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**FIFTY-THIRD MEETING OF THE GROUP OF EXPERTS  
FOR THE CONTROL OF MONEY LAUNDERING  
November 16, 2022  
Washington, D.C.**

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**FINAL REPORT  
(PROVISIONAL)**

## 1. BACKGROUND

The Group of Experts for the Control of Money Laundering (GELAVEX) was created out of the **First Meeting of the Inter-American Group of Experts to Prepare Model Regulations on Money Laundering Offenses Related to Drug Trafficking** (OAS/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**.

GELAVEX currently serves as one of the OAS advisory bodies and is provided with technical secretariat services by the Department against Transnational Organized Crime (DTCO), as established by Executive Order 16-01 Rev. 1 issued by the OAS Secretary General in July 2016, which created the DTCO.

GELAVEX currently comprises two working subgroups, namely, on International Cooperation and Forfeiture; and on Financial Intelligence Units (FIUs) and Criminal Investigation Agencies (CIAs). Its activities are determined by triennial strategic plans that define lines of activity, and by approved annually work plans that describe concrete activities to be pursued in accordance with the lines of activity agreed on beforehand. The approved 2020–2023 Strategic Planning ([DDOT/LAVEX/doc.33/20](#)), serves as the guideline for the activities pursued by the Group during the current triennium.

Based on the approved 2021–2022 work plan, the Working Subgroup on International Cooperation and Forfeiture will work on: (1) a study on best practices in coordination between asset forfeiture authorities in cases of money laundering linked to illicit arms trafficking, and their proper disposition; (2) development of a guide to identification and investigation techniques in cases of money laundering related to political corruption; and (3) a regional diagnostic assessment of the fight against cybercrime money laundering in OAS member states. The Working Subgroup on Financial Intelligence Units and Criminal Investigation Agencies will: (1) conduct a study on trade-based money laundering typologies; (2) develop a red flags guide for reporting on money laundering cases related to human trafficking; and (3) conduct an analysis of money laundering cases linked to environmental crimes.

Bearing in mind the persisting context of the COVID-19 pandemic, the Chair of GELAVEX (Mexico) instructed the Technical Secretariat (DTCO) to convene the fifty-third meeting of GELAVEX, which will be held virtually in the following format: A regular meeting scheduled for November 16, 2022, to present the outputs developed in accordance with the approved work plan, as well as the recommendations agreed upon at the fifty-first meeting of GELAVEX held virtually from Mexico City, Mexico, in November 2021.

## 2. MINUTES

**November 16, 2022**

### 2.1 Inaugural Session.

**Pablo Gómez Álvarez**, Head of the Financial Intelligence Unit of Mexico, and Chair Pro Tempore of the Group of Experts for the Control of Money Laundering (GELAVEX), greeted Ambassador Luz Elena Baños, Permanent Representative of Mexico to the Organization of American States; the Vice Chair of GELAVEX (held by the delegation of Ecuador), the distinguished delegations accredited to GELAVEX, and the DTCO, expressing, on behalf of Mexico and its Financial Intelligence Unit, his pleasure chairing the the fifty-third meeting of the Group of Experts, which had brought them together once more to continue regional

efforts in the fight against operations involving illicit proceeds and their predicate offenses. He highlighted the consolidation of the Rules of Procedure of the Group of Experts for the Control of Money Laundering, a regulatory instrument that for the first time provided the group with a legal framework encompassing the entire organizational structure, practices and general guidelines for its operation, as well as endowing it with a structure and legal certainty, thus positioning GELAVEX as a solid regional group in the fight against money laundering under the aegis of the Organization of American States. Lastly, he said that great results had been achieved during the term of Mexico's FIU at the head of GELAVEX, including a substantial increase in exchanges of information and good practices among the countries of the region; a strengthening of communication between the coordinators of the working subgroups and the other delegations; an increase in the work, studies, and diagnostic assessments to be carried out; diversification of work topics, taking into consideration common problems; and greater plurality in the participation of States.

