

# LIGHT

## LEGAL COMPETENCY TO PREVENT ANTI-MONEY LAUNDERING AND FINANCING OF TERRORISM

ILLUMINATING DARK CORNERS



## Project Presentation

LIGHT aims to increase the competency of lawyers and notaries in AML/CFT, therefore strengthening their role in the implementation of AML/CFT and ensuring the effectiveness of AML/CFT policy. The project stems from the 2019 Commission staff working document SWD(2019) 650 which complained about the significant ML vulnerability of legal professions. After being awarded a grant under the Justice Programme 2014-2020, the project started in December 2020 and will run for 2 years, until November 2022.

Project activities include: a preparatory phase, including an assessment of the national implementation of EU law in AML/CFT as well as the development of methodologies and educational material; implementation of the training activities, including eLearning and four high-level training seminars; complementary activities to promote compliance with AML/CFT law in day-to-day practice, including a collection of best practices, a study visit to Europol, an action plan on national CPD initiatives on AML/CFT and a European conference;

The consortium is led by Confprofessioni, Italian Confederation of Liberal professions, and composed by the following entities: Women Lawyers' Association, from Bulgaria; European Council of the Liberal Professions, from Belgium; Federnotai, Italian Federation of Notaries' Associations; International Union of Notaries (UINL); Spanish General Council of Notaries; General Council of Spanish Lawyers.

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### GET IN TOUCH WITH US!



[www.light-aml.eu](http://www.light-aml.eu)



[info@light-aml.eu](mailto:info@light-aml.eu)



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# LIGHT Project: Kick-off Meeting

The consortium involved in the implementation of the European-funded project held its first meeting on the 21st and 22nd of December 2020

During the first session of the meeting, a discussion regarding the project strategy was held: members agreed that money laundering and terrorism financing are two different themes, but they have also many connections and share numerous indicators, in fact, national policies and procedures are defined jointly; because of these reasons most of the participants agreed to have one single working group covering both topics. Then, the delegates from Confprofessioni presented the timetable of the project in terms of work packages, describing planned activities and due deliverables. Everyone was informed that social media accounts, Facebook and Twitter, had just been opened in order to start some communication and dissemination activities. Furthermore, it was communicated that the work on the epistemological framework was about to start and that a bottom-up approach based on professional experience on money laundering, with a focus on skills and experience, was going to be adopted.



The second session of the meeting firstly addressed the project evaluation procedure, it was decided to use specific indicators for the qualitative evaluation and a questionnaire to gather some comments from the participants. Secondly, the representatives from the Consejo General del Notariado explained the different types of training planned in the project: training of trainers, eLearning activities, and seminars. For eLearning, there will be a dedicated platform in English. The online training will address 240 participants and technologies like PowerPoint, Zoom, and others will be used to prepare presentations and short videos. Moreover, parts of the seminars will be dedicated to practice cases developed by trainers. Thirdly, the representative of the International Union of Notaries explained that all partners would be in charge of selecting the members of the Focus Groups, five lawyers and five notaries each. The national focus groups have been held in February and March and were based on the main aspects highlighted by the report of the European Commission: the weaknesses of the professions, the tick-box culture, the lack of homogeneity across the EU, and in addition a focus on the four national situations, considering even the different legal professionals.



LIGHT project coordinator is:

**CONFPROFESSIONI** -  
Italian Confederation of  
Liberal Professions

The other beneficiaries are:

- **WLA** - Association for Women Lawyers (Bulgaria)
- **CEPLIS** - European Council of the Liberal Professions
- **FEDERNOTAI** - Italian Notaries Association
- **UINL** - International Union of Notaries
- **CGN** - Consejo General del Notariado
- **CGAE** - Consejo General de la Abogacía Española



# A New Legislative Package to Fight Financial Crime

The European Commission decided to strengthen AML/CFT Rules

The Commission finally presented a new AML package of legislative proposals to enhance the existing EU framework, strengthen the EU's AML/CFT rules and fight financial crime. The proposals are expected to solve the problems with the current regime: fragmented approach across the EU, lack of convergence, inefficient cooperation between national supervisors and FIUs. The basis of this package is the Action Plan for a comprehensive Union policy on preventing ML/TF, presented on 7th May 2020, which required legislative action regarding its pillars 2, 3, and 4 regarding EU single rulebook on AML/CFT; EU-level AML/CFT supervision; support and cooperation mechanism for FIUs.



