

 <p>17th St. &amp; Constitution Avenue N.W. Washington, D.C. 20006 United States of America</p> <p><b>Organization of American States</b></p> <p>P. 202.458.3000 <a href="http://www.oas.org">www.oas.org</a></p>	<p><b>INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION CICAD</b></p> <p>Secretariat for Multidimensional Security</p>
<p><b>XXXIX GROUP OF EXPERTS FOR THE CONTROL OF MONEY LAUNDERING SEPTEMBER 25-26, 2014 MONTEVIDEO, URUGUAY</b></p>	<p>OEA/Ser.L/XIV.24.39 CICAD/doc.18/14 25 September 2014 Original: Español</p>
<p><b>PROGRAM PROPOSAL FOR TECHNICAL ASSISTANCE OF INTERNATIONAL COOPERATION IN ASSET RECOVERY, ANA ALVAREZ, CICAD</b></p>	

<p><b>“Program Proposal for Technical Assistance of International Cooperation in Asset Recovery”</b></p>	
<p><b>Ana Álvarez Legal Specialist CICAD/OAS</b></p>	
<div style="display: flex; align-items: center;">   </div> <p>Organización de los Estados Americanos</p>	



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## 1. Background/Justification

- 20º Period of Sessions GA/OAS, June 1990: need of cooperation in identification, tracing, seizure and forfeiture and of illicit assets
- Since then, GELAVEX working plans have included the importance of international cooperation in asset recovery
- Creation of the Sub-Working Group on International Cooperation and Forfeiture



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## 1. Background/Justification

- XXXVII GELAVEX meeting (Brazil, Sept. 2013): GELAVEX entrusted the SE/CICAD with the design of the Program Proposal of a Technical Assistance Program on International Cooperation
  - “Recommended Proposal to Improve the Anti-Money Laundering Systems at the level of the OAS Member States”
  - “Study on the Identification of Mechanisms for International Cooperation (formal and informal) that allow for an adequate exchange of information for the prevention and repression of money laundering, financing of terrorism and the recover of illicit assets”



Obstacles that affect international cooperation in asset forfeiture



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## 1. Background/Justification

How to improve international cooperation in international asset recovery?



Technical Assistance Program  
to be developed by the ES/CICAD  
with the support of GELAVEX



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## 1. Background/Justification

- 54 ordinary period of CICAD (Colombia, dez. 2013): mandate approved
- XXXVIII Meeting of GELAVEX (USA, may 2014): progress report





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- Recent references to the need to intensify the international cooperation in international asset recovery:
  - Declaration of Antigua, 43 AG/OAS (Guatemala, june 2013)
  - Resolution 44 AG/OAS (Paraguay, june 2014)
  - Resolution 46 AG/OAS Extraordinary (Guatemala, septiember 2014)



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## 2. Objectives

### 2.1 Main Objective:

To identify the practical difficulties experienced by OAS Member States in the international recovery of illicit assets, and develop tools so that the identification, location and recovery of assets can be executed harmoniously, effectively and in conformity with international standards concerning money laundering and the financing of terrorism



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## 2.2 Specific objectives

- Identify the **main challenges** that the OAS member States face in international asset recovery
- Optimize and promote the **exchange of information** in order to prevent and fight money laundering, the financing of terrorism and its related offenses, facilitating the recovery of illicit assets
- Provide **technical assistance** to the OAS member States in implementing the recommendations of the international treaties concerning the recovery of illicit assets
- Contribute to **institutional strengthening** and the **capacity building** of specialists in asset recovery



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- Build **confidence** in the institutions and the public servants of the OAS member States related to the recovery of assets
- Improve **administrative and judicial cooperation** between the OAS member States in money laundering, the financing of terrorism and its related offences
- Promote the adoption of mechanisms for the **sharing assets** of illicit origin between States that collaborate in their identification and recovery
- Facilitate the exchange of **knowledge, experiences** and **best practices** in asset recovery



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### 3. Products

- 3.1) Development of a **situational assessment** to identify the challenges that the OAS member States face in international asset recovery that will serve as the basis for products II, III, and IV
- 3.2) Development of **guidelines** for the implementation of international standards in the recovery of assets as a reference to the OAS member States
- 3.3) Creation of a **structured information repository** to facilitate international cooperation in asset recovery
- 3.4) **Training** in international cooperation in asset recovery