**Carla Gabriela Mera Proaño**, Director General of the Financial and Economic Analysis Unit (UAFE) of Ecuador and Vice Chair of GELAVEX, conveyed her cordial greetings to the authorities, delegates, and participants on behalf of the UAFE and the Office of the Attorney General of Ecuador. She congratulated the Pro Tempore Chair of GELAVEX, held by the Financial Intelligence Unit of Mexico, acknowledging his extraordinary management of the 2021-2022 term, in which a different perspective was achieved, and said that the meeting was a clear example of that, since it was the first in which the rules of procedure adopted at the previous meeting of the Group of Experts were being applied. She expressed thanks to the OAS Department against Transnational Organized Crime (DDOT) for their great contribution to the region on these issues. She underscored that the meetings enabled the exchange of experiences and best practices that strengthen anti-money laundering and anti-terrorist financing systems, recalling that the best way to fight transnational organized crime was to block financial flows and recover them. In conclusion, she reiterated the commitment and support of the UAFE for the successful conclusion of the 2020-2023 Strategic Plan, thanked the meeting's organizers, and expressed confidence that the meeting would see a high technical level.

**Gaston Schulmeister**, Director of the Department against Transnational Organized Crime (DTOC) of the Organization of American States (OAS), offered greetings to the Chair and Vice Chair of GELAVEX, the GELAVEX delegates, representatives of permanent missions and permanent observers to the OAS, international observer organizations, and special guests. He said that under the leadership of Dr. Pablo Gómez Álvarez, head of the Mexico FIU, work of great value had been successfully completed for the Group of Experts, which that day would produce reference documents to all OAS member states as well as beyond the Hemisphere. He stressed that in its 32 years of existence, GELAVEX had managed to adapt and address current issues at each meeting, seeking to close knowledge gaps, while always bearing in mind that there was also a need for States to monitor the threats and risks posed by the actions of criminal organizations. He concluded by offering his congratulations for all the work carried out by the Pro Tempore Chair held by Mexico, in particular to the entire FIU team. He also expressed appreciation for the determined and committed support of Ecuador as vice chair, and for the contributions of Argentina, Chile, Costa Rica and Guatemala in coordinating the working subgroups.

## TECHNICAL AGENDA

### 2.2 First session

- 2.2.1 Adoption of the agenda and review of topics.** The Group adopted the draft agenda ([DDOT/LAVEX/DOC.1/22](#)) as submitted. The agenda was adopted without any changes.
- 2.2.2 Final report on the implementation of the 2021-2022 Work Plan,** presented by the Chair, the Financial Intelligence Unit of Mexico ([DDOT/LAVEX/DOC23/22](#)).

In this regard, Ms. Isabel Quintana, on behalf of the Chair, said that Mexico, through its FIU, upon taking up the Chair of the Group of Experts for the Control of Money Laundering (GELAVEX), presented an annual work plan that had as its main objective enhancing the efforts of the group on specific issues that give rise to common problems for the countries of the region. In doing so, Mexico took into consideration the 2020-2023 strategic planning previously established for the Group, as well as the analysis of the various National Risk Assessments on Money Laundering and Terrorist Financing in the region. She said that this meeting would provide information on the results of the 2021-2022 work plan and the compilation of experience, exchanges of information, and good practices, as well as strategies used to integrate them. One of the greatest challenges for Mexico with the work plan had been to increase the number of subgroups and make them more dynamic, so that different countries in the region might see their problems identified in these studies and assessments and become interested in joining those lines of research. She added that the absence had been noted of a regulatory framework within GELAVEX and, in response, the Chair had expressed the need to establish one in order to frame the general parameters within which the group had been working. Thus, the GELAVEX Rules of Procedure had been adopted at the previous meeting. She said that the development of the work plan and the drafting/adoption of the Rules of Procedure of the Group of Experts were the result of more than 30 meetings between the different actors involved, including delegations, subgroup coordinators and the Technical Secretariat of GELAVEX. Lastly, she mentioned that the objectives set out in Mexico's work proposal had been met and that the results would be reviewed in the course of the meeting, which would undoubtedly encourage the commitment of all States to continue promoting efforts within GELAVEX in order to dismantle the financial structures of organized crime.