AMLA will be the central authority coordinating national supervisions and enhancing coordination among FIUs. It will also supervise directly the financial sector obliged entities that are active in a significant proportion of MS and have the highest risk profile in several of those MS as well as, irrespective of criteria, financial sector obliged entities that are systematically failing to meet their AML/CFT requirements, where there is a significant ML/TF risk.

EU AML/CFT rules will apply fully to the crypto sector. Indeed, there will be a number of additions to the list of obliged entities, including all crypto-asset service providers. Other issues tackled by the package include digital identification; transactions in cash (an EU-wide limit of 10.000 € on large cash payments has been proposed); third-countries policy and ML/TF threats from outside the Union (those third countries listed by FATF will also be listed by the EU, and there will be a "black list" and a "grey list", reflecting the FATF listing). The Commission considers that the new proposals will ease AML/CFT compliance for companies and that all obliged entities should benefit from improved supervision and from better feedback from FIUs, which will enable more targeted reporting of suspicious transactions and activities. The legislative package will be discussed with the EP and the Council and the Commission hopes for a speedy legislative process.



The four legislative proposals are the following:

1. Regulation establishing a new **EU AML/CFT Authority (AMLA)**, which should be operational in 2024;
2. **New regulation** on AML/CFT, containing **directly applicable rules**, including in the areas of CDD and BO;
3. **6th Directive on AML/CFT (AMLD6)**, which will replace existing Directive 2015/849/EU;
4. **Revision of Regulation 2015/847/EU on Transfers of Funds**, to trace transfers of **crypto-assets**.



# Online Asynchronous Training

The training consists of the following eight modules:

- International bodies and mutual evaluation;
- Obligations applicable to notaries and lawyers;
- Terrorist financing;
- Identification of the beneficial owner (BO);
- Risk indicators;
- Investigations on anti-money laundering and terrorist financing (AML/CFT) offences;
- ML/FT risks;
- Supervising legal professions.

Trainers are:

- Mrs. Capello has a Law Degree from the Catholic University of La Plata (Argentina), a Law Degree from the King Juan Carlos University (Spain) and a Master in "Criminology and Criminal Investigation" and in "Forensic Psychology" from ESNECA Business School and the University of Cuyo (Argentina). She has 20 years of experience in the fight against money laundering and terrorist financing, financial sanctions and anti-corruption and bribery, and active participation in International Organizations (FATF, UN, CFATF, IMF, World Bank, OAS/CICAD). She is an external advisor on AML/CFT issues for the International Union of Notaries and an external consultant (European Union, PACCTO, IMF) for international regulatory technical assistance and training projects to countries in the EU, Asia, and Latin America. She is also Director and Professor of the "Higher University Course on Prevention of Money Laundering and Financing of Terrorism" at the King Juan Carlos University of Spain, Associate Professor at the University of the Instituto de Empresa of Spain, Professor of the "Master in International and Transnational Crimes" at the International University of La Rioja (Spain) and of the "Master in Economic Criminal Law" at the King Juan Carlos University.
- Mr. Monreal Hurtado is a Bank Examiner from the Central Bank of Spain, a member of the Inspection Department Cabinet from 2001 to 2014, and has more than 30 years of experience in the fight against money laundering and terrorism financing and anti-corruption and bribery. Currently, he is the Head of the Procedures, Control, and Education Unit of the Centralized Organization for the Prevention of Money Laundering of the General Council of Notaries of Spain and Partner of the consulting firm MONTREAL & PARTNERS specialized in Consultancy in Financial Regulation and Anti-money Laundering. He is an international consultant of the IMF and Interamerican Development Bank for AML/CFT, Banking Regulation, Financial Conglomerates, Monetary Policy, and Payment Systems

The project partners published a call for expression of interest, whose aim is to establish a list of lawyers and notaries who may be invited to join the online training and the following training activities. Follow this link to know more.



## Length

approximately 8 hours.

## Language

English.

## Target

lawyers and notaries from Belgium, Bulgaria, Italy and Spain.

