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Secretariat for Multidimensional Security

**XLVI MEETING OF THE GROUP OF EXPERTS  
FOR THE CONTROL OF MONEY LAUNDERING  
June 4-5, 2019  
Washington, D.C. – U.S.A.**

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**FINAL REPORT  
(PROVISIONAL)**

## 1. BACKGROUND

The Group of Experts for the Control of Money Laundering (GELAVEX) was created in 1990 in accordance with Article 22 of the Statute of the Inter-American Drug Abuse Control Commission (CICAD) of the Organization of American States (OAS) and, therefore, is established as one of the advisory bodies of the CICAD.

Currently, GELAVEX is made up of two Sub-Working Groups: the Sub-Working Group on Forfeiture and International Cooperation and the Sub-Working Group on Financial Intelligence Units (FIUs) and Law Enforcement Agencies (LEAs). The activities of these Sub-Working Groups are determined by: Strategic Plans that define lines of action; and Work Plans that define concrete activities, which are to be developed in accordance with the previously-defined lines of action.

The Draft Strategic Plan for the 2018-2020 ([DTCO/LAVEX/doc.7/17](#)) was approved during the CICAD's Sixty-Second Regular Session ([CICAD/doc.2363/17](#)). Therefore, it serves as a guideline for the activities developed by the Group during the three-year period from 2018-2020.

In accordance with the 2018-2019 Work Plan approved by the CICAD, the **Sub-Working Group on Forfeiture and International Cooperation** will be dedicated to working on the following lines of action: a) developing a study on the self-sustainability of seized assets within the framework of duties belonging to offices specializing in asset management; and b) developing a study on the forfeiture of substitute assets and commingled assets, with the aim of identifying countries with developed legislation that considers the idea of, or need to, incorporate these provisions in their legal frameworks. **The Sub-Working Group on Financial Intelligence Units and Law Enforcement Agencies** will focus on: a) a study on cases concerning money laundering linked to human trafficking and the illicit smuggling of migrants in the region; b) a study on comparative legislation and technical guidelines of international organizations with regard to the probative value of intelligence reports in the region; and c) developing a best practices guide for expert reports in money laundering cases. Additionally, it was confirmed that Mexico, Panama, Paraguay, and Peru would participate as co-contributors to the Sub-Working Group in order to develop the proposed studies. Also, any other delegates who wished to contribute to the development of these projects were invited to do so.

## 2. MINUTES

### i. **Opening Session**

- The opening remarks were given by the Chairperson of the Group of Experts for the Control of Money Laundering of the Inter-American Drug Abuse Control Commission (CICAD) of the Organization of American States (OAS), Doctor **Ana Teresa Morales Olivera**, Executive General Director of the Financial Investigations Unit (FIU) of Bolivia.

After welcoming the attendees of the meeting, Doctor Morales Olivera reminded them that their goal is to continue working multilaterally with regard to the fight against transnational organized crime and money laundering. She reminded the attendees that this approach is necessary due to the increasingly transnational nature of crime and due to the fact that the region shares common problems. She highlighted that the goal is to block the further progression of crime.

- Secretary for Multidimensional Security of the OAS, **Doctor Farah Urrutia**, provided a welcome speech to all of the delegates from the Member States and observers. She urged them to continue implementing the Work Plan approved by the CICAD and expressed her confidence that this meeting of experts would have great success.

Doctor Urrutia thanked the attendees for their continued commitment to fighting transnational organized crime. She acknowledged the importance of recognizing the link between organized criminal groups and the methods they use to conceal the illicit origins of their wealth. She emphasized the importance of a coordinated approach to fighting transnational organized crime as well as the importance of targeting the “financial motor” of criminal groups. She thanked the Expert Group for continuing to follow through with their commitments to their Work Plan and for their commitment to the Financial Action Task Force’s 40 Recommendations.

## ii. **Second Session**

- Approval of the agenda and review of topics – The Group approved, with no changes, the plan for the list of topics (DDOT/LAVEX/doc.1/19). The agenda was approved with no changes.
- Panel: Mechanisms for the Dissemination of Financial Intelligence Information and the Use of that Information in Criminal Proceedings. Delegates from the United States, Peru, and Panama.
  - Mauricio Pastora, International Affairs Advisor, Financial Crimes Enforcement Network (FinCEN)/United States Department of the Treasury

Mauricio Pastora explained that FinCEN Information can be directly accessed by other Financial Intelligence Units. He made it clear that FinCEN reports may not be used as evidence without the prior written consent of FinCEN. According to Pastora, this is of utmost importance due to the dangers of financial intelligence information being leaked by third parties, to whom a Financial Intelligence Unit may have granted access to that financial intelligence information. He emphasized that, while they have proven to be effective, Financial Intelligence Units must take responsibility for informing third parties about the responsible use of information. Pastora stated that FinCEN intelligence must only be used for leads.

- Helmut Flores, Chief of Analysis, Financial Analysis Unit of Panama (DDOT/LAVEX/doc.20/19)

Helmut Flores stated that Panama emphasizes the best practice of being open to sharing information among various entities. He described Panama's "*mesas de trabajo*," or work tables, which is how their Financial Analysis Unit disseminates information. These work tables bring the Financial Analysis Unit together with the requestors of information so that the Financial Analysis Unit may physically and directly give information and documents to those requestors. The Financial Analysis Unit is also able to highlight the most relevant potential leads and provide recommendations. Flores pointed out that financial intelligence should not be used as evidence, but that the actual users of information (e.g., specialized prosecutors, national security agencies) benefit from receiving tailored aid from the Financial Analysis Unit, with which they can conduct their own investigations.

- Alejandro Diaz Romero, Coordinator, Financial Intelligence Unit of Peru ([DDOT/LAVEX/doc.2/19](#))

Alejandro Diaz Romero described the various "products" that Peru's Financial Intelligence Unit offers. Accreditation reports check to see if a detained person's cash comes from a licit source. Peru's Financial Intelligence Unit handles intelligence requests from abroad as well as sends requests for intelligence from abroad. Financial intelligence notes are provided to prosecutors upon request, given that prosecutors can verify that there is already an open investigation of the party about whom information is requested. Financial Intelligence Reports consolidate a wide variety of information that is not necessarily financial in nature, including migration and tax information. These reports do not have probative value, while Financial Intelligence Unit Reports do, indeed, have probative value. Prosecutors may have direct digital access to a platform shared with Peru's Financial Intelligence Unit. Through this platform, prosecutors can submit requests and receive automatically-generated reports in return.

Comments from the Delegates:

Bolivia asked the delegate from Peru about the probative value of Financial Intelligence Unit Reports during trial, and, specifically, if that probative value implies that the Financial Intelligence Unit would appear at trial as an expert or witness.