**Decisions:** The Chair submitted the final report presented for the consideration of the Group and announced its adoption with the consent of the delegations.

- 2.2.3 Working Subgroup on Financial Intelligence Units and Criminal Investigation Agencies.** Presentation: Red flags guide for reporting on money laundering cases related to human trafficking. Coordination of the Working Subgroup. **Delegation of Chile** ([DDOT/LAVEX/DOC13/22](#)) ([DDOT/LAVEX/DOC16/22](#)).

The delegation of **Chile**, through **Aníbal Martínez** of the Financial Analysis Unit, presented the final red flags guide to reporting on money-laundering cases related to human trafficking, highlighting among the

main objectives—first—to know what kind of documents the region's countries have in terms of typologies, red flags, and warning signs in connection with money laundering related to the crime of human trafficking, as well as to identify other studies conducted by the OAS and the Financial Action Task Force of Latin America (GAFILAT) in that regard. He noted the contributions of Argentina, Chile, Costa Rica, Ecuador, Guyana, Mexico, Peru, and Uruguay, by which it was possible to establish 10 red flags, based on typologies and warning signs identified during the course of the work. He said that, according to a study conducted in Mexico, human trafficking was the second most lucrative criminal activity after drug trafficking, and that the cartels had branched from drug trafficking into other criminal activities, including robbery, extortion, kidnapping, and human trafficking. The red flags identified included: rent payments for real estate known as sites of sexual exploitation; purchase of airline tickets or hotel reservations for groups of women and girls; money transfers received and sent abroad from persons without identifiable family ties; entities engaging in cash-intensive activities: automotive transportation services, management of sports entities, operation of gaming establishments, etc.

#### Discussion and proposals

**Argentina** expressed appreciation for the work of the subgroups and, with regard to this particular activity, called attention to the fact that on p. 6 of the document, mentioning countries' input, Argentina was included but that the delegation had submitted 10 cases that apparently were not analyzed; that information that was sent to the Technical Secretariat on October 20, 2022, included information about judgments and prosecutions of money laundering cases with human trafficking or sexual and labor exploitation as predicate offenses. Therefore, he recalled the importance of circulating documents sufficiently in advance to enable delegations to examine them, since they were supposed to be approved at the meeting.

The **Chair** said that they would verify whether the information sent by the delegation of Argentina was indeed received and, if not, forward it to the coordination of the Working Subgroup.

**Aníbal Martínez** requested that the information be forwarded through the Technical Secretariat.

The **Technical Secretariat** confirmed that the information had indeed been sent by the Argentine delegation and received on October 20, 2022, and forwarded to the coordination of the Working Subgroup that very day; in spite of that, it had been sent again for analysis and inclusion into the work submitted at the meeting. An updated version—provided by the subgroup coordination—that included this information would be published in due course after the meeting.

**Decisions:** The Chair submitted the final report presented by the coordination of the Working Subgroup for the consideration of the Group and announced its approval with the consent of the delegations, while taking into account the observation made by Argentina to include the additional input that the Argentine delegation duly shared on October 20, 2022, for the consideration of this final report.

**2.2.4 Working Subgroup on International Cooperation and Forfeiture.** Presentation: Guide to Identification and Investigation Techniques in cases of Money Laundering related to Political Corruption. Coordination of the Working Subgroup. **Delegation of Costa Rica** ([DDOT/LAVEX/DOC7/22](#)) ([DDOT/LAVEX/DOC10/22](#)).