## Requirements

knowledge of English and previous experience on AML/CFT.

## When

November 2021, until May 2022.

## How to access the training

First you need to fill in the application form available [here](#) and send it to [info@light-aml.eu](mailto:info@light-aml.eu). Then, you will receive the credentials and all the necessary information.



# LIGHT Training Activities Have Begun!

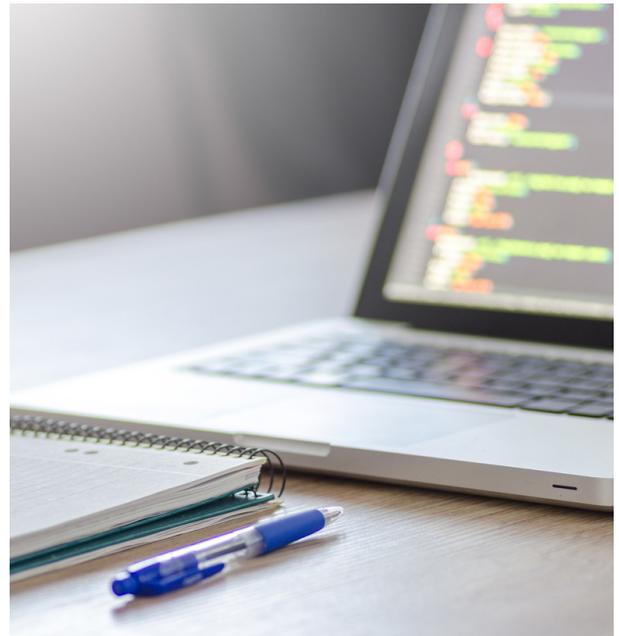
Online training will be available until May 2022 and partners will select participants on a monthly basis.

Online training on anti-money laundering and countering the financing of terrorism has just started! Our partner, Consejo General del Notariado (the Spanish Council of Notaries) got in touch with the first group of registered professionals and sent the access credentials to each one. Eight sessions compose this training, and after each session, there is a test made up of five multiple-choice questions.

These eight sessions consist of different videos, recorded by AML/CFT expert Ms. Silvina Capello, from the International Union of Notaries, with support from her fellow colleague Mr. Monreal Hurtado. In these lessons, they address the basic features of the AML/CFT framework, starting with international bodies (United Nations, etc.) and mutual evaluation up to the supervision of legal professions, reviewing basic legal concepts, and then addressing the supervisory cycle.

Project training activities are meant to be rather practical and to benefit from the experience of participants. Therefore, they are addressed to practicing legal professionals only – lawyers and notaries. The project aims at reaching more than 200 professionals across Europe, mainly from Italy, Belgium, Bulgaria, and Spain. It is crucial to successfully complete the online training before joining the transnational seminars that will follow since it aims at providing key concepts on AML/CFT and aligning the knowledge of trainees on the matter.

Follow this link to learn more and to apply: <https://light-aml.eu/call-for-interest/>



## Selection Criteria

The project consortium shall select lawyers and notaries to join the training activities organized in the framework of the project.

The selection will be based on the following criteria:

- Eligibility of the application (that is, compliance with the provisions set out in this call);
- Lawyers and notaries from the countries involved in the project (Belgium, Bulgaria, Italy, Spain);
- Knowledge of English;
- Experience in the field of AML/CFT.

A final test is planned at the end of the online training. Its successful completion is a condition to join the face-to-face seminars.





# Policy Statement on the Role of Legal Professions in AML/CFT

The objective of the partners is to disseminate it during the seminars and to present it during the project final conference.

During the monthly conference call among project partners, on 16th November, the policy statement on the role of legal professions in AML/CFT has been approved. This document follows the assessment on the implementation of EU law on AML/CFT at the national level. It aims at certifying the commitment of lawyers and notaries; it focuses on their role in the effectiveness of EU AML/CFT policy. Ceplis, the European Council of Liberal Professions, was in charge of preparing the policy statement.

Indeed, after receiving some guidelines from the coordinator Confprofessioni, Ceplis decided to involve its members asking for comments on the role of legal professions. It prepared the first draft and submitted it for discussion during the partnership meeting in Sofia. Following some amendments, the partnership finally approved the final version.