Peru responded, stating that it depends on whether the prosecutor or the judge considers their appearance to be necessary.

In addition, Bolivia asked how the Quality Committee is set up.

Peru responded that the Quality Committee is composed of supervisors from the various sections of the Financial Intelligence Unit, as well as an analyst who comes from outside of the unit. This analyst can provide perspectives that would not have otherwise been provided by the Financial Intelligence Unit, adding value to the Financial Intelligence Unit Reports.

Brazil asked the United States if all law enforcement agencies have access to FinCEN databases, or if they must belong to a specialized agency.

The United States responded that law enforcement at all levels of government may have access to FinCEN databases, but that agencies must first sign memoranda of understanding. These memoranda imply that agencies agree to oversight from FinCEN. Representatives from and liaisons for law enforcement agencies also work at FinCEN. Law enforcement agencies also employ their own analysts who are able to use FinCEN information, with some aid from FinCEN as necessary.

Brazil asked Peru if prosecutors are able to choose which types of report they wish to receive.

Peru responded that there are two main types of reports: Requests for National Information, which include information from Suspicious Activity Reports; and technical assistance, with which the Financial Intelligence Unit responds to requests from prosecutors who identify someone who has traveled abroad and whose activity is a red flag for possible illegal activity. Peru highlighted the necessity for information to be transmitted digitally, which leads to quicker and more accurate information sharing.

Brazil also asked Peru about what criteria the Financial Intelligence Unit uses in determining what information gets passed on to law enforcement. Peru answered that the main criteria are whether the case involves the following: Politically-Exposed Persons; Suspicious Activity Reports; a high amount of money; open criminal investigations; and a high level of urgency.

Chile asked Panama about how often they use "*mesas de trabajo*" and how they select when to use them.

Panama answered that the "*mesas de trabajo*" are relatively new. However, their necessity became obvious when prosecutors were not able to totally understand financial intelligence information. Panama underlined that the caseload for "*mesas de trabajo*" can be heavy and that the intelligence provided cannot be used as evidence. However, their work is preventive and must be carried out rapidly in order to prevent money from being moved to a different location.

Colombia asked Peru if prosecutors can directly access Financial Intelligence Unit databases.

Peru answered that prosecutors cannot currently access Financial Intelligence Unit databases because prosecutors must be able to prove to the Financial Intelligence Unit that there actually exists an open criminal investigation on the person about whom information is requested. However, Peru said that granting access to prosecutors might be an attractive option for the future. It would relieve the Financial Intelligence Unit's workload.

Guatemala asked Panama and Peru about: if they have time limits for requests; how many requests they receive per year; how many employees they have to handle the requests; and how they handle incomplete and erroneously-recorded names.

Panama emphasized that their financial intelligence does not have probative value and is only provided because there is already an open criminal investigation on the person about whom information is requested. Panama stated that their model is preventive, not suppressive. Therefore, there is no fixed timeframe for requests. However, the average amount of time spent on responding to a priority case is 3-4 days. Priority cases are determined based on a risk assessment analysis, which includes considering the nature of the crime. Panama's unit currently needs 40 people and will be seeking to employ more.

Peru answered that they receive about 40-50 requests per month. The average response time is 5-10 days, depending on how many Suspicious Activity Reports are linked to the person about whom information is requested. However, the response time is never more than 15 days. Peru's Financial Intelligence Unit also has a team dedicated to handling responses to prosecutors and to handling the freezing of funds.

Trinidad and Tobago asked Peru if, hypothetically, an analyst were to be called by a prosecutor to testify in court, would they be considered experts? In addition, Trinidad and Tobago asked if those analysts would explain both the information gathered from the analysis as well as the process of the analysis itself.

Peru answered that there was confusion in interpreting, into English, the terms "Financial Intelligence Report" and "Financial Intelligence Unit Report" – the latter does have probative value while the former does not. Peru explained that, if an analyst were to testify, they would simply explain the information gathered from the report (such as what the report reveals about the money flow, route, etc.); they would not explain how the report was made.

Peru added that, beyond just providing financial intelligence, its Financial Intelligence Unit is capable of freezing funds in real time by coordinating with other agencies and by using mixed, administrative/judicial action. Afterward, they are able to carry out seizures.

The United States asked Peru how they maintain confidentiality, especially in high-profile cases, and how they prevent information from being leaked to the media.

Peru answered that their Financial Intelligence Unit is capable of tracing its documents. It is able to see how the document is seen, printed, etc. Peru emphasized that there has never been a reported leak coming from the Financial Intelligence Unit, but that there was one case in which a prosecutor included financial intelligence information in the prosecution's case file. Peru added that the biggest weakness in the system is not with the Financial Intelligence Unit or the prosecutors, but rather with politicians who come into contact with financial intelligence information.

- Presentation: Practical Guide for Special Investigation Techniques in Transnational Organized Crime Cases. Luis Yshii, DTOC/SMS/OAS Consultant. ([DDOT/LAVEX/doc.21/19](#))

The Secretariat introduced the purpose of the Practical Guide. It aims to fulfill the Department against Transnational Organized Crime's mandate to support member states' implementation of the Hemispheric Plan of Action against Transnational Organized Crime. It aims to comply with the preeminent United Nations conventions dealing with issues related to the fight against transnational organized crime. It also addresses three special investigative techniques – undercover operations, controlled delivery, and electronic surveillance – the implementation of which has proven problematic for some states. The Secretariat emphasized that, while this Practical Guide focuses on the civil law tradition, a future practical guide could focus on the common law tradition.

Luis Yshii explained the relevance of a Practical Guide. Modern criminality is more complex than ever, requiring the understanding of its organized and transnational nature; its use of technology and the internet; and its use of facilitators and legal personhood, among other qualities. He explained the content of the Practical Guide – it is a systematic review of the states' legal systems and jurisprudence. He explained how this is problematic to study because many states have unconsolidated legal frameworks and use terminology that is inconsistent with that from other states. He emphasized a need to study the actual results of implementing international standards, especially considering that it has been years since those standards were accepted by states. He also emphasized a need for anti-transnational organized crime efforts to: be interinstitutional (including both the public and private sectors); be multilateral; respect the rights of both the individual and the collective; and respect the sovereignty of states.

The Secretariat pointed out that the Practical Guide focused on representing the geographic diversity of the civil law tradition countries in the Americas. It also relied on the expertise of both law enforcement professionals and prosecutors.

Comments from the Delegates:

The United States questioned the methodology of the Practical Guide, asking what exactly was done (e.g., a survey of jurisprudence).

