



INTER-GOVERNMENTAL ACTION GROUP AGAINST
MONEY LAUNDERING IN WEST AFRICA

Third Follow Up Report

Mutual Evaluation



LIBERIA

MAY 2014

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Name of Country: REPUBLIC OF LIBERIA (RL)																
Date of On-site Mutual Evaluation: Name of Assessor Institution: Liberia Financial Intelligence Unit (LFIU) Date of Adoption of last Mutual evaluation(NOEMBER 2013) Date of Follow Up/Progress Report: FEBRUARY 28, 2014																
Rec	1	3	4	5	10	13	23	26	35	36	40	I	II	III	IV	V
	LC	PC	C	NC	PC	PC	NC	PC	PC	PC	LC	NC	NC	NC	NC	NC

Recommended Action (as listed in the MER)	Timetable for adoption of corrective measures	Action(s) already taken	Remaining Actions to be taken (with timelines, if known)	Responsible Institution	Technical Assistance Required
Recommendation # 1: Amend Penal Law to designate predicate offenses as first degree non bailable...	Not specified	Consultative meetings have been held regarding this recommendation. Currently, legal practitioners and law makers have raised concerns about raising predicate offenses to a non bailable 1 st degree offense. Liberia as a country has already outlined offenses that are non bailable such as rape, murder, etc. As it stands, there are still public concerns on whether or not this recommendation can be a non bailable 1 st degree offense.	Completion of draft amendment of the penal law is expected to be submitted to the house of representatives in 2014.	House of representatives and house of senate and the judiciary branch of government.	GIABA legal team of expert and GIABA technical team on AML/CFT laws
Recommendation # 3: Provide legal framework to apply confiscation and other provisional measures to FT as a predicate	Not specified	A legal framework has already been provided as evidenced in the act that created the FIU. Also, the	A more robust action and is been launched to advance a more pro active	LACC, LNP, Judiciary Branch of Government.	GIABA Technical assistance on capacity building and awareness

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offense; Provide LEA's with adequate power to identify and trace property that is subject to confiscation or suspected to be the proceeds of crime		LACC has full power to identify and trace property that is subject to confiscation through its asset declaration policy that are all embedded in the act that created the LACC.	demonstration on asset confiscation		
Recommendation # 4: Amend PMLL to expand the protection on disclosure to cover persons who may disclose information for purposes of detecting and preventing money laundering...	2014	Liberia is in FULL compliant to this recommendation as prescribed in the Prevention of Money Laundering Law (PMLL) to protect whistle blowers.		CBL, LNP, NSA, LFIU	GIABA Technical Assistance
Recommendation # 5: Amend PMLL to cover all requirements including the prohibition of the opening of anonymous accounts in fictitious names; Issue KYC/CDD regulations, etc.; Provide for verification of authority of person acting on behalf of customers, etc.	2014	On July 29 th , 2013, the Government of Liberia announces through the CBL that it has issued its Regulations No. CBL/RSD/004/2013 replacing and revising Regulations No. CBL/SD/05/2005 concerning AML/CFT/REGULATIONS FOR FINANCIAL INSTITUTIONS IN LIBERIA, which provides issuance of CDD/KYC and prohibits anonymous opening of accounts, etc.	Monitor the implementation and effectiveness of the revised regulations	CBL, FIs, LFIU,	GIABA

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<p>Recommendation # 10: Record keeping should be across all sectors; The authorities should require FIs in law, regulations or other enforceable means to ensure customers transactions and records and information are available on a timely basis to domestic competent authorities.</p>	2014	The establishment of the Liberia Financial Intelligence Unit (LFIU) has brought relief to this recommendation .The act that created the LFIU also provides for the timely submission of information to the LFIU in a timely manner and FIs have already benefited from series of trainings and workshops on the benefits of timely reporting using STR, CTR, etc	Continuous monitoring of FIs reporting systems and compliance	LFIU, CBL, FIs	GIABA technical Assistance
<p>Recommendation # 13: Establish the FIU in Liberia; Requirements for FIs to submit STRs and CTRs, etc...</p>	2014	Liberia is in FULL compliance of Recommendation# 13 as evidenced in the act that to establish the Financial Intelligence Unit of Liberia, 2012, with a fully fledged and functional FIU	Promote the mandate of the FIU and making sure that all Reporting entities are in full compliance with the FIU law	LFIU, CBL, NSA, LACC, Judiciary branch.	GIABA capacity building and technical assistance
<p>Recommendation # 23: All FIs including banks should be subject to adequate AML/CFT regulations and supervision; Supervisors should monitor compliance with FATF recommendations; Amend PMLL to Designate a competent authority to ensure adequate compliance with FATF recommendation.</p>	2014	Liberia has designated a competent authority (LFIU) to monitor full compliance by FIs as it relates to FATF recommendations. Furthermore, the CBL Regulation No. CBL/RSD/004/2013 provides sanctions for FIs that are non-compliance to the AML/CFT obligations.	Continuous monitoring and evaluation of the strict compliance aspect of all FIs	LFIU, CBL, LACC, NSA, LNP	GIABA technical Assistance