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### 5) Methodology

#### 5.1 Situational assessment

- What is the current situation, where we are and why?
- Precise and detailed information on the national mechanisms of investigation, identification, freezing, seizure and forfeiture of criminal assets of each OAS member State





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- The products will complete the work started by GELAVEX
- The data will be analysed descriptively, organized and published in the online repository (product II), making them useful and accessible
- The findings will be a reference for the practitioners of the American States and abroad who are involved in the processes of identification, tracing, freezing, seizure and forfeiture of assets



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- It will identify the challenges and best practices in each Member State, as well as the difficulties ( legal, organizational and practical) that require immediate attention
- It will identify specific need of the Member States, as well as the issues that need to be developed with greater attentions, either through the training activities or the implementation of other projects
- Resources will be allocated to key issues of the specific process, that will allow for concrete improvements of the asset recovery process



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## Estimated timeline: situational assessment

ACTIVITIES		MONTHS											
		1	2	3	4	5	6	7	8	9	10	11	12
1	Situation Assessment												
1.2	Recovery of information												
1.3	Analysis and organization of information												
1.4	Editing of situation assessment												

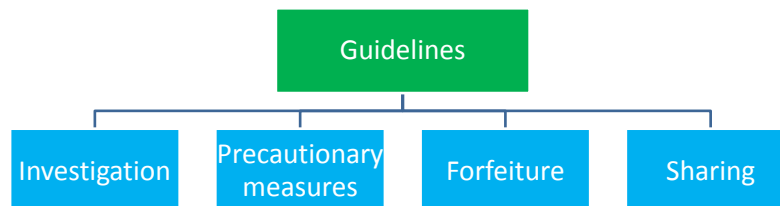


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## 5.2) Guidelines for the implementation of international standards in asset recovery

Development of guidelines for international cooperation in asset recovery for the Member States to consider when updating their legislation and procedures according to international standards







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### 5.3) Guidelines for the implementation of international standards in asset recovery



#### NOT INTENDED AS:

- The creation of new laws
- The establishment of compulsory procedures

#### INTENDED TO:

- Offer a tool that can help in the implementation of the existing international recommendations
- Provide options for each Member State to consider according to their needs
- Consolidate a practical approach



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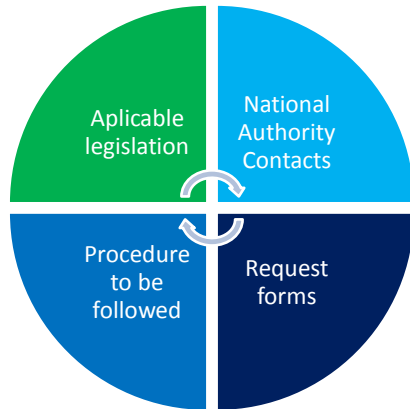
### Estimated timeline: guidelines

		MONTHS											
ACTIVITIES		1	2	3	4	5	6	7	8	9	10	11	12
<b>2</b>	<b>Guidelines</b>												
2.1	Naming of Main Consultant												
2.2	Creation of the Working Group												
2.3	First meeting of Working Group												
2.4	Creation of the first draft												
2.5	Second meeting of the Working Group												
2.6	Editing of the final draft												
2.7	Presentation to the GELAVEX												



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### 5.3) Creation of a Structured Information Recovery



- Reports, analysis and documents developed by GELAVEX and its strategic partners on international cooperation and forfeiture
- Case studies (best practices)



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### Estimated timeline: Structured Information Repository

ACTIVITIES		MONTHS											
		1	2	3	4	5	6	7	8	9	10	11	12
<b>3</b>	<b>Structured Information Repository</b>												
3.1	Design												
3.2	Implementation												



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## 5.4) Training courses

- Provide an overview of relevant regulation
- Instruct on the procedures for requesting cooperation in asset recovery by using the Structured Information Repository
- Encourage the exchange of knowledge, experiences and good practices
- Strengthen the network of professionals involved in the process of asset recovery in the OAS member States



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## Estimated timeline: training activities

		MONTHS											
ACTIVITIES		1	2	3	4	5	6	7	8	9	10	11	12
4	Training activities												
4.1	Training course in Mesoamerica												
4.2	Training course in the Andes Region												
4.3	Training course in the Southern Cone												
4.4	Training course in the Caribbean												

**THANK YOU!!**

**Ana Álvarez**  
[amalvarez@oas.org](mailto:amalvarez@oas.org)



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