The delegation of **Costa Rica**, through **Marcela Carvajal** of the Costa Rican Institute on Drugs, presented the final document entitled “Guide to Identification and Investigation Techniques in cases of Money Laundering related to Political Corruption.” Ms. Carvajal noted that the object of the Guide was to serve as a reference document for the identification and comprehensive investigation of such cases that would be useful for the region as a tool for determining during the investigative process who and what processes were used to hide the illicit gains, as well as to serve as an effective instrument to counter the economic dimensions of the crime of corruption. She then explained the methodology, its scope, and the suggested structure for the Guide. As a result of this work, a Guide was prepared containing an analysis of the criminal offense of money laundering with corruption as a predicate offense; it also identifies the steps for the initial approach in the investigation process, including the direction and coordination of the investigation and the participation of the judicial police units specializing in corruption, as well as financial intelligence units; setting objectives for each type of offense; defining the scope of the investigation; work plan; and investigative methods and techniques. It also offered guidelines or parameters for sharing assets subject to forfeiture abroad and for international cooperation in cases of money laundering linked to public corruption.

Discussion and proposals

**Argentina** thanked the Costa Rican delegation and congratulated it on the presentation and all the work carried out. It also indicated that p. 4 of the document mentioned that Argentina sent the Assets Investigation Guidelines on May 17, but that, as stated at the previous plenary, a more updated version of that document would be submitted. It also mentioned that Argentina had two other asset investigation guides. In this regard, it requested that it be noted for the record that Argentina had indeed made that contribution.

The **Chair** announced that the Technical Secretariat would take note of the observations made by the Argentinean delegation, in order to make the necessary clarifications and corrections, as necessary.

**Decisions:** The Chair submitted the final report presented by the coordination of the Working Subgroup for the consideration of the Group and announced its adoption with the consent of the delegations.

**2.2.5 Panel discussion: Asset recovery and administration processes in relation to proceeds of transactions involving illicit funds**

Moderator: **Karoline Moraes**, Specialist, Department against Transnational Organized Crime (DTOC)

The panel began with an introduction by the moderator, **Karoline Moraes**, who briefly introduced each panelist, whom she briefed on the dynamics of the panel and the time allotted for each presentation.

**John Grajales**, DTOC Technical Specialist ([DDOT/LAVEX/DOC17/22](#)), gave a presentation on good practices in the administration of seized and forfeited assets, highlighting that the agency specializing in the administration of assets should have sufficient contracting authority to arrange external services, and that, to that end, it could be provided with expedited contracting mechanisms authorized by the appropriate state supervisory agency. He recalled the importance of horizontal cooperation among OAS member states, which had proven effective in terms of learning from successful models. This had been the case with an initiative that the DTOC has undertaken with the collaboration of Colombia's Special Assets Company (SAE) in the provision of advisory services to Peru's National Seized Assets Administration Program (PRONABI). He explained the scope and objectives—initial and achieved—of this initiative and the strategy for its implementation, including the “process operation model” or business architecture; review and analysis of the process map, and recommendations for its implementation, among other aspects.

**Naike Palla**, Captain in the Monetary Police Special Unit of **Italy's** Guardia di Finanza (DDOT/LAVEX/DOC11/22), gave a brief historical overview of Italy's Guardia Di Finanza (GdF) and highlighted its institutional mission as a police force and military body reporting directly to the Minister of Economy and Finance. She described its objectives of protecting lawful economic activity and businesses that follow the rules, ensuring the regular flow and correct use of resources to the nation, including the fight against money laundering and terrorism, and follow-up on suspicious transaction reports (STR). She also elaborated on the operational activities of the GdF, especially with regard to the aggressive seizure of organized crime assets. Lastly, she presented contributions offered by the GdF in terms of technical assistance at the international level through a training partnership including online courses on relevant topics, such as: (a) International principles for combating money laundering and the financing of terrorism; (b) the economic-financial method for the aggressive seizure of organized crime assets; and (c) Global project against tax crimes (basic course).

