reports to these bodies through appropriate channels and means;

b. where required, solicits the support of other ECOWAS organs in the implementation of the decisions;

c. prepares the annual budget for adoption under Article 69 of the Revised ECOWAS Treaty and implements the budget after its approval by the Council of Ministers;

d. implements the approved annual work program;

e. contributes to the reports of the President of the Commission and other community reports as may be required from time to time;

f. prepares the Activity report of the Director General;

g. prepares and publishes an annual report, covering the activities undertaken in the previous year, the main achievements, challenges encountered, and the financial commitments related to those activities, including projects implemented by technical and financial partners;

h. coordinates mutual evaluation exercises and follow-up programs in line with the calendar approved by the GMC;

i. undertakes relevant research studies and typologies exercises to determine the risks, trends and methods of ML/TF&PF;

j. on approval by Council, through the GMC, issues guidance and advisories to member States in line with its mandate;

k. conducts technical needs assessment of Member States, and based on the outcome, design and implement technical assistance and capacity building programs either wholly or in collaboration with partners;

l. participates in AML/CFT & PF forums (national, regional and international) including meetings and activities organised by the FATF; and by other FSRBs; the Egmont Group of FIUs; Interpol, the UN, World Customs Organisation and other competent entities, to foster collaboration and cooperation;

m. develops and updates from time to time the GIABA Mutual Evaluation Process and Procedures with due regard to the Universal Procedures adopted by the FATF and applicable to the Global Network;

n. collaborates effectively and forms partnerships with civil society organisations, NPOs/NGOs, the media, academic institutions, education groups, self-assessment institutions, self-regulatory bodies, professional associations, religious and community leaders and the private sector to advance the course of AML/CFT&PF within the member States and the ECOWAS region;
o. establishes links with Member States and other regional groups, international organisations and third countries on issues relating to its area of competence;

p. analyses the submissions and presents a consolidated Annual AML/CFT&PF Country Activities Report to the Plenary as a complement to the Annual Report produced by GIABA; and

q. performs other functions, and discharge other duties assigned to it, and exercise powers conferred on it by the Statute, the GMC and the Plenary.

Official Languages

107. The official and working languages of GIABA are English, French and Portuguese. Deliberations at Statutory and Working Groups meetings are conducted in the three languages and with simultaneous interpretation.

108. In line with Rule 109, documents for Statutory and other meetings are provided in English, French and Portuguese, except for follow-up reports which are in the official language of the assessed member State.

DECISION MAKING AND COMMUNICATION

Decision-making Process


Communication by GIABA

110. It is important that all delegations have sufficient time to study, discuss and comment on documents in order to prepare for meetings and understand current and emerging issues. Effective dissemination of information is therefore essential to ensure effective decision-making.

Document distribution and comment deadlines

111. It is important that all delegations have sufficient time to study, discuss and comment on documents, and prepare for meetings.

Agendas

112. The GIABA Secretariat will circulate draft agendas at least one month before a meeting.
113. For some meetings, the selection of delegates will be determined by the agenda.

114. In the case of Rule 115, the Secretariat will distribute the draft agenda within a reasonable timeframe (at least two months before the meeting) to allow delegations to determine who will represent their delegation.

**Meeting documents**

115. Documents are the basis for the discussion at meetings. Without timely circulation of meeting documents, delegations cannot prepare for meetings, especially for those delegations / topics that require interagency or membership coordination, and possibly even translations, to determine their views.

116. Documents that are to be discussed at meetings will be circulated no later than 2 weeks before the commencement date of the meetings.

117. Documents that are circulated for information can be circulated later; however, the GIABA Secretariat will circulate all documents at least one week before the meeting.

**Written comments**

118. If documents are circulated for written comments, then delegations will be allowed at least two weeks to comment on the documents.

119. At the same time, if a reasonable two-week deadline is given, then delegations should respect the deadlines for comments.

120. Late comments by delegations impede on other delegations’ ability to have sufficient time to study the revised document.

121. In view of Rule 122, if sufficient time is given, late comments will not be taken into account for a revised draft typologies reports or other relevant report, delegations may be allowed more time to forward their comments.

122. For shorter documents such as one- or two-page papers, shorter deadlines could be possible.

123. In the case of late circulation, the relevant Chairpersons should consider postponing the discussion of a document to a later meeting, if possible.

124. GIABA will ensure that the suggested deadlines will not affect its flexibility to act on a shorter timeframe.

125. In cases of paragraphs 121 and 122, Chairpersons and/or the Secretariat will explain the reasons that caused late circulation of documents, or the lack of time to comment.
126. GIABA will determine the deadlines for distribution of documents and comments deadlines on the basis of the needs of delegations.

127. Delegations may raise the late circulation or timelines for comment as issue for discussion.

128. The Secretariat will circulate mutual-evaluations-related material in accordance with the GIABA Mutual Evaluation Process and Procedures and the FATF Consolidated Processes and Procedures for Mutual Evaluations and Follow-up (“Universal Procedures”).

Access to documents

129. All bodies and their members have the right to access all documents of GIABA. As an FSRB, it is important to circulate GIABA documents FATF and all FSRB delegations as soon as the documents become available. The GIABA Secretariat will summarise its documents (when relevant and as resources permit) and inform the FATF and FSRBs why a particular document is also relevant for them.

130. GIABA will disseminate relevant information on technical and statutory meetings through a secure website set up for that purpose.

131. Dissemination of the outcomes of GIABA’s meetings, typologies and other studies, annual reports and other information will be guided by the GIABA Communication Strategy 2012.

Engagement with the private sector and civil society

132. GIABA engages and consults with the private sector and civil society on matters related to the overall work of GIABA, and on specific initiatives.

133. The GMC has ultimate oversight for GIABA’s contact with the private sector and civil society and develops the framework or strategy for this interaction through the Plenary and Working Groups.

134. The Secretariat and Information Centres perform this function on a periodic or targeted basis and regularly report to the GMC and the Plenary on this interaction.

Regular Stocktaking of GIABA Activities

135. The Secretariat, on approval by the GMC, reviews the degree to which GIABA has achieved its objectives and reports to GMC every two years.

GIABA Statutes
136. The GMC will determine what areas have worked well and what areas has not. The GMC has the prerogative to consider new areas of work or responsibility, if any, that may need to be incorporated in GIABA’s work or the Statutes.

137. Based on these, the GMC will propose amendments to the Council on the GIABA Statutes in line with the Revised ECOWAS Treaty and other extant texts of the Community.

138. The revised Statute becomes effective on the date of approval by the Council of Ministers unless they agree on a delayed start date.

139. (2) Where the Council agrees to the amendment, the GMC shall decide on any internal restructuring or changes to the organisation, which shall be implemented forthwith.

DONE IN PARIA, CABO VERDE THIS 02 DAY OF JUNE 2023

Approved by the GIABA Ministerial Committee at its 26th meeting held at Praia, Cabo Verde on the 2nd of June 2023.
GIABA INTERNAL GOVERNANCE POLICY PAPER

CONTACT

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