The Secretariat reiterated the Practical Guide's focus on geographic diversity and the study's use of the expertise of both law enforcement professionals and prosecutors. The Secretariat clarified its use of the terms "international consultant" and "national expert." The Secretariat also stated that the Practical Guide selected countries that not only represented geographic diversity, but that also had, with respect to the fight against transnational organized crime, a better development of investigations and more experience with using these investigative tools in the courts. The Secretariat said that the consultants collaborated by teleconferencing.

The United States asked about the Practical Guide's focus on the three special investigative techniques of undercover operations, controlled delivery, and electronic surveillance, especially when those techniques are not new. The United States also inquired as to the purpose of the Practical Guide.

The Secretariat reiterated that the Practical Guide's goal was to focus on states that are governed using the civil law tradition. The Secretariat clarified that the Practical Guide should not be used as a model; rather, it should be used as a point of reference or comparison for countries that have not yet developed those techniques suitably, or that have notable challenges in the effective application of those techniques, in contrast to the countries appearing in the Practical Guide. The Secretariat pointed out that all of the countries in the Practical Guide had already implemented the three special investigative techniques and dealt with both successes and failures. The Secretariat stated that these techniques simply follow standards from United Nations Conventions.

The Chairperson sought to confirm the States' approval to consider the Technical Secretariat's proposal to present, for the consideration of the CICAD, the adoption of the Practical Guide as a reference document (and not as a standard or regulatory model) at the next GELAVEX meeting, which will be held in Colombia. The States unanimously approved.

- **Sub-Working Group on Financial Intelligence Units and Law Enforcement Agencies – Progress Report for the Study on Comparative Legislation and Technical Guidelines of International Organizations with regard to the Probative Value of Intelligence Reports in the Region. Co-Coordinator of the Sub-Working Group ([DDOT/LAVEX/doc.4/19](#))**

Chile reminded the attendees of the meeting that the Sub-Working Group was only presenting preliminary findings; therefore, the countries still had the opportunity to make suggestions or request changes to the study. Chile made a correction to the PowerPoint Presentation: Brazil's legislation comes from their Code of Criminal Procedure. To summarize the preliminary findings of the study, Chile stated that there are three main categories explaining the status of probative value of financial intelligence information in OAS Member States: does it have probative value; does it not have probative value; and does it serve only as a lead. Chile pointed out that the United States is a unique case, in which financial intelligence information may have probative value, but only with the prior written consent of FinCEN.

Bolivia gave a summary of the most relevant recommendations that international organizations give with regard to the probative value of financial intelligence information. Bolivia mentioned, for example, the Financial Action Task Force's 40 Recommendations and the International Monetary Fund and World Bank's Reference Guide to Anti-Money Laundering and Combating the Financing of Terrorism.

Discussion and Proposals:



[There were no comments by delegations]

- Presentation: The Self-Sustainability of Seized and Forfeited Assets: the Regional Situation. Dennis Cheng, Forfeited Assets in Latin America Project (BIDAL) ([DDOT/LAVEX/doc.5/19](#))

Dennis Cheng reminded the attendees that the use of public funds to maintain seized and forfeited assets has been recognized as a bad practice and they should look for ways to ensure the self-sustainability of their asset management systems. He also acknowledged that it is difficult to plan budgets for managing those assets in advance. He proposed a shift from a mere administrative mindset to an entrepreneurial mindset in order to decrease the costs and increase the profits from seized and forfeited assets that are kept. Previous practices allowed for abuses in the provisional use of such assets, or for their deterioration. He proposed that there be special forms of public contracting for the management of those assets, for two reasons: these special models work better; and seized and forfeited assets (and the profits earned from those assets) are not considered public funds. He proposed that profits be invested and that functioning businesses continue to function, so as not to cause mass unemployment. He concluded by stating that there should always be a budget for the management of seized and forfeited assets, but that the budget could be drastically decreased by using self-sustainability measures.

Comments from the Delegates:

Paraguay asked Cheng how to handle cases in which the renting of seized assets to third parties could leave those third parties open to receiving threats.

Cheng responded that information about the third party could be obscured by listing that third party using an identification number. He emphasized, however, that true transparency means that the defendant and his or her legal counsel do, in fact, have rights to know the status of a seized asset.

Costa Rica presented its experience and also commented on the stigma surrounding the rental and sale of seized and forfeited assets. However, Costa Rica added that it is also possible that assets could somehow be rented and sold to the very people from whom those assets were seized or forfeited. Costa Rica highlighted the importance of identity protection, even when there is transparency surrounding seized assets. Costa Rica suggested that people requesting information about seized assets be required to present identification.

Honduras asked what would be the solution for the “worst case scenario” in asset management, in which the asset cannot be rented or sold, and noted that there exists a well-founded fear of danger for third parties when they rent or buy seized or forfeited assets.

Cheng responded that the rights of good-faith third parties must be recognized throughout the entire process of seizing and forfeiting assets, and not just after a judgment has been made with regard to those assets. He also noted that measures should be taken to make sure that third

parties are truly good-faith third parties.

Peru expressed concern that the type of management being discussed creates an expectation that fighting transnational organized crime means generating money which can, in turn, strengthen the justice system. Peru shared its experience that, once the budget for management agencies is spent, there remains no more money to contribute to the larger fight against grand criminality. Peru expressed concern that there exists a dilemma because it may be tempting to not act at all. However, Peru confirmed that it is ultimately worth managing seized and forfeited assets, as these assets are the financial backing of transnational organized crime.

Trinidad and Tobago informed the States about a particular problem facing the smaller Caribbean countries. In these countries, social networks are smaller and “everyone knows everyone.” This makes it more difficult and dangerous to dispose of assets linked to organized crime. Furthermore, when these assets are not disposed of, the money spent managing them is money diverted from providing for other national needs. Trinidad and Tobago asked Cheng for advice.

Cheng reiterated the need for the States to have specialized regimes set up to handle seized and forfeited assets. He also stressed the importance of “Know Your Customer” measures. He also suggested that small countries take advantage of pre-confiscation sales in order to shift rights from the asset itself to money.

Colombia reminded the attendees of the meeting that they have been working on a mass asset sale strategy. Colombia invited the other states to learn from Colombia’s best practices in managing and investing assets.

- **Sub-Working Group on Forfeiture and International Cooperation** – Progress Report for the Study on the Self-Sustainability of Seized Assets within the Framework of Duties Belonging to Offices Specializing in Asset Management. Co-Coordinator of the Sub-Working Group ([DDOT/LAVEX/doc.6/19](#))

Bolivia explained that the Sub-Working Group’s goal is to carry out an analysis of each country’s standards in order to assess the results of their self-sustainability practices and decrease the administration costs of the states. The analysis will be based on responses to a questionnaire.