**Carlos Alberto Tobar Galicia**, Financial Intelligence Unit Attaché at the Embassy of Mexico in the United States of America (DDOT/LAVEX/DOC20/22), pointed out that for any government, the fight against money laundering must be a State priority, using, among other things, financial intelligence to dismantle crime, under the premise of regarding crime as an economic entity, whose financial structure must be weakened to neutralize it, in order to deactivate its tactical operation and its unlawful benefits—mainly acts of corruption—which allow them to enjoy impunity and extreme economic solvency. He recalled that asset recovery should be an element that closed the cycle of a comprehensive strategy to combat organized crime, as it empowered states to exercise the right to recover for their benefit the assets and proceeds of criminal activities, leading to restitution and helping to prevent such activities, as well as highlighting the fight against impunity.

**Moderator's recap:**

Italy and Mexico offered their countries' perspective as the tools and capacities that their countries have to cooperate with their international counterparts and seize assets of illicit provenance; the DTOC presented a technical assistance project that ends this year 2022 and involves support from Colombia's SAE to its Peruvian counterpart (PRONABI). The panel closed with a reminder to all GELAVEX members that the DTOC is willing and able to assist any countries that so request with similar technical assistance projects.

**2.2.6 Working Subgroup on Financial Intelligence Units and Criminal Investigation Agencies.**

Presentation: Final report on the analysis of money laundering cases linked to environmental crimes. **Delegation of Chile** ([DDOT/LAVEX/DOC14/22](#)) ([DDOT/LAVEX/DOC9/22](#)).

The delegation of **Chile**, through **Tania Gajardo**, Counsel with the Specialized Unit on Money Laundering of the National Prosecutor's Office of Chile, presented the final report on the analysis of money laundering cases linked to environmental crimes. She said the study compiled relevant cases sent by GELAVEX member countries and others reported in the media. The study presented selected cases and, she said, would serve as a tool for combating money laundering connected with environmental crimes. She also said that cases involving illegal mining in the region stand out in that regard. Lastly, she described the methodology, scope and outcomes of the research, including information on cases submitted by Brazil, Colombia, Panama, and Peru. She highlighted the following conclusions reached as a result of the work: (a) environmental crimes were on the increase in the Hemisphere; however, not all countries had introduced norms in their law to mitigate this; for example, several countries had yet expressly to identify environmental crimes as predicate offenses for money laundering in their laws; (b) the coordination that existed among environmental criminals at the domestic and international level had to be fought through greater cooperation among the region's countries, in order better to prevent and prosecute such crimes; and (c) the environment was in the midst of an exceptional emergency and it was crucial for the region to succeed in reversing the increase in illegal deforestation.

Discussion and proposals

**Peru** commented on a case involving corruption, money laundering and environmental crimes in which intelligence sources reported the export of a protected species of turtles; the Peruvian FIU initially addressed the case as one of tax fraud linked to money laundering, but which, due to the issuance of false export certificates, also directly affected the environment.

**Costa Rica** referred to criminal penalties for environmental crimes, which in some legislations were not proportional and lacked a deterrent effect; accordingly, such offenses may not be classified as serious crimes that some legislations require as predicate offenses for money laundering. It also commented on cases involving the logging of trees that on occasion commanded an even higher price than cocaine, but the people who did the work were poor and received derisory payments for the extraction and transportation process, while middlemen and final suppliers earned much more money on the black market, with sales in excess of hundreds of thousands of U.S. dollars. It concluded by recommending a



more coordinated approach, supported by international cooperation, as illegal logging was carried out in conjunction with organized crime and took advantage of the vulnerability of the people or locals who lent themselves to illegal logging to meet their basic needs.