Two parts compose the twenty-page document: first, a sort of introduction/background; then, a statement on the role of legal professions in advocating the European strategy on AML/CFT. Here, the relevant legislation is recalled and integrity is mentioned as a key point. Also, lawyers and notaries, and their associations, are encouraged to mainstream the 40 FATF Recommendations and the European Directive 2015/849, as well as the national legislation on the matter.



Read and Download the Policy Statement follow this link:  
<https://bit.ly/Lightpolicystatement>



# Sofia, First Presential Meeting among the Partners

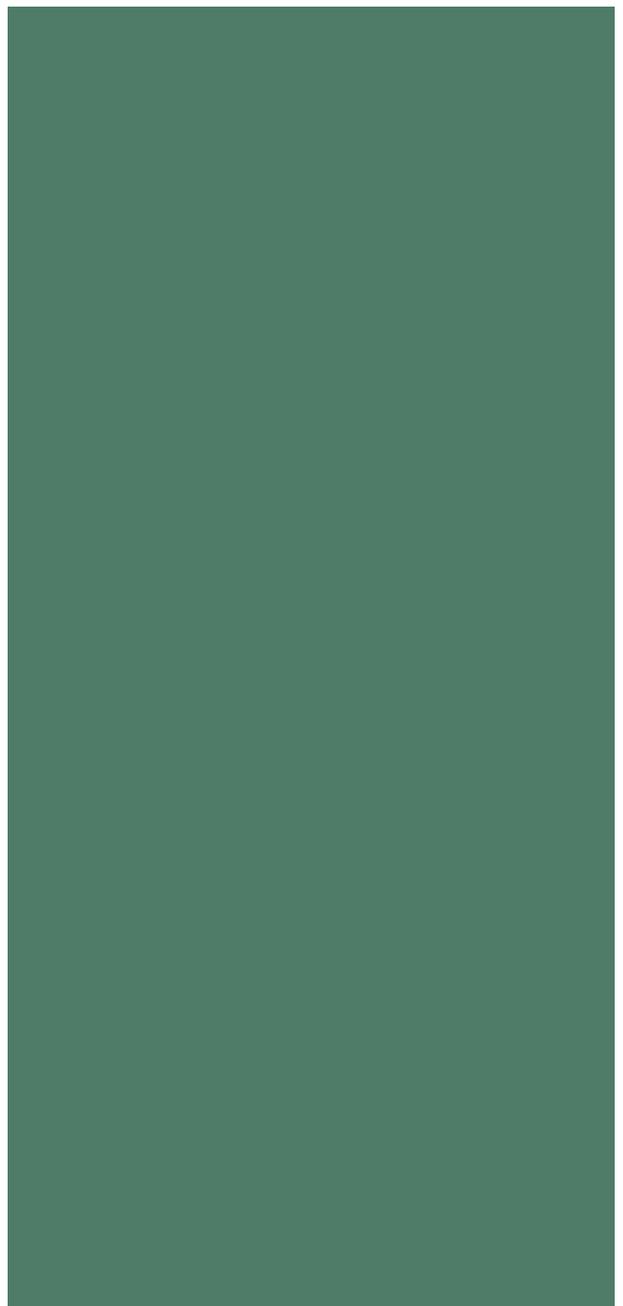
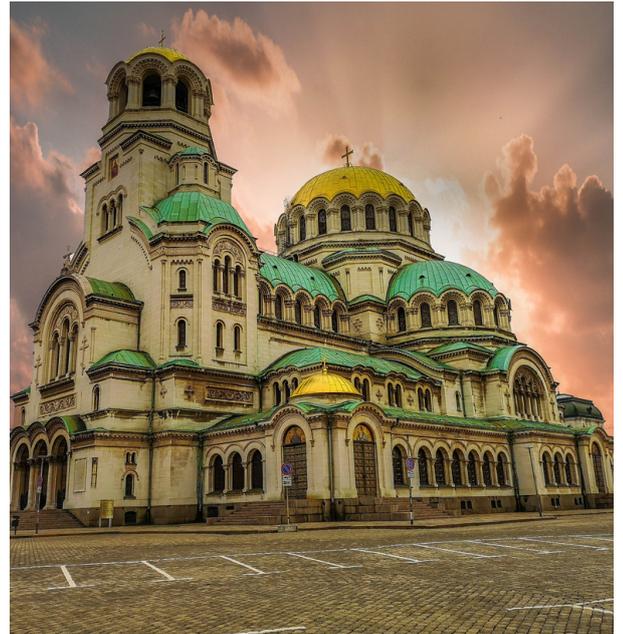
Project partners finally managed to meet in person for the second steering committee meeting, which was held in Sofia on 29th and 30th September.