Costa Rica instructed states to specify, in the questionnaire, if contracting is subject to general or special laws. Costa Rica also asked states to specify if they have shifted away from the idea that the provisional use of seized assets is the best mechanism for sustaining assets. Costa Rica also reminded the States to keep in mind that there is a difference between the self-sustainability of assets and the self-sustainability of agencies.

Discussion and Proposals:

The United States criticized the Expert Group for producing too many questionnaires. The United

States reminded the Expert Group that they had already published best practices on the topic at hand. The United States suggested that it would serve the Group better to identify typologies (whether successful or not) rather than sending out questionnaires that would likely not be filled out.

Costa Rica agreed that questionnaires are a general practice, but that they have not necessarily been effective. Costa Rica expressed willingness to change the approach.

The Secretariat reminded the attendees that the purpose of the Sub-Working Groups' presentation was to present an update of their work, and urged the delegates to be proactive so that the Sub-Working Group adopts an adequate and consensual methodology.

Costa Rica reminded the attendees that the lines of action will remain the same, but that the suggestions will be taken into account.

The Chairperson sought to confirm that the United States was expressing concern about the methodology; the repetition of work; and the logic of the questionnaires. The Chairperson also sought to confirm that the United States was proposing that the Sub-Working Group create typologies instead.

The United States confirmed that the Chairperson's understanding was correct. The United States added that it was interested in learning about specific cases concerning complex topics (such as the seizure and forfeiture of operating businesses). The United States also expressed its interest in knowing about real-life examples, including mistakes and discoveries. The United States pointed to Central America as a successful case, about which it would like to know more. The United States reminded the attendees that questionnaires usually create a heavy workload for the Secretariat.

Brazil expressed agreement with the United States. Brazil added that it is interested in learning about legislation and typologies simultaneously. Brazil suggested that GELAVEX delegates exchange information amongst themselves by relying more on technology and by dividing up Groups by country, rather than by subject matter.

The Chairperson expressed that the concerns of the United States and Brazil are valid. The Chairperson emphasized that the Expert Group should focus more on continuity and consistency. The Chairperson agreed that creating typologies should be the Expert Group's next step.

The Chairperson and the Secretariat confirmed that the Sub-Working Group was to change the methodology, which was to be approved the next day.

- Presentation: The Evolution of Seized Asset Management in Bolivia. Delegate from Bolivia ([DDOT/LAVEX/doc.17/19](#))

Bolivia shared its experience with its old, ineffective asset seizure and forfeiture management regime. Bolivia has since implemented a new system. The new system seeks to contribute to an integrated fight against drug trafficking. The new law assigns many new anti-drug trafficking mandates and abilities to the asset management office: the ability to gather information; the ability to seek *in rem* forfeiture for drug trafficking cases; the ability to use assets for socio-political structures (such as health and education); and the ability to use assets for law enforcement (especially against drug trafficking). In addition, the institution was generally strengthened, gaining new legal powers: the ability to sign contracts and take custody of assets; the ability to make money off of assets; the ability to request a legal change in assets' statuses; the ability to seek administrative eviction; and the ability to run seized businesses, the profits of which benefit society (e.g., by continuing to operate a seized dairy farm through sharecropping). The regime uses a more business-oriented model. In addition, its constitutionality has been proven in the courts. In general, the new regime allows the asset management office to: take a more active role in *in rem* forfeiture proceedings, assuring that assets are actually forfeited and end up belonging to the state (rather than simply losing value); maintain a relationship with the courts that allows the asset management office to leverage its experience and cut down on time spent in proceedings; and prosecute criminal organizations, rather than just the assets themselves. The most significant result of this regime change has been that the proceeds of crime have been funneled toward a good cause – they now benefit Bolivians most in need of social and financial assistance.

Comments from the Delegates:

[There were no comments by delegations]

- Presentation: Spain's Experience with Money Laundering Investigations: A Special Focus on the Use of Virtual Currencies. Commandant Beatriz Vernet Perna, Chief of the Economic Crimes, Money Laundering, and Asset Recovery Group of the Civil Guard of Spain ([DDOT/LAVEX/doc.9/19](#))

Commandant Beatriz Vernet Perna presented information about cybercrimes related to money laundering. Her presentation approached the topic from the perspective of law enforcement, rather than from a technical perspective. After presenting some relevant definitions and concepts related to cryptocurrencies, Commandant Vernet Perna emphasized that cryptocurrencies are only tools; they are not criminal in and of themselves. Rather, cryptocurrencies may be used for good by innocent people, or for bad by criminals. Cryptocurrencies are especially attractive to criminals because they provide anonymity; they are unregulated; they have utility worldwide; they are easy to transport; they can be used instantaneously; and they are cheap to use. They may be used either as currencies or as assets. When used as money laundering tools, cryptocurrencies are problematic for law enforcement precisely because of the anonymity that they grant and because they are unregulated and intangible. However, Commandant Vernet Perna confirmed that they can still be seized. She noted that some important factors for being able to seize cryptocurrencies include: using publically-available "blockchain" ledger information; being able to recognize when criminals are using or purchasing related services, especially when those

criminals use the regulated financial system to do so; identifying “exchangers,” or service providers that convert cryptocurrencies into domestic currencies; and soliciting the aid of those service providers to gain information and freeze assets. Cryptocurrencies can also be layered using specific online tools (e.g., mixers and swappers). Seizing assets involves finding the actual accounts where cryptocurrencies are kept and transferring them to a police-held account. Commandant Vernet Perna shared examples of actual money laundering cases involving cryptocurrencies. The cases were pursued using international cooperation (such as with Colombia). She pointed out that it is important to study cryptocurrencies in different countries, as the demographic groups who use cryptocurrencies seem to vary by country.

Comments from the Delegates:

Colombia noted that it is moving toward the regulation of cryptoassets. Colombia has had such cases as ATMs being used for cryptocurrency exchange. Colombia asked Vernet Perna about geographic problems and about who would regulate in the European Union.

Commandant Vernet Perna said that cryptocurrencies could be defined as either currencies or as assets. This becomes a problem for tax purposes. She noted that it is exceedingly difficult to get real data, so data itself should be regulated. Exchangers must comply with “Know Your Customer” and identification regulations. Commandant Vernet Perna commented that locating exchangers is not a problem, but that it might be difficult to get exchangers outside of the European Union to provide the same data.

Colombia asked the name of the entity that would regulate. Colombia asked if Spain will restrict transactions for exchangers based out of certain regions.

