



OAS | **CICAD**



**INTER-AMERICAN DRUG ABUSE
CONTROL COMMISSION
CICAD**

**SIXTY-FOURTH REGULAR SESSION
November 19-21, 2018
Washington D.C., USA**

**OEA/Ser.L/XIV.2.64
CICAD/doc.2424/18
November 16 2018
Original: Spanish**

**GROUP OF EXPERTS FOR THE CONTROL OF MONEY LAUNDERING
(GELAVEX)**

GROUP OF EXPERTS FOR THE CONTROL OF MONEY LAUNDERING (GELAVEX)

XLV Plenary Meeting
Santa Cruz de la Sierra, Bolivia
October 4 – 5, 2018

64th REGULAR SESSION OF CICAD
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Organización de los
Estados Americanos



BACKGROUND

- GELAVEX was created in 1990 in accordance with article 22 of the Statute of CICAD and is therefore constituted as one of the advisory bodies of CICAD.
- The GELAVEX is made up of two Sub-Working Groups:
 - the Sub-Working Group on **International Cooperation and Forfeiture**; and
 - the Sub-Working Group in **Financial Intelligence Units (FIU) and Law Enforcement Agencies (LEA)**.
- Both the **three-year Strategic Plan 2018-2020** and the **2017-2018 work plan** were approved at the **sixty-second regular session of CICAD**.



XLV Meeting of GELAVEX:

- It had the participation of 22 delegations:
 - ✓ **6 Member States:** Bolivia, Brazil, Colombia, Costa Rica, Ecuador, El Salvador, United States of America, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Dominican Republic, and Trinidad and Tobago.
 - ✓ **1 Permanent Observer State:** Spain;
 - ✓ **3 International Organizations:** GAFILAT, GAFIC, and the Asset Recovery Network of the Caribbean -ARIN-Carib.
 - ✓ **2 Invited Organizations:** The International Union of Latin Notaries (UINL) and the Asset Recovery Unit of the Regional Security System (RSS) of the Caribbean.
- Paraguay concluded its period as president of GELAVEX outstandingly for the period 2017-2018;
- As approved by CICAD-62, **Bolivia took the presidency and Colombia the vice-presidency.**



DECISIONS

- i. Receive with approval the Activities Report for the period 2017-2018 of the Department against Transnational Organized Crime (DDOT) (DDOT/LAVEX/doc.4/18).
- ii. Thank the presentation: Case Study on Extinction of Domain linked to acts of corruption, presented by the distinguished delegation of El Salvador (DDOT/LAVEX/doc.5/18) and (DDOT/LAVEX/doc.6/18).
- iii. Thank the presentation: "Some aspects of Law N° 5.876/17 on the Administration of Seized and Closed Property - Various Experiences", presented by the distinguished delegation of Paraguay (DDOT/LAVEX/doc.7/18).
- iv. Approve the report on the "Study on liquidation or sale of seized assets: valuation for its due destination", presented by the co-coordinators of the Sub-Working Group on Forfeiture and International Cooperation, and the Director of the BIDAL Project (DDOT/LAVEX/doc .8/18) and (DDOT/LAVEX/doc.9/18).



- v. Approve the report on the "Study on Expert Evidence (Experts) in Cases of Money Laundering and Terrorism Financing" (DDOT/LAVEX/doc.10/18) and (DDOT/LAVEX/doc.11/18).

- vi. Recommend to continue working within the Line of Action of the Strategic Plan 2018-2020 regarding Expert Evidence with the development of a Guide of Good Practices for the incorporation of expert financial reports in criminal prosecutions.

- vii. Thank the presentation: "The role of the International Union of Notaries (UINL) in the fight against Money Laundering and Terrorism Financing", presented by the distinguished representatives of the International Union of Notaries (UINL) (DDOT/LAVEX/doc.12/18).



