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DEPARTMENT AGAINST TRANSNATIONAL ORGANIZED CRIME (DTCO) ORGANIZATION OF AMERICAN STATES	
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**ANNUAL WORK PLAN
GELAVEX**

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Introduction

The Group of Experts on Money Laundering Control (GELAVEX) is the main hemispheric forum to discuss and propose action lines to prevent and counteract money laundering in the Americas.

GELAVEX's activities, strategically planned for 2020-2023, are intended to address topics such as: crypto assets, corruption crimes linked to drug and arms trafficking and tax fraud; final beneficiaries of money laundering; use of technological tools to improve operational and strategic analysis; Political Exposed People (PEP); illegal extraction of minerals, illicit asset administration at the hemispheric level; asset distribution; seized assets; and requirements for international legal cooperation in money laundering matters¹.

On the other hand, according to the various National Risk Assessments on Money Laundering and Financing of Terrorism in the region, the main risks are: corruption (9 countries), narcotic trafficking (8 countries) organized crime (7 countries), financial crimes (6 countries) and smuggling (5 countries).

Among secondary risks we can mention: vulnerable activities (4 countries), human trafficking tax evasion (four countries); crimes against intellectual property (3 countries), virtual assets (2 countries), customs, (2 countries) and environmental crimes (2 countries).

It is evident that there is a coincidence between topics identified in the Strategic Planning 2020-2023 and those risks identified in the National Risk Analysis on Money Laundering and Financing of Terrorism. This accounts for the strong link among GELAVEX member countries and the huge effort exerted by the Group to address the issues of interest in the region.

Following this democratic and pluralistic example, Mexico has decided to continue working on the following action lines: corruption, illicit firearm trafficking, human trafficking, money laundering based on international trade, environmental crimes and cybercrimes.

Background

The Group of Experts on Money Laundering Control (GELAVEX) was created through the “**First Meeting of the Inter-American Group of Experts to Prepare Model Regulations on Money Laundering Offenses Related to Drug Trafficking**” (OEA/SGE/CAD-62/90), which was held at the headquarters of the General Secretariat of the Organization of American States (OAS) from **November 26 to 30, 1990**.

¹ Organization of American States, Group of Experts on Money Laundering Control (GELAVEX), Strategic Planning 2020-2021” available at : <http://www.oas.org/es/sms/ddot/prog-expertos-para-el-control-del-lavado-de-activos-gelavex.asp>



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Since then, GELAVEX serves as one of the advisory bodies of the Inter-American Drug Abuse Control Commission (CICAD). However, during the 66th CICAD Ordinary period of Sessions held in Miami, FL, United States of America in November 2019, GELAVEX became a Working Group under the umbrella of the Technical Secretariat of the Department against Transnational Organized Crime (DTCO), in compliance with Executive Order 16-01 Rev 1, issued by the OAS Secretary General in July 2016, which created the DTCO.

GELAVEX currently comprises two sub-working groups, namely, on International Cooperation and Forfeiture; and on Financial Intelligence Units (FIUs) and Criminal Investigation Agencies (CIAs). Its activities are determined via triennial strategic plans that spell out lines of action, and via annually approved work plans that outline specific activities to be pursued in accordance with predetermined lines of action.

The approved 2020-2023 Strategic Planning², serves as the guideline for the activities pursued by the Group during the current triennium. Based on the agreed Strategic Planning 2020-2023, the Sub-working Subgroup on Financial Intelligence Units and Criminal Investigation Agencies will be devoted to:

- Identifying cases with a criminal investigation focus on crypto-assets, with emphasis on successful investigations in any of the member states, so as to share relevant information and best practices;
- Doing work on the laundering of the proceeds of corruption, illicit drug and arms trafficking, and tax fraud, with an emphasis on the identification of typologies and legislative analysis in the countries of the group with the assistance of the Technical Secretariat and other areas of the General Secretariat of the OAS, such as the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC), with the aim of accessing judicial decisions.
- Developing actions to analyze the final beneficiaries of money laundering, with the coordination of the Technical Secretariat, taking into account those actions carried out by other specialized agencies such as GAFILAT and CFATF, and if necessary, with the assistance of the International Union of Notaries (UINL);
- Developing tools for strategic analysis of money laundering investigations: countries' experiences in the design and use of technological tools to enhance operational and strategic analysis;

² Organization of American States, Group of Experts on Money Laundering Control (GELAVEX), "Strategic Planning 2020-2023", *op. cit.*



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- Conducting a study on the feasibility to implement a consultation system for the region, with the aim to comply with Recommendation 12 of the Financial Action Task Force (FATF), regarding Political Exposed People (PEP) taking into account legal limitations of Member States on data protection laws; and
- Conducting a study on money laundering linked to illegal extraction of minerals, with emphasis on the analysis of criminal and administrative legislation in this sector, including the identification of practical cases, typologies and existing measures.