Commandant Vernet Perna said that any suspicious activity should be reported, including by exchangers. This falls under regulation from the Ministry of Economy. She stated that she is very critical of any attempts at restrictions and opined that the only possible way to restrict crime related to cryptocurrencies would be to seek anti-money laundering compliance from money services businesses. She noted that it is possible to obtain cryptocurrencies anywhere in the world and to simply move them to the country in which they are to be used; in other words, there is no way to restrict cryptocurrencies based on location.

Peru asked about how to determine who the beneficial owner of cryptocurrencies is and how to tie cryptocurrencies to a crime.

Commandant Vernet Perna said that the only possible way to identify a beneficial owner is through exchangers or intercepted communications. She noted that cryptocurrency accounts are not connected to people in the same way as a bank account.

The Caribbean Financial Action Task Force reminded the attendees of the meeting that the Financial Action Task Force addresses virtual assets, and that new changes are coming to

provide guidance about who should regulate.

### iii. Third Session

- **Sub-Working Group on Forfeiture and International Cooperation** – Progress Report for the Study on the Forfeiture of Substitute Assets and Commingled Assets. Co-Coordinator of the Sub-Working Group. Delegate from Costa Rica and the BIDAL Project ([DDOT/LAVEX/doc.10/19](#))

Prior to initiating the presentation of the progress report of this study, Costa Rica addressed the previous day's concerns about the Sub-Working Group on Forfeiture and International Cooperation questionnaire. Costa Rica stated that the questionnaire would ask open-ended questions. Costa Rica also instructed the States on how to answer the questionnaire properly.

The Secretariat discussed the BIDAL Project, highlighting that it is important to understand asset seizure and forfeiture through the lenses of the two dominant legal traditions found in the Americas – civil law and common law. The Secretariat reiterated the utility of sharing experiences with specific cases amongst states, calling for the delegates to suggest new methodologies in order to collect the information in a quick and effective way.

Dennis Cheng discussed the dearth of information from Member States about applying tools for dealing with substitute and commingled assets. He discussed the utility of addressing substitute assets in corruption cases, specifically. He discussed the purpose of the questionnaire – to provide cases in which commingled assets of either legal or illegal origin are involved.

Honduras shared its experience with substitute and commingled assets. In Honduras, substitute assets are considered licit and, in the opinion of the delegate, such assets should not be subject to administration by specialized offices for seized and forfeited asset management. Any precautionary measures on such assets should aim only at keeping owners from changing their contracts or registration. According to Honduras' delegate, substitute assets should be protected if they were owned before the crime was committed (e.g., in the case of corrupted officials who had not yet taken office when they come into possession of their assets). However, commingled assets may be forfeited. It was the opinion of Honduras' delegate that commingled assets in the hands of good-faith third parties may be seized, administered, and liquidated, as long as the product of this liquidation is returned to the third party after a judgment. However, the case of commingled assets in businesses is more complicated. An important factor is determining how much responsibility shareholders have.

The delegate from Costa Rica expressed that one of the objectives of the study is to come to understand these types of cases and requested that countries be clear and direct when providing information for the questionnaire.

Cheng expressed that he has experienced a similar situation with substitute assets, in which a seizure could not be realized, but a preventive annotation or immobilization could be carried out. The purpose of these was to determine the value of the assets in order to then subject them to judicial proceedings. Cheng mentioned the importance of determining the percentage of shareholders who were involved in the illegal portion of the business activity.

The United States stated that it is supportive of the Sub-Working Group on Forfeiture and International Cooperation and that the topics addressed by the Sub-Working Group are important. However, the United States emphasized that it had already responded to similar questionnaires: in 2016, the United States responded to a questionnaire from the Sub-Working Group on forfeiture programs and substitute assets/commingled assets; and, in 2013, the United States responded to the CICAD Multilateral Evaluation Mechanism, which addressed the management of seized and forfeited assets and the United States' management system. The delegate indicated the importance of not duplicating the work carried out for previous questionnaires and other efforts. The United States suggested that, instead of a questionnaire, the Sub-Working Group request that the delegates provide specific examples about a defined topic. The United States requested that the Sub-Working Group provide the actual responses from the countries, rather than a synthesis of the responses.

The Secretariat confirmed that it does still maintain information from past questionnaires. The Secretariat instructed the States to restrict their questionnaire answers to addressing only the questions asked on the questionnaire and to inform the Secretariat if they have completed similar questionnaires or provided the same information for projects in the past, so that the Secretariat can share it with the Sub-Working Groups.

The delegate from Costa Rica expressed appreciation for the comments. She stated that they recognize previous information available but request countries to reconfirm the information, in the event that there was a change in legislation or procedures. Costa Rica reiterated that the purpose of the questionnaire is to acquire information on practical cases and best practices.

Peru shared that its criminal *in rem* forfeiture regime needed revision and had just recently been changed. According to Peru, their legal framework was not the problem; rather, the change regarding the judicial interpretation of the protection of constitutional rights, which implied flexibility, was the problem. The judges continued to act too conservatively, refusing to be flexible. Peru shared its experience with commingled assets belonging to various types of entities.

Brazil reiterated what the United States expressed with regard to the methodology for collecting information. The aim is to avoid doubling the workload with activities or data that have been analyzed before. The delegate suggested that a database be developed and that it compile – based on years and/or topics – the work discussed at each meeting. He suggested that the database be revised before each upcoming meeting. Brazil also spoke about its experience with shifting the burden of proof onto the accused in drug trafficking and money laundering cases. In those cases, the burden of proving the licit origin of the asset (or otherwise having the asset

seized) falls onto the accused. The country has difficulties with regard to judges' authorization of transfers of title for assets. Currently, the country is working on legislative measures that may expand this mechanism to other crimes. Other measures include: the creation of a federal agency for transfers of title and the management for seized and forfeited assets; a campaign for the mass sale of assets that have been accumulated; and other instruments that may permit the provisional use of assets, or their pre-confiscation sale, among other best practices that have already been implemented by various members of the Group.

The United States informed the attendees about how to gather technical information by reading Mutual Evaluation Reports issued by the Financial Action Task Force (FATF) and FATF-Style Regional Bodies.