**Working Subgroup Coordinator (Chile):** The coordinator thanked the delegations of Peru and Costa Rica for their comments, adding that Chile had recently taken a different approach illegal logging, making illegal trade in stolen timber a predicate offense for money laundering. As a result, such were being dealt with by focusing the investigation on the companies that were trading in the stolen timber, so that the person who had stolen the timber did not become a subject of interest in the investigation and prosecution, given that they were usually people who made little profit from the act.

**Decisions:** The Chair submitted the final report presented by the coordination of the Working Subgroup for the consideration of the Group and announced its adoption with the consent of the delegations.

**2.2.7 Working Subgroup on International Cooperation and Forfeiture.** Presentation: Study on best practices in coordination between asset forfeiture authorities in cases of money laundering linked to illicit arms trafficking, and their proper disposition. Coordination of the Working Subgroup. **Delegation of Argentina** ([DDOT/LAVEX/DOC12/22](#)) ([DDOT/LAVEX/DOC15/22](#)).

The delegation of **Argentina**, through **Joaquín Cullen Paunero** of the Ministry of Foreign Affairs, International Trade and Worship, presented the “Study on Best Practices in Coordination between Asset Forfeiture Authorities in Cases of Money Laundering Linked to Illicit Arms Trafficking, and Their Proper Disposition,” explaining the guidelines defined to carry out this task entrusted to the Subgroup. He discussed the methodology used, as well as the current situation, including the transnational nature of these associated crimes, the difficulty of their investigation, and the actions of persons involved in the administration of justice. He highlighted the results of the questionnaire that had been circulated for the purpose of identifying best practices, as well as the legal and procedural aspects of forfeiture and international cooperation to proceed with the identification, seizure and final disposition of related assets. He noted the following conclusions of the study: (a) the vast majority of the countries recognize arms trafficking as a crime in their laws, with different denominations and degrees of amplitude; (b) countries have different forces arrayed against it, either within the orbit of the police or the Office of the Attorney General, that specialize in arms-related crimes; (c) law enforcement agencies receive collaboration from local financial investigation units, reinforcing the idea of the need for a robust structure with which to investigate this area of criminality; (d) delegations reported the existence of laws on the forfeiture of property and criminal proceeds; (e) examples mentioned included those of Peru and Ecuador, which provide for extinction of ownership, a process that allows for the rapid confiscation of property derived from crime; (f) at the international level, cases of international forfeiture are extremely rare, despite the existence of legal tools at the local level that allow for the freezing and forfeiture of property or the proceeds of crime.

Discussion and proposals

**Mexico** said that there was a clear connection between money laundering and arms and drug trafficking, as explored in two lawsuits that Mexico has filed in United States courts—ongoing—to prevent arms

trafficking from the United States to Mexico. It explained how that phenomenon occurs, saying that about 70 percent or more of the firearms in Mexico are purchased in the United States from gun dealers and smuggled across the border with the intention of reselling or transferring those guns in the criminal market. Mexico highlighted that its Government had explained that there was a big problem in border states with multiple assault weapons traffickers and for that reason the United States government should be in no doubt that there was a money laundering aspect to this because, of course, money generated by illegal drug trafficking was used to buy the weapons. Mexico suggested the development of protocols with indicators for U.S. arms companies, particularly those along the border, in order to make them aware that they might be engaging in money laundering or suspicious transactions, so they should be alert to certain indicators of trafficking by criminal organizations, and when those indicators were triggered, they should refrain from proceeding with those transactions and notify law enforcement.

**Decisions:** The Chair submitted the final report presented by the coordination of the Working Subgroup for the consideration of the Group and announced its adoption with the consent of the delegations.

### **2.2.8 Sub-Working Group on Financial Intelligence Units and Criminal Investigation Agencies**

Presentation: Final report on the study on trade-based money laundering typologies. Coordination of the Working Subgroup on Financial Intelligence Units and Criminal Investigation Agencies ([DDOT/LAVEX/DOC4/22](#)) ([DDOT/LAVEX/DOC5/22](#)).

