



OAS | DTOC

**XLIX GROUP OF EXPERS FOR THE
CONTROL OF MONEY LAUNDERING
VIRTUAL PLENARY MEETING
November 10, 2020
Asuncion, Paraguay**

**OEA/Ser.L/XLIX. 4.49
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5 de Octubre de 2020
Textual**

TERMS OF REFERENCE

Working Groups:

Group of Experts for the Control of Money Laundering (GELAVEX)
Sub-Working Group on Forfeiture and International Cooperation
Sub-Working Group on Financial Intelligence Units and Law Enforcement Agencies

Source of the Terms of Reference:

Department against Transnational Organized Crime (DTOC), Secretariat for Multidimensional Security (SMS)

Organization:

Organization of American States (OAS)

In accordance with:

The recommendations of the Group of Expert from its September 24 – 25, 2019 meeting in Bogota, Colombia (GELAVEX XLVII); and

The 2019-2020 Work Plan approved by the CICAD, during its Sixty-Six Regular Session, which took place in Miami, Florida, United States, in November of 2019.

Considering:

- That the basis for the work of the Group of Experts for the Control of Money Laundering (GELAVEX) are those action areas identified by the GELAVEX in its XXIV Plenary Meeting, which took place from November 7 to 9, 2007 in the city of Santiago, Chile, namely: seizure, *in rem* forfeiture, asset recovery agencies, coordination and integration among Financial Intelligence Units (FIUs) and prosecution and investigation organs, and the financing of terrorism;
- That the GELAVEX will hold two annual meetings: one during the first half of the year, which is exclusively for the Sub-Working Groups, and another one during the second half of the year, which

is for the Group's Plenary Meeting and, at the same time, another meeting for the Sub-Working Groups;

- That the Plenary Meeting of the Group of Experts, which took place from September 25 to 26, 2017 in Asuncion, Paraguay (LAVEX XLIV), recommended that proposed lines of action for a new GELAVEX Strategic Plan for the 2018-2020 period be approved; and that said proposal was duly approved by the CICAD at its Sixty-Second Regular Session, which took place in Washington, D.C., United States, in December of 2017;
- That, in accordance with the approved 2019-2020 work plan, the Sub-Working Group on Forfeiture and International Cooperation will work on: a) Study on the applicability of precautionary measures on assets forfeited overseas; and b) the conceptualization and design of a network of seized and decommissioned asset managers. The Sub-Working Group on Financial Intelligence Units and Law Enforcement Agencies will focus on: a) a study of typologies in the matter of Money Laundering derived from Smuggling; and b) a normative study on Politically Exposed Persons (PEP) in the region, with special reference to the Caribbean sub-region. Additionally, the participation of Bolivia, Chile, Colombia, Costa Rica and Guatemala as collaborators to develop the proposed studies was confirmed, in addition to inviting other delegations that wish to contribute in the development of these products.
- That, the Group decided in the Final Report of the XLV Meeting that the delegations of Costa Rica and Chile will act as coordinators of the sub working groups together with delegations of Bolivia Mexico, Panama, Paraguay and Peru.
- That, the GELAVEX Strategic Plan in force for the 2018-2020 period will conclude with the presentation of the products entrusted to the GELAVEX subgroups in the 2019-2020 Work Plan, and for this reason, the Plenary must discuss and approve the lines of action of the Strategic Plan for the triennium 2020-2023.
- That, the global pandemic generated by the outbreak of the COVID-19 reaffirms the importance of the role of the money laundering control agencies. Ensuring that these crimes do not increase during the pandemic will allow States to focus their attention on solving the health and economic crisis.
- That, the Subgroups Working meeting held virtually on June 30 and July 16, 2020 from Washington, DC, United States of America during the Special Session "*Cooperation in investigations and procedures related to corruption, tax crimes and associated money laundering*" generated relevant conclusions or recommendations for GELAVEX, which would be considered in its Strategic Planning and work plans, in order to promote tools in which OAS Member States can rely on to prevent and counteract Money Laundering from corruption and tax crimes.
- That, According to a note dated July 24, 2020, the Inter-American Center of Tax Administrations (CIAT), expressed its interest before the Technical Secretariat of GELAVEX in becoming an observer Member of the Group of Experts. This request must be submitted to GELAVEX for consideration during its XLIX Meeting in order to accept the incorporation of the CIAT as an observer, if the

required conditions are met in accordance with the regulations governing the activities of the OAS Working Groups.

Profile of the Delegates to the Group of Experts:

1. Be a representative of a Member State of the OAS;
2. Ideal qualifications of the delegates: experts in criminal law, international cooperation, and/or financial intelligence;
3. The following countries, international organizations, and/or entities participate as Observer Members: United Nations Office on Drugs and Crime (UNODC), the Global Programme against Money-Laundering (GPML – UN), the Council of Europe, Spain, the Financial Action Task Force (FATF), Caribbean Financial Action Task Force (CFATF), the Financial Action Task Force of Latin America (GAFILAT), the Inter-American Committee against Terrorism (CICTE – OAS), the Inter-American Development Bank (IADB), the World Bank, the International Monetary Fund (IMF), the Egmont Group, the Asset Recovery Inter-Agency Network for the Caribbean (ARIN-CARIB), the GAFILAT Asset Recovery Network (RRAG), and the International Union of Latin Notaries (UINL).

For the sake of providing continuity to the work of the Group of Experts, the Technical Secretariat kindly requests that, to the extent that it may be possible, the countries that participate in this Virtual Session retain the delegates that have attended during past meetings. Likewise, in order for the work sessions to be put to the best use, the Technical Secretariat suggests to the countries that participate in more than one Sub-Working Group that they designate one expert for each Sub-Working Group, as long as it is possible for them.

Structure and Method of Work:

The Technical Secretariat will: provide professional and administrative support for the design and development of the Final Report and other working documents; facilitate the Plenary Meeting and Sub-Working Group discussions; and provide any technical contributions that may be requested of it. Once agreements are approved, they will be sent to the Member States for their subsequent review and consideration, which shall be verified within the following 30 days. After the aforementioned period, the Secretariat will circulate the final document.

Funding:

The costs of the Ordinary Virtual Session within the framework of the XLIX GELAVEX Meeting will be borne by the distinguished delegation of Paraguay.