- Panel: Human Trafficking and Migrant Smuggling as Predicate Offenses for Money Laundering.
  - FinCEN's Perspective on the Human Trafficking Advisory Program. Jill Bezek, Senior Policy Advisor, Financial Crimes Enforcement Network (FinCEN)/United States Department of the Treasury

Jill Bezek explained the advisory program at FinCEN. The advisory program does not create any new obligations for financial institutions or money services businesses, but rather encourages financial institutions and money services business to share, with FinCEN, information, feedback, significant Anti-Money Laundering/Combating the Financing of Terrorism issues, and risk information. FinCEN is particularly interested in financial institution and money services business reporting that could potentially be useful for law enforcement. Bezek specifically addressed FinCEN's human trafficking and migrant smuggling advisory. The advisory makes a point of differentiating human trafficking and migrant smuggling, which are often confused by financial institutions and money services businesses. Definitions were created with the collaboration of law enforcement. The advisory also explores the stages of each crime; explains how to identify transactions related to human trafficking and migrant smuggling; and provides tear-off sheets with red flags for "front-line workers" (e.g., bank tellers). The advisory encourages financial institutions and money services businesses to continue complying with regular Anti-Money Laundering/Combating the Financing of Terrorism requirements. Bezek noted that FinCEN will continue to add new typologies in new advisories.

- Situational Assessment of Human Trafficking and Migrant Smuggling in Northern Central America. Department against Transnational Organized Crime. Rommell Sandoval, DTOC/SMS/OAS Consultant ([DDOT/LAVEX/doc.12/19](#))

Rommell Sandoval provided an overview of the national efforts in the fight against-transnational organized crime (specifically against human trafficking and migrant smuggling) in Northern Central America (especially Guatemala, El Salvador, and Honduras). His review focused exclusively on prosecution. He acknowledged that not all human trafficking is transnational in



nature. He discussed the increased use of specialized courts. He also discussed the increased use of professional training in human trafficking for members of law enforcement and the judiciary. He stated that all of the countries have each adopted international standards with regard to these matters, but that they have each done so in their own particular way. The countries are increasingly implementing special laws and systems (such as specialized police and prosecutor units) to address human trafficking and migrant smuggling, specifically. The countries directly address these crimes in their criminal codes. Sandoval discussed, in detail, the law enforcement and judiciary organization of the countries. He acknowledged that there is a difference between human trafficking and migrant smuggling. He also acknowledged that there are other forms of human trafficking besides sexual slavery, such as forced marriages. He noted that, oftentimes, smuggled migrants are considered victims. He noted that, oftentimes, citizens' and law enforcement's decision to pursue migrant smuggling cases is based on such factors as the amount of abuse directed toward the migrant, the migrant's citizenship status, etc. In summary, he stated that the countries' biggest strength is their investigative capacity. However, their biggest challenge is a lack of human resources (i.e., there are too few specialized prosecutors and investigators). The countries' biggest weakness is their lack of attention to the protection of victims; oftentimes, laws concerning this area are overly-bureaucratic and too focused on finances. Sandoval stated that investigations should be more proactive and that states should coordinate their efforts. Another important area of development is the increased use of plea bargain-like proceedings.

- Progress Report for the Implementation of the Work Plan to Combat Human Trafficking in the Western Hemisphere. Anna Paula Uchoa, Section for the Prevention of Violence, Department of Public Security (DPS) ([DDOT/LAVEX/doc.13/19](#))

Anna Paula Uchoa explained the main findings, thus far, of the Work Plan to Combat Trafficking in Persons in the Western Hemisphere. Most countries have cooperation between institutions and with civil society in order to prevent and protect against human trafficking. 25 out of the 33 responding countries answered that they focus on the three Ps of the Palermo Convention – prevention, prosecution, and protection – for the integration of their efforts. All countries have defined human trafficking, and many have frameworks that address human trafficking. 14 national plans are in effect. Many countries specifically address populations that are particularly vulnerable to human trafficking, and many countries have created victim profiles. There is a heavy focus on intra- and inter-regional trafficking flows, but not much mention of trafficking flows that do not leave the country. Nor is there much focus on human trafficking that is not necessarily linked to transnational organized crime. There is a heavy focus on human trafficking for the purposes of sexual and labor exploitation, but there is not enough focus on other forms of trafficking. There is a dearth of information about traffickers. 21 out of the 33 responding countries have specialized units within their police departments, prosecutor's offices, and courts. Investigation is usually proactive. With regard to which services receive financial investment, victim protection receives the least while prosecution receives the most. Hotlines dedicated to human trafficking are a significant route for seeking assistance. Hotlines should: be free; be anonymous, have a telephone number that is easy to remember; employ specialized personnel; connect victims with

other services; and provide victims with services in multiple languages. Uchoa explained common structures for information systems, revealing that information sharing related to human trafficking needs to become more standardized and foster more interinstitutional cooperation. With regard to gender perspective, the Work Plan is interested in understanding four variables in the countries' treatment of human trafficking: the composition, by gender, of government members; the status of women as a vulnerable group; the particular mention of gender perspective in official policies; and the providing of housing for female human trafficking victims. Uchoa concluded, in summary, that the region needs more instruments with which to gather, understand, and disseminate more information concerning human trafficking in the region.

Comments from the Delegates:

In response to Bezek's presentation, the Vice-Chairperson asked if advisories are also issued to airports and other ports of entry. The United States responded that the advisories are actually only meant for financial institutions, or wherever illicit gains could first enter the financial system. The United States reminded the delegations that FinCEN's advisories are publically available on their website.

- Presentation: Current Status of the Open-Source Intelligence Project. Alejandro Diaz Romero, Coordinator, Financial Intelligence Unit of Peru ([DDOT/LAVEX/doc.16/19](#))

Alejandro Diaz Romero presented a tool which is currently being developed. This tool aims to collect open-source intelligence in order to supplement other sources of information (such as information gathered from Customs). Open-source intelligence has the potential to prove a person's ties to a crime. Peru presented a few examples, including a case in which Facebook photographs revealed a suspect's license plate information. Diaz Romero asked all States to aid in contributing to the library of information that has been collected so far.

Comments from the Delegates:

Chile noted that it also used the same tool as Peru and called on all of the States to send their information.

The Vice-Chairperson confirmed with Diaz Romero that all of the requests are being sent directly to the Financial Intelligence Units, with the support of the Secretariat and the participation of the FATF, the GAFILAT, and the CFATF. The Vice-Chairperson also highlighted the importance of learning more about Politically-Exposed Persons.

- Presentation: Change in Focus in Confronting Money Laundering: Toward a Fight against Illicit Finances. Francisco Sotomayor, Sub-Director of Strategy and Analysis of the Directorate of Policy on Drugs and Related Activities of Colombia's Ministry of Justice and Law ([DDOT/LAVEX/doc.8/19](#))

Francisco Sotomayor explained that, after analyzing perceptions about which is the most threatening predicate offense for the primary offense of money laundering, corruption and drug trafficking turned out to be perceived as the most threatening. Corruption and drug trafficking are linked to each other. Colombia realized that the model for modern criminal organizations is different than their counterparts of the past; criminal organizations are no longer strict hierarchies, but rather loose networks. Sotomayor shared Colombia's most recent challenges. He shared Colombia's "change in focus," which includes: Pillars for an Integrated Anti-Drug Policy; Strategic Objectives for Undermining Criminal Economies and Profits; the Policy against Illicit Finances; and mass asset sales. He presented Colombia's results thus far and projections for the future.