The delegation of **Guatemala**, through **Sonia Annabella Girard** of the Special Investigation Office (IVE), presented a progress report on the Study on Trade-based Money Laundering Typologies, stating as background information that the document would contain relevant information and typologies provided by international organizations and countries in the region, whose identification, compilation, and analysis would constitute a tool and method to combat trade-based money laundering. He described the objectives, methodology and findings of the research, identifying eight trade-based money laundering typologies as the most relevant and describing them as complex arrangements that include alteration of invoices, over- or under-invoicing, multiple invoicing, tax evasion, export-incentive fraud, and value-added tax fraud, among others.

Discussion and proposals

**Argentina**, requested an amendment to the text of the report regarding Argentine legislation by eliminating on p. 34 the words “(...) provided that it exceeds the amount of 300,000 pesos (...)” This, by virtue of Article 303(4) of the Criminal Code, which does not mention any amount; therefore, any smuggling offense could be a predicate offense for money laundering.

**The Dominican Republic** asked if the selection of the countries had been at random or if the analysis would include all the member states; if so, it requested the addition of the information for the Dominican Republic, which would be sent in due course through the Technical Secretariat.

The speaker, **Sonia Annabella Girard**, said that the omission of information for the Dominican Republic was an oversight and that it would be added to the report as soon as the information was sent via the Technical Secretariat.

**Decisions:** The Chair submitted the final report presented by the coordination of the Working Subgroup for the consideration of the Group and announced its adoption with the consent of the delegations, taking into account the observations of Argentina and the Dominican Republic to amend and add, respectively, to the report the additional information that would be sent in due course for consideration and subsequent updating of this study.

### **2.2.9 Panel or Presentation: The importance of extinction of ownership as a legal tool to curb the operational capacity of criminal organizations**

The panel began with an introduction by the moderator, **Héctor Mares Gallegos**, who briefly introduced each panelist, whom she briefed on the dynamics of the panel and the time allotted for each presentation.

**Jonathan Riggs**, General Secretary of the Ministry of Public Security of Panama ([DDOT/LAVEX/DOC24/22](#)), gave a presentation on a proposed law for the extinction of ownership of illicit assets then under debate in the National Assembly of Panama. He referred to the legal definition included in the bill, as well as its purpose and the need for an effective tool such as extinction of ownership. He emphasized the importance that the bill gives to interagency cooperation and its consistency with international legal instruments that enable the use of such legal tools based on non-criminal forfeiture. He mentioned the main aspects of the law, including substantive rules, procedural rules and guarantees, grounds for forfeiture of ownership, precautionary measures, evidence, nullities, and appeals, among others.

**Ramona Nova**, Head of the Anti-Money Laundering and Terrorist Financing Specialized Prosecution Unit of the Dominican Republic ([DDOT/LAVEX/DOC22/22](#)), highlighted the constitutional basis for extinction of ownership contained in Article 51(6) of the Constitution of the Dominican Republic, which, after several years of debate, enabled Law 340-22 on Extinction of Ownership to pass into law on July 28, 2022; it will come into force in July 2023. She mentioned the main aspects of such law, including its purpose, scope of application, and definitions; principles of asset forfeiture; procedure; jurisdiction, those covered by the law and proceedings; guarantees and rights; suit filings and the asset investigation stage; precautionary measures; asset forfeiture trial preparation; evidence; judgments and remedies, among others.

**Alfonso Trilleras**, DTOC Technical Support Officer ([DDOT/LAVEX/DOC25/22](#)), gave a presentation on extinction of ownership in Colombia and its evolution at the national and international levels. He noted its advantages over traditional or criminal forfeiture, described investigation methodologies, including asset investigation and parallel financial investigations, and stressed the importance of investigation planning with an emphasis on multidisciplinary teams, as well as linkage and coordination between specialized prosecution units. He concluded with a presentation on regional strategies based on the

effective application of extinction of ownership to encircle and defund transnational criminal organizations.

