

COMMON UNDERSTANDING
between Member States on third country equivalence^{1,2,5}
under the Anti-Money Laundering Directive (Directive 2005/60/EC)

June 2011

These third countries are currently considered as having equivalent AML/CFT systems to the EU. **The list may be reviewed**, in particular in the light of public evaluation reports adopted by the FATF, FSRBs, the IMF or the World Bank according to the revised 2003 FATF Recommendations and Methodology.

It should be noted that the list does not override the need to continue to operate the risk-based approach. The fact that a financial institution is based in a 3rd country featuring on the list only constitutes a refutable presumption of the application of simplified CDD. Moreover, the list does not override the obligation under article 13 of the Directive to apply enhanced customer due diligence measures in all situations which by their nature can present a higher risk of money laundering or terrorist financing, when dealing with credit and financial institutions, as customers, based in an equivalent jurisdiction.

Revised List – after the Meeting on 15 June 2011

Australia

Brazil

Canada

Hongkong

India

Japan

Korea

Mexico

¹ Directive 2005/60/EC does not grant the European Commission a mandate to establish a positive list of equivalent third countries. The Common Understanding between EU Member States on Third Country Equivalence is drafted, managed and agreed by the EU Member States.

² The list does not apply to Member States of the EU/EEA which benefit de jure from mutual recognition through the implementation of the 3rd AML Directive. The list also includes the French overseas territories (Mayotte, New Caledonia, French Polynesia, Saint Pierre and Miquelon and Wallis and Futuna) and Aruba, Curacao, Sint Maarten, Bonaire, Sint Eustatius and Saba. Those countries and territories are not members of the EU/EEA but are part of the membership of France and the Kingdom of the Netherlands of the FATF. The UK Crown Dependencies (Jersey, Guernsey, Isle of Man) may also be considered as equivalent by Member States.

³ Gibraltar is also directly subject to the requirements of the Directive which it has implemented. Therefore the UK has considered it equivalent to date for these purposes.

The Russian Federation

Singapore

Switzerland

South Africa

The United States