



17th St. & Constitution Avenue N.W.
Washington, D.C. 20006
United States of America

INTER-AMERICAN DRUG ABUSE
CONTROL COMMISSION

CICAD

Organization of American States

P. 202.458.3000
www.oas.org

Secretariat for Multidimensional Security

**GROUP OF EXPERTS MEETING FOR THE
CONTROL OF MONEY LAUNDERING (LAVEX)
WORKING SUBGROUPS MEETING
September 29 – October 2, 2009
Montevideo, Uruguay**

**OEA/Ser.L/XIV. 4.29
CICAD/LAVEX/Doc.06/09
2 September 2009
Original: Spanish**

Coordination and Integration Subgroup on Financial Intelligence Units (FIU) AND Legal Enforcement Agencies (LEA) Report

BEST PRACTICES

I. Introduction:

Since the creation of this subgroup, the group has expressed a common interest that could be consistent and appropriate in order to design proposals to improve and revitalize the relationship that occurs between the FIUs and LEAs. Thus one of the first tasks of this subgroup, in a first phase, was to develop a model questionnaire in English and Spanish, related to this theme, which was sent to the countries. The questionnaire was sent to all countries and so far only one third of them has sent it back. The responses were then analyzed and tabulated according to the criteria stated below.

An analysis of the responses are explicitly manifested in the need for further work and refinement mechanisms and procedures that underpin this relationship as one of the basic requirements for an adequate and efficient approach towards this criminal phenomenon.

II. Basic ideas for the reports:

From the various reports which were received, a number of common ideas were noted and it seems relevant to point them out in terms of strategic vision or group report. In this context it is noted that:

- a-. FIU, as well as LEAs, are part of an anti money laundering system, and will only be effective as long as each of them work together and in coordination. In this area, it is recognized that each agency has its own attributions and competencies, and the best way is to for them to work together, as experience and information available from the FIUs will be relevant for criminal investigation, as well as LEA information is relevant in crime prevention policies.
- b-. This systematic approach is particularly necessary in order to create flexible and efficient mechanisms that allow a continuous flow of information.
- c-. The dynamic and constant changes in a criminal phenomenon is recognized, reason why the system of prevention and prosecution require constant feedback.
- d-. Proper coordination between FIUs and LEA is considered important, and implementation of some measures to improve and expedite this relationship is pending.

e-It is necessary to assess how this relationship develops.

III. Identified Best practices:

Among the best practices that could be collected from the responses sent in by several countries, the ones which were repeated or tending toward the same goal were grouped into the following categories:

a-. Developing an institutional framework for interaction.

1 - Preparation of agreements. Several countries emphasized the importance of signed agreements or conventions which will offer greater precision and certainty about the actions that can be developed.

2 - Guidelines for best practices. measures implemented by some countries were considered specific and relevant. In this sense, sharing this knowledge through a practical guide was considered appropriate.

b-. Exchanging of information

1 -. Type of information. Some countries referred to opening the possibility of sharing intelligence information. In any case, it was agreed upon that all information that has been used in a case should be known by all those involved in the investigation.

2 -. Shape. In this case, some countries inform that they have implemented an integrated information system, in order for different actors to have fully access to integrated databases. It was also noted that the best way to transmit information was by means of electronic transmission of data in order to implement safety electronic measures.

Notwithstanding the above, and in the event that these mechanisms are not available at the time, the idea was that all the information that was collected by different agencies should be included in a single folder that is subsequently transferred from one institution to another.

3 - Time. Opportunity is vital in such matters, so the information must be transferred at the moment it is received, if there exists a database that everyone can access. Otherwise they should be transferred in the shortest time possible.

c-. Regarding ways to promote inter-agency coordination

1-.Periodical meetings. Most countries have implemented such meetings in order to exchange technical information and avoid duplication of their work.

2 – Case analysis meetings. These meetings can have a dual purpose, either to address how to tackle a particular case or as a kind of joint training in analyzing past cases, identifying positive and negative experiences.

3 – Situational Room. Similar to the case meeting, but with a greater degree of formality, as this creates a space for discussing operational issues.

4 –Specialized Attorney seconded to an FIU. Some countries raised the possibility to create a joint task force to deal with a particular case.

d-Mechanisms or procedures that tend to provide constant feedback

1 – Mutual training. This is one of the highlights for most countries, resulting in the possibility of reciprocal training on ways to face the problems that arise daily. Obviously, when you know the work that the other one does it raises awareness regarding their capabilities and limitations. This facilitates the dialogue.

2 - Update of the international situation. In analyzing the responses it can be noted that the realities of different countries are quite similar in some ways, therefore, the expertise and experience that other countries have successfully implemented should be taken advantage of.

e-Assessment Coordination

1 - Annual Report feedback. This is an issue of vital importance because it shows whether the implemented measures were appropriate or if they should be modified.

2 - Evaluation Meetings.