



2024/163

18.1.2024

COMMISSION DELEGATED REGULATION (EU) 2024/163

of 12 December 2023

amending Delegated Regulation (EU) 2016/1675 as regards the deletion of the Cayman Islands and Jordan from the table in point I of the Annex

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC ⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) The Union has to ensure the effective protection of the integrity and proper functioning of its financial system and the internal market from money laundering and terrorist financing. Directive (EU) 2015/849 therefore provides that the Commission is to identify third-country jurisdictions which have strategic deficiencies in their regimes on anti-money laundering and countering financing of terrorism ('AML/CFT') that pose significant threats to the financial system of the Union ('high-risk third countries').
- (2) Commission Delegated Regulation (EU) 2016/1675 ⁽²⁾ identifies high-risk third countries with strategic deficiencies.
- (3) Considering the high level of integration of the international financial system, the close connection of market operators, the high volume of cross-border transactions to and from the Union, as well as the degree of market openness, any AML/CFT threat posed to the international financial system is also a threat to the financial system of the Union.
- (4) In accordance with Article 9(4) of Directive (EU) 2015/849, the Commission takes into account recent available information, in particular the recent Financial Action Task Force (FATF) public statements, the FATF list of 'Jurisdictions under Increased Monitoring', and FATF reports of the International Cooperation Review Group in relation to the risks posed by individual third countries.
- (5) Since the latest amendments to Delegated Regulation (EU) 2016/1675, the FATF has updated its list of 'Jurisdictions under Increased Monitoring'. At its plenary meeting in October 2023, the FATF deleted the Cayman Islands and Jordan from that list. Given those changes, the Commission has conducted an assessment to identify high-risk third countries in accordance with Article 9 of Directive (EU) 2015/849.
- (6) The Commission has reviewed the progress of the Cayman Islands and Jordan in addressing their strategic deficiencies. Those countries are identified as high-risk third countries in Delegated Regulation (EU) 2016/1675 but were deleted from the FATF list of 'Jurisdictions under Increased Monitoring' in October 2023.
- (7) The FATF has welcomed the significant progress made by the Cayman Islands and Jordan in improving their AML/CFT regimes and has noted that those countries have established legal and regulatory frameworks to meet the commitments in their respective action plans on the strategic deficiencies identified by the FATF. The Cayman Islands and Jordan are therefore no longer subject to the FATF's monitoring process under its ongoing global AML/CFT compliance process and will continue to work with their FATF-style regional bodies to further strengthen their AML/CFT regimes.

⁽¹⁾ OJ L 141, 5.6.2015, p. 73, ELI: <http://data.europa.eu/eli/dir/2015/849/oj>.

⁽²⁾ Commission Delegated Regulation (EU) 2016/1675 of 14 July 2016 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council by identifying high-risk third countries with strategic deficiencies (OJ L 254, 20.9.2016, p. 1, ELI: http://data.europa.eu/eli/reg_del/2016/1675/oj).

- (8) The Cayman Islands and Jordan have strengthened the effectiveness of their AML/CFT regimes and addressed technical deficiencies to meet the commitments in their action plans on the strategic deficiencies identified by the FATF. The Commission's assessment of the available information leads it to conclude that the Cayman Islands and Jordan no longer have strategic deficiencies in their AML/CFT regimes. It is therefore appropriate to delete the Cayman Islands and Jordan from the table in point I of the Annex to Delegated Regulation (EU) 2016/1675.
- (9) Delegated Regulation (EU) 2016/1675 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Delegated Regulation (EU) 2016/1675, in point I, the table is replaced by the table in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 12 December 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

No	High-risk third country ⁽¹⁾
1	Afghanistan
2	Barbados
3	Burkina Faso
4	Cameroon
5	Democratic Republic of the Congo
6	Gibraltar
7	Haiti
8	Jamaica
9	Mali
10	Mozambique
11	Myanmar
12	Nigeria
13	Panama
14	Philippines
15	Senegal
16	South Africa
17	South Sudan
18	Syria
19	Tanzania
20	Trinidad and Tobago
21	Uganda
22	United Arab Emirates
23	Vanuatu
24	Vietnam
25	Yemen

⁽¹⁾ Without prejudice to the legal position of the Kingdom of Spain with regard to sovereignty and jurisdiction in relation to the territory of Gibraltar.'