Comments from the Delegates:

The United States suggested that Colombia focus on discretion and duration with regard to asset management. Discretion means asking what is the current ability of a prosecutor to choose to not seize an asset if the chances are high that the asset will not yield a profit. Duration means asking how long it takes the courts to reach a final decision with regard to an asset, whether during criminal or other proceedings. The United States cited Colombia's old Law 793 as an example which should not be followed, stating that asset forfeiture under that law used to take from 10-12 years.

Brazil asked if Colombia viewed the system for seized asset management as a necessarily self-sustaining one, or if it had additional investments from the government for that purpose. Additionally, the delegate asked if the country also had its own technological system for managing those assets. Finally, Brazil requested to have access to the presentation and any other documents that Colombia could share on the subject as Brazil is in the process of developing something similar.

Sotomayor noted that, in Colombia, the duration has improved for asset forfeiture proceedings. He also outlined Colombia's self-sustainability measures.

- **Sub-Working Group on Financial Intelligence Units and Law Enforcement Agencies –** Progress Report on the Study on Cases Concerning Money Laundering Linked to Human Trafficking and the Illicit Smuggling of Migrants in the Region. Co-Coordination of the Sub-Working Group, Delegates from Bolivia and Chile ([DDOT/LAVEX/doc.15/19](#))

Chile discussed responses received by the questionnaire. Chile stressed the importance of sending one response per country in order to consolidate the knowledge gained from separate agencies. Chile noted that, contrary to popular belief, not all countries recognize human trafficking as a predicate offense for the primary offense of money laundering. Chile noted that many countries find it difficult to tie money laundering to human trafficking, especially when the trafficked person is carrying out work that is not, in and of itself, illegal.

Mexico claimed that it did not receive the questionnaire to which Chile referred, but that it is willing to respond to that questionnaire.

Sotomayor stated that he would like the questionnaire to create typologies for migration and trafficking patterns, for both enforcement and prevention purposes.

The United States claimed that FinCEN did not receive the questionnaire to which Chile referred, but that it is willing to respond to that questionnaire.

Brazil requested to have access to the previously-submitted questionnaire responses in order to confirm whether or not it is necessary to complete them.

- **Sub-Working Group on Financial Intelligence Units and Law Enforcement Agencies – Progress Report on the Best Practices Guide for Expert Reports in Money Laundering Cases. Delegate from Bolivia ([DDOT/LAVEX/doc.19/19](#))**

Bolivia discussed a supplementary questionnaire that will be sent out. The original questionnaire intended to ask States about their experiences with financial and accounting expert reports issued by Financial Intelligence Units (or equivalent agencies), and whether those reports have any probative value. The questionnaire intended to define the terms Financial Intelligence Unit, financial expert, and expert report. The supplementary questionnaire, which includes a glossary, will follow up with the original questionnaire for clarification purposes (e.g., in case the States confused a report issued by a Financial Intelligence Unit with an expert report). The supplementary questionnaire is digital and allows those who respond to explain, in detail, and to attach documents. The end goal is to create a best practices guide, which will be presented for consideration at the plenary session.

#### Discussion and Proposals:

Honduras explained that in their country, expert reports necessarily include documentation attached. Honduras has official experts. Honduras commented that the term “probative value” is being used incorrectly at the meeting; in reality, probative value should only be used to describe the discretion that a judge uses when he is deciding whether or not evidence can serve as the basis of a judgment within a judicial proceeding. Honduras commented that the term “probative value” is being used to describe whether countries are allowed to use something as evidence at trial. Honduras reminded the States about the “freedom of evidence” principle and the importance of judges’ discretion. Honduras stated that it would be useful to know what judges have decided with regard to probative value during actual trials related to money laundering. Honduras reminded the attendees that there are different types of expert reports – for example, some reports examine a person’s finances while other reports examine a person’s transactions.

Brazil added to Honduras’ comment, stating that in Brazil, there is a distinction between evidence itself and information that could be used to obtain actual evidence. In other words, intelligence

reports may be used by the authorities in order to obtain warrants. In turn, the authorities may find admissible evidence.

Panama added that it is necessary to “judicialize” information. Judges, using the “freedom of evidence” principle, must discern the weight of financial intelligence reports, especially considering that the agencies that compiled those reports are not completely sure if a crime was even committed. Law enforcement is the proper avenue through which to obtain evidence. Panama also added that forensic experts may create their own reports to verify the authenticity of financial intelligence reports. Panama commented that a main reason for which financial intelligence reports may not be used as proof is that financial intelligence reports may put the source of information in danger. The defendant may be able to see any evidence used against him, by virtue of his or her right to discovery. Panama added that it may be necessary to gather information from various agencies – and not just a financial intelligence unit – as long as that information has also had its authenticity verified.

The United States acknowledged that reports from financial intelligence units are subjective. In the United States, agencies that use financial intelligence reports usually go directly to the judge to get warrants in order to obtain supporting documents. The United States also noted that experts from other agencies may come into contact with financial intelligence reports; therefore, it would be interesting to study how those experts use the information that they receive.

Trinidad and Tobago added a common law tradition perspective. In Trinidad and Tobago, financial intelligence units are used for information and intelligence purposes only. Any analysis conducted by financial intelligence unit analysts must be used only as a tool to further law enforcement investigations. Any information, gathered by the financial intelligence units, and which law enforcement wishes to use, must be obtained, again, through a warrant. Financial intelligence unit analysts may eventually be called to testify as experts once they have been deemed experts. Their expertise must only limit itself to explaining the evidence, which was found using a warrant, which was based on information from a financial intelligence unit report.

In consideration of Honduras’ comments, Chile requested that the work being carried out include a question asking States about what evidence is admissible. If States answer that certain evidence is admissible, they should answer a follow-up question about the probative value of that evidence at trial.

Bolivia also commented on the confusion regarding the probative value of financial intelligence unit reports as compared to expert reports. Bolivia noted that most countries understood the financial intelligence unit reports to be expert reports, but that, in reality, two reports should be issued by two different authorities. Bolivia reiterated the need to update terminology related to this topic.

