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INTER-AMERICAN DRUG ABUSE
CONTROL COMMISSION

CICAD

Organization of American States

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Secretariat for Multidimensional Security

XXXIV GROUP OF EXPERTS FOR THE CONTROL OF MONEY LAUNDERING
MEETING OF THE WORKING SUBGROUPS
May 30-31, 2012
Washington, D.C.

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3 April 2012
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TERMS OF REFERENCE

Working Group:

Group of Experts for the Control of Money Laundering

Subgroups of FIU and Law Enforcement Agencies (LEA) and Forfeiture and International Cooperation

Source of the Terms of Reference:

Executive Secretariat of the Inter-American Drug Abuse Control Commission (ES/CICAD)

Organization:

Organization of the American States (OAS)

According to:

- § The recommendations of the Group of Experts in its meeting on September 27-28, 2010 in Caracas, Venezuela (LAVEX XXXIII).
- § The Working Plan approved in the Fiftieth Regular Session of CICAD held in Buenos Aires, Argentina, November 2-4, 2012.

Considering that:

- § CICAD, at its forty-second regular session held in Santa Marta, Colombia, agreed on the working basis for the Group of Experts for the Control of Money Laundering (GELAVEX). The areas of action identified by the GELAVEX at its XXIV plenary session held in Santiago, Chile November 7-9, 2007, are as follows: forfeiture, *In-Rem* forfeiture, Asset Recovery Agencies, coordination and integration between Financial Intelligence Units (FIU) and Law Enforcement Agencies (LEA), and terrorism financing.
- § CICAD, at its forty-second regular session held in Santa Marta, Colombia, agreed that GELAVEX will hold two annual meetings; one during the first half of the year exclusively for the Sub Working Groups (Subgroup of FIU and Law Enforcement Agencies and Subgroup of Forfeiture), and another during the latter half which will feature a plenary session as well as an additional meeting for the Sub Working Groups.

- § The Meeting for the Group of Experts for the Control of Money Laundering held in San Jose, Costa Rica September 2-3, 2010 decided that, starting 2010-2011, the plenary would adopt the regularization of the sessions in relation to its *pro-tempore* chairs. To this end, the Group of Experts recommends that the *pro-tempore* chair is assumed during the next plenary session. This recommendation was approved during the forty-eighth regular session of CICAD held in Washington, D.C. December 6-8, 2010.
- § The Group of Experts recommended in its meeting held in Caracas, Venezuela, September 27-28, 2011 the approval, by the Commission, of the proposal for the development of a planning process for the Group of Experts for the Control of Money Laundering. This proposal was approved by CICAD with the modifications proposed by Mexico and Canada in the fiftieth regular session of CICAD held in Buenos Argentina, November 2-4, 2011.
- § According to the Working Plan 2011-2012 approved by CICAD, the International Cooperation and Forfeiture Subgroup will continue working on the following subjects: (1) Elaboration of normative aspects for the creation and development of specialized bodies on the administration of seized and/or forfeited assets that will be carried out through the BIDAL Project. (2) Elaboration of a report on the progress on the implementation of the different systems of asset forfeiture and on the identification, among member countries on the efficient mechanisms to share forfeited assets. Additionally, according to this Working Plan approved by CICAD, the LEA-FIU Integration/Interaction Subgroup will continue working on (1) Presentation of a first progress report on the elaboration of recommendations, principles and best practices that permit countries to unify criteria regarding the information that is shared among Financial Intelligence Units and Criminal Investigation Agencies. (2) Presentation of a first progress report on the elaboration of recommendations for the identification and analysis of risk factors on material of money laundering and financing of terrorism at the hemispheric level.

Profile of the delegates to the Experts' Group:

1. Be a representative of a Member State of the OAS.
2. Desirable qualifications of the delegates: experts in criminal law, international cooperation, asset administration agencies and/or financial intelligence.
3. The following countries, international organizations and/or entities participate as observers: United Nations Office on Drugs and Crime (UNODC), Global Program for Money Laundering (GPML/UN), Council of Europe, Spain, Financial Action Task Force (FATF), Caribbean Financial Action Task Force (CFATF), Financial Action Task Force of South America (GAFISUD), Inter-American Committee against Terrorism (CICTE – OAS), Inter-American Development Bank (IADB), The World Bank, International Monetary Fund (IMF), Egmont Group.

In order to keep the work continuity of the Group of Experts Meeting for the Control of Money Laundering (GELAVEX), the Executive Secretariat kindly request, if possible, that those countries participating in subgroups preserve the delegates who have attended previous meetings. Consecutively, for better results at the working sessions, the Executive Secretariat suggests to those countries

participating in more than one subgroup, according to its possibilities, designate an expert for each subgroup.

Structure and Working Methodology:

The Executive Secretariat of CICAD will provide administrative and professional support in the design and development of final report and other documents, as well as to facilitate the subgroups discussions providing technical support as requested. Once they are agreed upon, these documents will be submitted to Member States for their review and comments in the following 30 days. By the end of the mentioned deadline the Secretary will circulate within 15 days the final document.

Financial Support:

In accordance with the decision of the Commission at its twenty-first regular session, the Groups of Experts are open to all Member States of CICAD and financial assistance to the delegates to attend the event may be provided under exceptional circumstances and based upon the existence of funds for this purpose. Those delegations that would like to request financial assistance should do so expressly and not presume that those funds will be provided automatically by the Executive Secretariat.