- viii. Recommend the Commission to accept the International Union of Notaries (UINL) as an Observer Body within the GELAVEX meetings (DDOT/LAVEX/doc.25/18).
- ix. Continue progressing with the development and implementation of the Open Source Information Project, urging all delegations, including observer organizations and countries, to participate in this project and periodically update the web links (DDOT/LAVEX/doc.20/18).
- x. Approve the Report on the "Study on new AML/CFT typologies, including the use of virtual currencies", (DDOT/LAVEX/doc.16/18) and (DDOT/LAVEX/doc.17/18).
- xi. Urge the Technical Secretariat of GELAVEX to seek, to the extent of the availability of financial resources, to provide technical assistance to OAS member states in the area of AML/CFT investigations related to the use of virtual currencies, as well as to manage the possible participation and/or technical assistance by and for GELAVEX in the "Global Conference on the Use of Cryptocurrencies for Financial Investigators of Interpol, Basel Institute and Europol".



- xii. Approve the "Study on the Identification of Challenges that OAS Member States Face in Asset Recovery" (DDOT/LAVEX/doc.19/18).

- xiii. Urge the Technical Secretariat of GELAVEX to seek, to the extent of the availability of financial resources, to provide technical assistance to the OAS member states in matters of International Cooperation, formal and informal, for the recovery of assets.

- xiv. Thank the presentations that made up the panel entitled: "Virtual Currencies in operations linked to transnational organized crime. Analysis of Cases in the Region ", presented by the distinguished representatives of Colombia, Peru and the Asset Recovery Unit of the Regional Security System (DDOT/LAVEX/doc.14/18), (DDOT/LAVEX/doc.23/18), (DDOT/LAVEX/doc.13/18), (DDOT/LAVEX/doc.15/18).



xv. Approve the 2018-2019 Work Plan of the GELAVEX Sub-Working Groups, and request approval from CICAD at its next Regular Session (DDOT/LAVEX/doc.32/18):

- **The Sub-Working Group on International Cooperation and Seizure** will be devoted to:
a) developing a study on the self-sustainability of seized assets, within the framework of the functions of specialized property administration offices; and b) develop a study on confiscation of equivalent goods and mixed goods, with the objective of identifying countries with legislation developed on the issue or with the need to incorporate these figures in their legal frameworks.
- **The Sub-Working Group on Financial Intelligence Units and Law Enforcement Agencies** will be dedicated to: a) a case study on money laundering linked to human trafficking and the smuggling of migrants in the region; b) conduct a study of comparative legislation and technical guidelines of international organizations regarding the probative value of intelligence reports in the region, and; c) develop a guide of good practices in the area of expert reports in cases of money laundering.



RECOMMENDATIONS TO CICAD

- Approve the final report of GELAVEX;
- Approve the report on the "Study on liquidation or sale of seized assets: valuation for its due destination", presented by the co-coordinators of the Sub-Working Group on Forfeiture and International Cooperation, and the Director of the BIDAL Project (DDOT/LAVEX/doc .8/18) and (DDOT/LAVEX/doc.9/18).
- Approve the report on the "Study on Expert Evidence (Experts) in Cases of Money Laundering and Terrorism Financing" (DDOT/LAVEX/doc.10/18) and (DDOT/LAVEX/doc.11/18).
- Accept as Observer Organization within the meetings of GELAVEX to the International Union of Notaries (UINL) (DDOT/LAVEX/doc.25/18).



RECOMMENDATION TO CICAD

- Approve the Report on the "Study on new AML / CFT typologies, including the use of virtual currencies", (DDOT/LAVEX/doc.16/18) and (DDOT/LAVEX/doc.17/18).
- Approve the "Study on the Identification of Challenges that OAS Member States Face in Asset Recovery" (DDOT/LAVEX/doc.19/18).
- Approve the 2018-2019 Work Plan of the GELAVEX Sub-Working Groups; and
- Approve the nominations of the delegations of Colombia and Panama to the Presidency and Vice Presidency, respectively, for the period **2019-2020**.