The sub-working Group on International Cooperation and Forfeiture works on:

- Promoting the creation of a Network of Administrators of Illicit Assets at the hemispheric or sub-regional level, with the support of the Technical Secretariat (DTOC);
- Facilitating the creation of a model for sharing assets, as a reference document for OAS member States;
- Identifying and analyzing tools used by asset administration offices such as data bases or informatic programs in order to create a concept model for States, including guidelines on how to share information with third parties;
- Developing a study on the suitability of adopting an electronic system to process requests for international legal cooperation in money laundering matters;
- Conducting actions that promote International Cooperation and Asset Forfeiture, associated with new criminal trends on money laundering;
- Developing tools to facilitate cooperation in the administration of assets subject to forfeiture.

Taking into account the current context of the global pandemic triggered by the outbreak of COVID-19, the Chair of GELAVEX – held by Colombia – instructed the Technical Secretariat (DTOC) to convene the XLVIII Meeting of GELAVEX to be held **virtually** on 30 June 2020 to follow up on the agreed Work Plan and to call for a Special Session on 16 July to monitor the implementation of the “Lima Commitment: Democratic Governability against Corruption”.

On 10 November 2020 the XLIX GELAVEX Meeting took place, virtually, to show the outcomes of the Work Plan. Additionally, during said meeting, Paraguay took over the Chair of GELAVEX for the period 2020.

During the GELAVEX Meeting held on 13 and 14 July 2021 virtually and chaired by Paraguay, members of both subgroups, together with the chair, discussed the creation of a model for sharing



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asset as a reference document for OAS Member States and the development of a project addressing the laundering of the proceeds of corruption crimes, drug and arms trafficking, among other topics.

GELAVEX's Objectives

- Discuss and propose action lines to prevent and counter act money laundering in the Americas;
- Develop studies, guides, good practices and methodological tools to be used as a standard reference in money laundering control and sanction matters for OAS member States;
- Promote and carry out training and technical assistance programs and projects, as well as other hemispheric initiatives to strengthen regional cooperation on money laundering linked to transnational organized crime.

Countries

- Member States: Antigua and Barbuda, Argentina, the Bahamas, Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominica, Ecuador, El Salvador, United States of America, Grenada, Guatemala, Guyana, Haití, Honduras, Jamaica, México, Nicaragua, Panama, Paraguay, Peru, Dominican Republic, St. Kitts and Nevis, Saint Vincent and the Grenadines, Saint Lucia, Suriname, Trinidad and Tobago, Uruguay and Venezuela.
- Permanent Observers: Italy; Spain and Philippines.
- International Organizations: United Nations Office on Drugs and Crime (UNODC), (FATF), Caribbean Financial Action Task Force (CFATF), Financial Action Task Force of Latin America (FATFL), Inter-American Commission against Terrorism (OAS/CICTE), Inter-American Development Bank (IDB), World Bank, International Monetary Fund (IMF), Egmont Group of Financial Intelligence Units, International Union of Notaries (UILN), and the Inter-American Center of Tax Administration (CIAT).

Documents approved in the framework of the strategic planning of GELAVEX 2012-2020

2012:

- 1- Study of the comparative legislation of the countries of the hemisphere and normative Guide for the Creation and Development of Specialized Bodies in the Administration of Seized and Forfeited assets:



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http://www.cicad.oas.org/lavado_activos/grupoExpertos/Decomiso%20y%20ED/Manual%20Bienes%20Decomisados%20-%20BIDAL.pdf

2. Document on the Implementation of Asset Forfeiture Systems and the Mechanisms for Sharing confiscated Assets:

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=1701>

3. Principles and Best Practices for the Coordination and Integration of Financial Intelligence Units and Criminal Investigation Bodies in the use and Protection of Information of Financial Intelligence Units:

http://www.cicad.oas.org/lavado_activos/esp/GupoExpertos/Recommended%20Best%20Practices_ESP.pdf

2013:

4. Self-Evaluation Guide for The Forfeiture And Administration Of Assets

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=2388>

5. Study to Identify International Cooperation Mechanisms (Formal and Informal) that Provide an Adequate Exchange of Information to Prevent and Combat Money Laundering, the Financing of Terrorism and the Recovery of Assets of Criminal Origin

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=2367>

6. Recommendations for the Identification and Analysis of Risk Factors Associated with Money Laundering and Terrorism Financing at the Hemispheric Level

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=2364>

7. Guide to the Methodology of Asset Investigation

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=2383>

8. Recommended Proposal to Improve the Anti-Money Laundering Systems at the level of the OAS States Members

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=2424>

2014:

9. Analysis of systems for the collection of data on seized and forfeited assets of illicit origin in the member states of the OAS

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=2978>

10. Program Proposal for Technical Assistance of International Cooperation in Asset Recovery



<http://cicad.oas.org/cicaddocs/Document.aspx?Id=2880>

11. Complementary Study on the Procedures and/or Criteria for International Cooperation in Asset Sharing

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=2903>

12. Comparative Report on Work Plans, Products and Contacts of GELAVEX Strategic Partners

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=2916>

13. Guide for the Management of Seized Businesses

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=2687>

14. Report on the Outcomes of the Survey Regarding the Safety of Member of the AML/CTF System Particularly Members of the Financial Intelligence Units (FIU), Law Enforcement Agencies (LEA) and Asset Recovery Offices

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=2919>

2015:

15. Rights of Bona-Fide Third Parties and Victims

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=3469>

16. Analysis of the applicability and effectiveness of modern judicial instruments in the transfer of seized and forfeited assets

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=3468>

17. Guide on Asset Investigation

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=3473>

18. Program on open sources of information as a tool of development for Money Laundering investigations

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=3545>

19. Proposal for recommendations in security matters

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=3463>

2016:

20. Report on challenges and solutions in complex asset management

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=3917>



21. Regional assessment on the status of implementation of forfeiture laws in OAS member states

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=3936>

22. Study on risk analysis associated with Money Laundering and Financing of Terrorism

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=3911>

23. Complementary Study on the rights of bona-fide third parties and victims

<http://cicad.oas.org/cicaddocs/Document.aspx?Id=3977>

2017:

24. Study on best practices in coordination between the administrative and judicial authorities with specialized offices in the administration of seized and forfeited assets

<http://www.cicad.oas.org/cicaddocs/Document.aspx?Id=4390>

25. Study on training needed on administration of seized and forfeited assets of the OAS Member States

<http://www.cicad.oas.org/cicaddocs/Document.aspx?Id=4358>

26. Diagnostic study on expert reports used by countries in Money Laundering cases

<http://www.cicad.oas.org/cicaddocs/Document.aspx?Id=4276>

27. Study on new typologies in Money Laundering, specifically in the use of virtual currency

<http://www.cicad.oas.org/cicaddocs/Document.aspx?Id=4384>

2018:

28. Study on the liquidation or sale of seized assets valuation for their proper destination

<http://www.cicad.oas.org/cicaddocs/Document.aspx?Id=4922>

29. Study on expert evidence in cases of Money Laundering and Terrorism Financing

<http://www.cicad.oas.org/cicaddocs/Document.aspx?Id=4926>

30. Study on new AML/CFT typologies, including the use of virtual currencies

<http://www.cicad.oas.org/cicaddocs/Document.aspx?Id=4923>

31. Study on the Identification of Challenges that OAS Member States have in Asset Recovery

<http://www.cicad.oas.org/cicaddocs/Document.aspx?Id=4981>



2019:

32. Study of comparative legislation and technical guidelines of International Organizations regarding the procedural scope of financial intelligence reports in the region
<http://www.cicad.oas.org/cicaddocs/Document.aspx?Id=5377>
33. Study of cases on Money Laundering, linked to Human Trafficking and Smuggling of Migrants in the region
<http://www.cicad.oas.org/cicaddocs/Document.aspx?Id=5445>
34. Guide to Good Practices regarding expert reports in Money Laundering cases
<http://www.cicad.oas.org/cicaddocs/Document.aspx?Id=5377>
35. Guide to Special Investigation Techniques in Transnational Organized Crime Cases (Not available in English).
<http://www.oas.org/es/ssm/ddot/publicaciones/MANUAL%20GU%C3%8DA%20PR%C3%81CTICA%20WEB.PDF>
36. Study on confiscation of equivalent property and mixed property
<http://www.cicad.oas.org/cicaddocs/Document.aspx?Id=5464>

2020

- Study on typologies in Money Laundering as a result of contraband.
- Study on the regulation on Political Exposed People (PEP) in the region, particularly in the Caribbean.
- Study on the applicability of precautionary measures over assets forfeited overseas. Costa Rica and Colombia will work jointly on this study.
- Conceptualization and design of a network of administrators of seized and forfeited assets.