It was a two-day meeting, hosted by Women Lawyers' Association. At least one representative per partner managed to be there. It has been important to have the chance to discuss in person the performance of the project and to share information and ideas on the ongoing activities.

The first topic addressed was the selection of the participants. Each partner will select some trainees at the national level, but some common guidelines are necessary. A common call for expression of interest also was discussed. Then, as for the online training, the videos prepared by the International Union of Notaries (UINL) were shown to the participants.

A report was also provided on the training of trainers organised in early September. Even if not all trainers managed to join, the willingness to cooperate of those who were present was remarkable. Afterward, UINL and the Spanish General Council of Notaries (CGN) presented the progress done on the methodology and education materials, and the deliverables were validated by the partnership.

The policy statement on the role of legal professions in AML/CFT was on the agenda on the second day. Ceplis had prepared a draft statement and, following comments by the other partners, will revise it. In the end, partners shared some information on the 2022 training seminars. It was especially Federnotai, that will organise the first seminar in Italy in March 2022, that presented their progress on the venue as well as on the trainers and speakers.





# LIGHT: on 31st March and 1st April the Italian Seminar in Rome

**The goal is to discuss rules, policies and actions to combat money laundering**

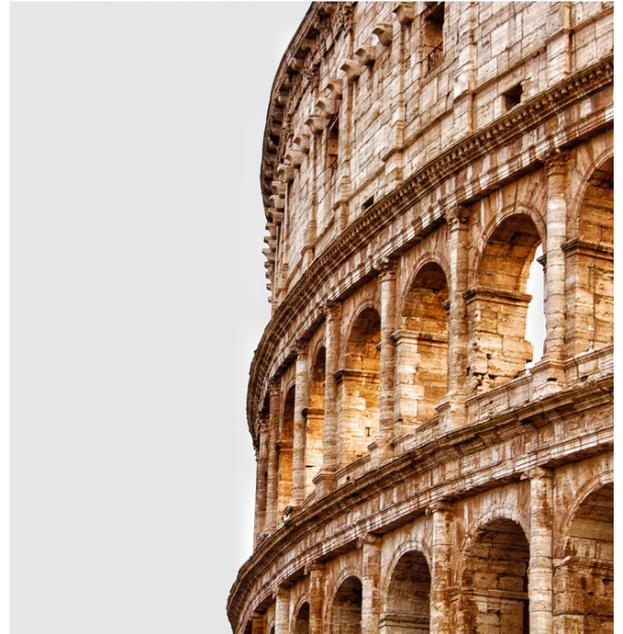
The first training seminar of the project is finally approaching. Federnotai (the Italian Notaries' Association), with support from UINL (International Union of Notaries) and Confprofessioni (the coordinator, Italian Confederation of liberal professionals) is now defining the final details of the event.

The seminar will take place presentially on 31st March and 1st April, in order to benefit from the added value of a transnational event with legal practitioners of different nationalities. Also, it should be hosted with a prestigious institutional venue: the Italian Senate, in Rome.

The seminar aims at increasing the competence of legal practitioners in the field of anti-money laundering and countering the financing of terrorism, and specifically on the relevant EU legislation and the role of notaries and lawyers, with a specific focus on red tape. Many high-level speakers will join the two-day event.

In particular, it is worth mentioning the three main trainers: Mr. Cesare Licini, notary in Pesaro and expert on the field of AML policies; Mr. Mario Palazzi, judge, the public prosecutor of the District Antimafia Directorate at the Court of Rome; Hon. Sen. Felice Casson, former public prosecutor.

DG FISMA of the European Commission, competent on financial stability, financial services, and capital markets, DG FISMA has just confirmed its participation and is expected to hold a speech; many other guests will bring their expertise, from the point of view of the professions as well as of the competent authorities.



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