#### **iv. Fourth Session: Conclusions and Recommendations from the Group of Experts**

- To express appreciation for the contributions of, and presentations by, the delegates from the United States, Panama, and Peru for the “Mechanisms for the Dissemination of Financial Intelligence Information and the Use of that Information in Criminal Proceedings” panel. The plenary session saw fit to reiterate the need to duly protect the information contained in financial intelligence reports created by Financial Intelligence Units and to apply the principles and the best practices that this Group of Experts has recommended to its Member States.
- To receive, with great pleasure, the Progress Report for the Study on Comparative Legislation and Technical Guidelines of International Organizations with regard to the Probative Value of Intelligence Reports in the Region, presented by the Sub-Working Group on Financial Intelligence Units and Law Enforcement Agencies. The plenary session saw fit to continue working on this study in accordance with the methodology proposed by the Coordinators of the Sub-Working Group.
- To express appreciation for the presentation given on behalf of the DTOC by its Consultant, Dr. Luis Yshii, on the Practical Guide for Special Investigation Techniques in Transnational Organized Crime Cases. The Group suggested that this Guide be submitted for the consideration of the delegates so that, at the following GELAVEX plenary session, which will take place in Colombia, its content may be discussed. Then, considering that it is deemed relevant, the Group suggested that it be recommended to the Commission so that it may be considered a reference document supported by this Group of Experts.
- To express appreciation for the presentation given on behalf of the DTOC by its Consultant, Dr. Dennis Cheng, on the Self-Sustainability of Seized and Forfeited Assets: the Regional Situation. The plenary session agreed with the suggestion given by Trinidad and Tobago’s distinguished delegate: that the Technical Secretariat, through the BIDAL Project, consult and/or provide assistance to Caribbean jurisdictions with regard to the best way to achieve the self-sustainability of seized and forfeited assets.
- To receive, with great pleasure, the Progress Report for the Study on the Self-Sustainability of Seized Assets within the Framework of Duties Belonging to Offices Specializing in Asset Management, presented by the Sub-Working Group on Forfeiture and International Cooperation. The plenary session agreed to move forward with the study, taking into consideration the suggestions given by the distinguished delegates from the United States and Brazil: that the study be based on information about cases and typologies gathered from the experiences of the Member States.
- To express appreciation for the presentation given by Bolivia’s distinguished delegate on the “Evolution of Seized Asset Management in Bolivia.” The plenary session recognized the important progress that Bolivia has achieved with regard to the management of assets subject to seizure and forfeiture as well as the added value that the sharing of Bolivia’s experience represented for this Group of Experts.

- To express appreciation for the presentation given by Commandant Beatriz Vernet Perna, Chief of the Economic Crimes, Money Laundering, and Asset Recovery Group of the Civil Guard of Spain, which concerned Spain's experience with money laundering investigations, especially focusing on the use of virtual currencies. The plenary session recognized the relevance of investigations that involve the use of virtual currencies and congratulated Spain for its significant progress in this area. At the same time, it represented a relevant contribution for this Group of Experts and it prompted the Group to continue working on typologies like the ones presented on the topic of money laundering.
- To express appreciation to the Sub-Working Group on Forfeiture and International Cooperation for the Progress Report for the Study on the Forfeiture of Substitute Assets and Commingled Assets. The plenary session agreed to move forward with the study, taking into consideration the suggestions given by the distinguished delegates from Honduras, the United States, and Brazil: to take into consideration the countries' experiences with the difficulties of practically applying substitute asset and commingled asset forfeiture; to consider proposing, to the next meeting's plenary session, the development of a repository dedicated to this topic; and to check the Mutual Evaluation Reports from FATF-Style Regional Bodies for information on countries' progress with regard to provisions related to criminal and non-criminal forfeiture.
- To express appreciation for the presentation given by Doctor Francisco Sotomayor, Sub-Director of Strategy and Analysis of the Directorate of Policy on Drugs and Related Activities of Colombia's Ministry of Justice and Law, on the "Change in Focus in Confronting Money Laundering: Toward a Struggle against Illicit Finances." The plenary session recognized the importance of attacking criminal organizations through dismantling the finances of criminal structures, while also considering the relevance of the self-sustainability of the system in place for managing and allocating assets subject to forfeiture – or subject to any other form of asset confiscation affecting organized crime.
- To receive, with great pleasure, the Progress Report for the Study on Cases Concerning Money Laundering Linked to Human Trafficking and the Illicit Smuggling of Migrants in the Region, presented by the Sub-Working Group on Financial Intelligence Units and Law Enforcement Agencies. The plenary session agreed to move forward with the study, taking into consideration the suggestion given by the distinguished delegates from Colombia and the United States: to develop typologies related to these predicate offenses. Additionally, it was agreed that the study will be postponed until July 31, 2019 for those countries that did not respond to the survey online and for delegates who wish to provide additional information.
- To express appreciation for the presentation given by Dr. Alejandro Diaz Romero, Coordinator of the Financial Intelligence Unit of Peru, who offered a detailed update on the current status of the Open-Source Intelligence Project. This Group of Experts recognized the importance of maintaining this project active. It invited the delegates to continue providing information in order to enrich the platform and, therefore, to give it sustainability. The goal of this is for it to

continue being a relevant and useful tool for the Member States. Similarly, the Group of Experts invited the delegates to look into the support provided by regional bodies CFATF and GAFILAT, through the Technical Secretariat, in order to push this project forward.

- To receive, with great pleasure, the Progress Report on the Best Practices Guide for Expert Reports in Money Laundering Cases, presented on behalf of the Sub-Working Group on Financial Intelligence Units and Law Enforcement Agencies by Bolivia's distinguished delegate. The plenary session agreed to move forward with the study, taking into consideration the suggestion given by the distinguished delegates from Honduras, Brazil, Panama, the United States, and Trinidad and Tobago with regard to the Guide's title: to substitute the term "probative value" with "admissibility as evidence."
- To express appreciation for the contributions of, and presentations by, Jill Bezek, Senior Policy Advisor of FinCEN/United States; Anna Paula Uchoa, Section for the Prevention of Violence, Department of Public Security (DPS); and Rommell Sandoval, DTOC/SMS/OAS Consultant, during the "Human Trafficking and Migrant Smuggling as Predicate Offenses for Money Laundering" panel.

#### **v. Other Matters**

##### Next Meeting

- GELAVEX's next plenary meeting will be established by the Chairmanship and the Executive Secretariat in coordination with the Vice-Chairmanship. It will be **tentatively** scheduled to take place toward the end of September or at the beginning of the month of October, 2019, in Colombia. The Executive Secretariat will confirm the dates and the city shortly.
- The Group expressed gratitude to the Group's Chairmanship, which is held by the delegate from the Plurinational Republic of Bolivia and supported by the distinguished delegate of Colombia, who holds the Vice-Chairmanship, for the excellent management of this plenary session.