Pending issues

2021 (to be approved):

- Study on the laundering of the proceeds of crimes of political corruption, illicit drug and arms trafficking and fiscal fraud.
- Model of asset sharing among countries conducting mutual criminal assistance.
- Work on case identification from a criminal investigation perspective involving Crypto assets.
- Work plan to promote a network of network of administrators of forfeited asset.



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Chair *pro Tempore* of Mexico

The Plenary approved applications from Mexico and Ecuador to take over as Chair and Vice Chair, respectively, for the period 2021-2022, and which will become effective in the LI GELAVEX Plenary Meeting, during the second semester of 2021 in Mexico.

Objectives

To discuss and propose action lines to prevent and counteract money laundering in the Americas focusing on:

- Illicit trafficking of firearms, ammunitions, explosives and other related materials
- Red flags to identify Human Trafficking
- Money laundering based on international trade
- Environmental crimes and revision of sanctions set within each member state legal framework
- Political corruption in cases related to justice assurance and administration of and asset recovery
- Cybercrimes

Work Plan 2021-2022

Sub- Working Group on financial Intelligence Units (FIUs) and Criminal Investigation Agencies (CIAs):

1. Study on the typologies of Money Laundering based on foreign trade. Countries will be able to work jointly on the study. During the meeting, countries will be invited to join the project.
2. Red flags guide on Money Laundering and Human Trafficking. Countries will be able to work jointly on the study. During the meeting, countries will be invited to join the project.
3. Case studies on money laundering linked to environmental crimes. Countries will be able to work jointly on the study. During the meeting, countries will be invited to join the project.

Sub- Working Group on International Cooperation and Forfeiture

1. Study on best practices of coordination efforts among authorities in cases of money laundering linked to illicit arms trafficking. Countries will be able to work jointly on the study. During the meeting, countries will be invited to join the project.



2. laundering of the proceeds of crimes of political corruption. Countries will be able to work jointly on the guide. During the meeting, countries will be invited to join the project.
3. Regional Assessment on the fight against cybercrimes in OAS member states. Countries will be able to work jointly on the Assessment. During the meeting, countries will be invited to join the project.

General Information

The Chair will secure a space on GELAVEX platform, where all members countries will have access to working material and documents discussed by sub-working groups.

The Chair will set working rules and will coordinate working groups (annex A)

The Chair will lead the sessions making sure all Delegations have the opportunity to lead studies, guides and analysis.

The Chair will urge the technical secretariat to lead agreed meetings, setting the corresponding virtual communication channels.

The Chair will lead the sessions as effectively as possible (annex B).

The Chair will develop a registry containing all contact details of each Delegation’s representative in order to facilitate the exchange of information and strengthen interpersonal relationships.

The Chair will set a deadline to complete the work plan.

Sub-working groups Meetings – November – Spring-work

Date	Topic	Participants

Outputs

Total: 6



Annexes

Annex A: Working rules and coordination of sub-working groups

- Each sub-working group will appoint a technical secretary, who will liaise with and coordinate activities set by the chair, both within and outside the sub-working group.
- Each sub-working group will keep a record of all tasks performed so that they will be used as input for the final report.
- Each sub-working group will set a schedule of meetings (at least twice a month) to work on the progress of the projects assigned to them.
- Each sub-working group will set a useful and easy-to-access mechanism to exchange information with the rest of the Delegations,

Annex B: Virtual meetings specifications

- The program for virtual meetings will be sent in advance.
- The meeting will be moderated according to the agenda, which will also be sent in advance.
- All participants will be able to participate in the virtual meetings (up to 5 minutes).
- At the end of each virtual meeting, there will be a Q&A session.

Annex C: Rules for virtual meetings

- Each participant must ensure to have a good internet connection, and have all supporting devices functioning correctly (computer, microphone, camera etc.) before the beginning of the virtual meeting.
- Join the meeting on time. Only 10 min. tolerance will be given.
- Participants will be asked to keep microphones silent and cameras on.
- Participants must ensure to keep all information in confidence and protected.
- Virtual meetings may last up to 2 hours.