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Organization of American States

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Secretariat for Multidimensional Security

**XLIV MEETING OF THE GROUP OF EXPERTS
FOR THE CONTROL OF MONEY LAUNDERING
September 25-26, 2017
Asuncion, Paraguay**

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**PRESENTATION
STUDY ON THE NEEDS OF TRAINING ON THE TOPIC OF ADMINISTRATION OF
SEIZED AND
FORFEITED ASSETS OF THE OAS MEMBER STATES**

**STUDY ON THE NEEDS OF TRAINING ON THE TOPIC OF
ADMINISTRATION OF SEIZED AND
FORFEITED ASSETS OF THE OAS MEMBER STATES**

**SUBWORKING GROUP ON FORFEITURE AND
INTERNATIONAL COOPERATION and PROJECT BIDAL
GELAVEX / ASUNCION - PARAGUAY SEPTEMBER 2017**



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BACKGROUND

The Sub-Working Group on
Forfeiture and International
Cooperation and the Project
Seized and Forfeited Assets in
Latin America (BIDAL) 2008:
DOCUMENTS

Importance of strengthening at the
academic level the human resource
of specialized agencies in the
administration of seized and
forfeited assets of the countries, in
order to achieve an efficient
management of the assets.

STUDY ON THE NEEDS OF TRAINING
ON THE TOPIC OF ADMINISTRATION
OF SEIZED AND FORFEITED ASSETS
OF THE OAS MEMBER STATES

1. 2011, "Best Practices Document on Management of Seized and Forfeited Assets".
2. 2012 "Legal Aspects in the Establishment and Development of Entities Specialized in the Administration of Seized and Forfeited Assets".
3. 2013 "Self-evaluation Guide for the Forfeiture and Administration of Assets".
4. 2014 "Guide for the Management of Seized Businesses".
5. 2015 "Analysis of the applicability and effectiveness of modern judicial instruments in the transfer of seized and forfeited assets".
6. 2016 "Study on the Challenges and Solutions Regarding the Management of Complex Asset".



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STUDY ON THE NEEDS OF TRAINING ON THE TOPIC OF ADMINISTRATION OF SEIZED AND FORFEITED ASSETS OF THE OAS MEMBER STATES

- “To identify the needs of administration of seized and forfeited assets training in OAS Member States in order to increase and strengthen the human resource capacity in specialized agencies for the administration of seized and forfeited assets.”

OBJECTIVE



SPECIFIC OBJECTIVES

- To know if officers of OAS Member States receive training in matters of administration and disposal of seized assets.
- Identify the main issues in asset management on which countries require specialized training.
- Outline the training needs that are identified.
- Obtain an input from which courses, seminars, workshops and more specialized and formal forms of preparation and academic updating can be designed.
- Identify existing training alternatives in the field.

METODOLOGY

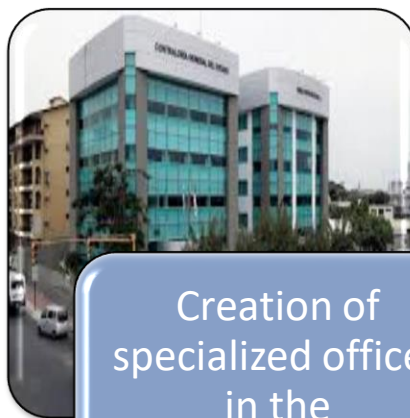


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Asset recovery:
increase of assets /
challenges



Creation of
specialized offices
in the
administration of
assets or other
entities in charge
of it



TRAINING



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TRAINING EFFORTS IN THE FIELD OF ADMINISTRATION OF SEIZED AND FORFEITED ASSETS

- Regional Workshop for training and exchange of experiences for the specialized agencies in the administration of seized and forfeited assets of Guatemala, El Salvador and Honduras, Oct 2016
- GELAVEX inclusion of the topic in the Strategic Plans and Annual Work Plans
- GELAVEX Project Seized and Forfeited Assets for Latin America (BIDAL)
- Exchange of experiences through on-site visits
- Diploma of the Service of Administration and Alienation of Assets (SAE) and the Pan American University.

DEVELOPMENT OF A TRAINING PROCESS DIRECTED TO
OFFICERS WHO MANAGE SEIZED AND FORFEITED ASSETS
HUMAN RESOURCES PROFILE



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TRAINING NEEDS RESPONSES FROM COUNTRIES COINCIDENCES

Costa Rica, Honduras and Mexico believe training related to legal aspects are necessary, such as: criminal proceedings, judicial and administrative eviction, agrarian processes, registration, commercial law, public (financial) law

Costa Rica and Honduras, requested preparation in customer service, negotiation techniques and search for alternative solutions, advanced techniques of effective oral and written communication

Costa Rica, Guatemala, Mexico, Honduras and Peru required training in the administration of complex assets, specifically for functioning business or companies, and the matters related to the reception of this type of assets

Costa Rica noted the administration of the management fund.
Guatemala mentioned the topic of budget and distribution of funds

Peru and Guatemala: ways to dispose of or alienate assets, specifically leasing seized assets and the processes for sale or auction. Online auctions. Panama: projection of assets, projects and planning.

Peru and Guatemala: evaluation of the assets. Panama: development of an inventory software



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Response of the countries

Study on the Challenges and Solutions Regarding the Management of Complex Asset

Content of the modules of the SAE Diploma

Introduction

- International context of the administration and alienation of assets
- Experiences and Best Practices

Specialized Agency

- Creation of the specialized agency, its legal nature and organizational structure
- Representation and faculties of the agency
- Financing of the organization's activities and ways of employing such money.
- Creation of the management fund and rules to execute this money in actions of maintenance, administration, disposal and other operative expenses.

Property seized or confiscated in specialized agency administration

- Types of assets: movable and immovable property, business, business in progress or productive assets and financial assets

Reception and Administration of Goods

- Prior coordination between judicial authorities and specialized agencies in order to deliver and receive the seized assets
- Best practices in the reception / delivery of seized assets. Reception of financial assets
- Reception of functioning businesses
- Case studies
- Registration of assets received for administration
- Evaluation of the assets

Disposal of goods

- Definition of criteria for disposal of assets
- Sale, advanced sale, special processes
- Donation
- Allocation or loan
- Destruction
- Custody
- Conservation for the purposes of the agency
- Specialized third parties. Hiring and monitoring mechanisms.



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Response of the countries

Study on the Challenges and Solutions Regarding the Management of Complex Asset

Content of the modules of the SAE Diploma

Companies/Business and financial assets

- Conceptual framework: General principles of business administration
- Management of functioning business. Operational continuity of the company
- Labor Processes
- Special hiring regime
- Management Strategies

Business Liquidation

- Legal framework
- Process of dissolution and liquidation of companies
- Accountability

Financial Assets

- Administration and Recovery of Financial Assets
- Recovery of Credits and Release of Guarantees

Assets commercialization

- Marketing strategies and market intelligence
- Processes available for selling assets. Use of electronic tools for sales processes
- Rules of participation
- Evaluation and sales prices
- After-sales service: attention to buyers and delivery of asset to them

Return

- Return of assets
- Return of functioning companies or businesses.
- Accountability
- Administrative complaints
- Restitution

Information Technology System

- Systems for the registration, monitoring and location of assets under administration
- Asset Inventory Control Systems

THANK YOU!!!!

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