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<p>Recommendation # 26: The Establishment of the FIU</p>	2014	<p>Financial institutions are now being regulated by the LFIU which was enacted and passed into law through the act that created the FIU of 2012. There is adequate supervision and monitoring of financial institutions for AML/CFT purposes with regards to the risk of ML or TF in the financial sector of Liberia. The LFIU now also has adequate power to supervise or monitor, and ensure compliance by FIs with sufficient requirement to combat money laundering an terrorist financing</p>	<p>Strong supervision and monitoring of all FIs to maintain strict compliance on AML/CFT regimes and obligations</p>	CBL, LFIU	GIABA Technical Assistance
<p>Recommendation # 35: Liberia is urged to domesticate and implement the Vienna and Palermo Conventions.</p>	Unspecified	<p>The United Nations Convention Against Transnational Crimes (PALERMO CONVENTION) requires, in terms of article 7.1B, each member country should consider the establishment of an FIU to serve as a collection center, analysis and dissemination of information regarding potential money laundering. In line with the PALERMO</p>	<p>Continuous monitoring and effective implementation of the Vienna and Palermo Convention.</p>	LNP, LFIU, DEA, LACC, etc...	GIABA Technical Assistance

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		CONVENTION, Liberia has established a functional FIU.			
<p>Recommendation # 36: Put in place mechanism, including guidelines to provide LEAs with clear and efficient processes for the execution of MLA</p>	Unspecified	The Liberia FIU through the technical support from GIABA has configured and installed the Financial Crime and Compliance Management (FCCM) software that will gather, process and analyze information to be passed on to competent authority such as the LEAs. Also, the CBL has already developed MLA guidelines for FIs.	Completed.	Legislature, LFIU, LNP, LACC, Judiciary Branch	GIABA Technical Assistance
<p>Recommendation # 40: Liberia should intensify effort to establish the FIU, put in place appropriate mechanisms and develop procedures to qualify for membership of the Egmont Group to enable LFIU to exchange and receive intelligence information on ML and TF from other countries</p>	2014	Liberia has established a functional FIU. Liberia has drafted MOUs to other regional FIUs to improve on the exchange of information and intelligence on AML/CFT regime and to also strengthen the region's approach to its security posture to ensure a high level of assurance that information, assets, and services are protected against compromise. Furthermore this will enhance international cooperation and representation, particularly on intelligence exchange	Draft MOUs are being legally looked at by the Board of Directors (BoD), thereafter finalization of MOUs will be presented to Ministry of Foreign Affairs through the LFIU for onward action where applicable. Thereafter LFIU contribute to the regional and international effort to combat ML and TF through exchange of information with various counterparts, with the view to further strengthen the regulatory framework in line with the developments in international standards and	BoD, LFIU, MFA	GIABA Technical Assistance

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		with LFIU and regional counterparts	best practices on AML/CFT regime		

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Special Recommendation # I: Liberia should enact legislation to criminalize FT	2014	All predicate offenses including legislation to criminalize FT offenses have been done in keeping with law. Reference AML/CFT law.	Completed	CBL, FIU, Judiciary branch, Legislature	GIABA Technical Assistance
Special Recommendation #II: Criminalize Terrorist Financing (FT)	2014	Liberia has already criminalize FT under its revised Penal Law, AML/CFT Law and FIU Law	Completed	Judiciary, FIU, CBL	GIABA Technical Assistance
Special Recommendation #III: Pass AML/CFT Law	2014	AML/CFT law has already been passed.	Completed	Legislature, FIU, CBL, Judiciary	GIABA Technical Assistance
Special Recommendation # IV: The CBL should issue guidelines to MVTs to assist them in implementing AML/CFT measures	2014	Guidelines to implement AML/CFT measures have been included in the revised CBL Regulation No. CBL/RSD/004/2013	Completed	CBL, FIU	GIABA Technical Assistance
Special Recommendation # V: LEAs should put in place mechanism for coordinating asset seizure and confiscation with other countries	2014	Liberia has drafted MOUs to other regional FIUs to improve on the exchange of information and intelligence on AML/CFT regime and to also strengthen the region's approach to its security posture to ensure a high level of assurance that information, assets, and	This MOU is presently being reviewed by the Board of Directors of the FIU for adoption	FIU,MFA,BOD	GIABA Technical Assistance

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		services are protected against compromise.			
Summary of other Recommendations rated PC or NC					
R. 2	Please reference Rec. # 1				