#### **Moderator's recap**

The moderator expressed thanks for the three presentations, which included a great deal of substance, a topic that would require a lot of time to be bedded in, consistent with what Secretary Riggs had said about Panama, where it had been debated for 10 years, and with the experience in the Dominican Republic, where, as Attorney Nova mentioned, the legislation regarding the Extinction of Ownership had been adopted that year (2022) after several years of debate and would come into force in 2023. He also thanked Dr. Trilleras who addressed the subject of the autonomy of extinction-of-ownership proceedings. He emphasized that it was important to draw attention to something that all three presentations had highlighted, namely, the social justice aspect, the need to minimize the expansion capacity of criminal organizations, to minimize their recruitment capacity and, of course, to have a democratization and State perspective, which were what Mexico was seeking.

**2.2.10 Working Subgroup on International Cooperation and Forfeiture. Presentation:** Regional diagnostic assessment of the fight against cybercrime money laundering in OAS member states. Coordination of the Working Subgroup. **Delegation of Costa Rica** ([DDOT/LAVEX/DOC6/22](#)) ([DDOT/LAVEX/DOC8/22](#)).

The delegation of **Costa Rica**, through **Ms. Marcela Carvajal** of the Costa Rican Institute on Drugs, presented the final document entitled "Regional diagnostic assessment of the fight against cybercrime money laundering in OAS member states." He described the methodology used to carry out the study, as well as the results of the diagnosis of the information obtained from both open-source research and the responses to the questionnaire that had been distributed. The main conclusions of the diagnosis were as follows: (a) a significant majority has sought to modify their laws on cybercrime, given that many countries already had applicable measures in their procedural codes; however, some also passed specific legislation; (b) a legislative process is underway, despite the fact that almost half the countries that responded to the questionnaire had not acceded to or ratified the Budapest Convention; (c) linkage to the G8 24/7 Network was proportional to and consistent with the ratifications of the Budapest Convention; and (d) the G8 24/7 Network had been useful and effective for the countries that had linked to and used it.

#### Discussion and proposals

**Dominican Republic** requested that the National Cybersecurity Center, the entity in the Dominican Republic that implements and monitors the country's national cybersecurity strategy, be included in the diagnosis.

**Decisions:** The Chair submitted the final report presented by the coordination of the Working Subgroup for the consideration of the Group and announced its adoption with the consent of the delegations, taking into account the Dominican Republic's observation regarding the addition to the diagnostic assessment

of information related to the National Cybersecurity Center, in order to update this work in a timely manner.

#### **2.2.11 Presentation of proposals to be submitted for consideration by the OAS General Assembly at its next regular session through the Committee on Hemispheric Security**

The **Chair** gave the floor to the delegations to express their views on any proposal that they considered should be submitted to the OAS General Assembly. He noted that this space was granted to the delegations in accordance with Article 18 of the [GELAVEX Rules of Procedure](#).

Discussion and proposals

The **delegations** did not put forward any proposal to be submitted for consideration at the next regular session of OAS General Assembly.

#### **2.2.12 Receipt of proposals for the selection of new coordinators of the working subgroups**

The **Chair** gave the floor to the delegations to propose or nominate candidates (countries) to serve as coordinators of the two (2) working subgroups and asked the delegations to specify the relevant subgroup upon doing so. He noted that this space was granted to the delegations in accordance with Article 18 of the [GELAVEX Rules of Procedure](#).

Discussion and proposals

The delegations of **Costa Rica** and **Chile** put themselves forward as coordinators of the two working subgroups: **Costa Rica** as coordinator of the **Working Subgroup on International Cooperation and Forfeiture**; **Chile** as coordinator of the **Working Subgroup on Financial Intelligence Units and Criminal Investigation Agencies**.

**Decisions:** GELAVEX approved by acclamation the nominations of: **Costa Rica** for the coordination of the **Working Subgroup on International Cooperation and Forfeiture**; and **Chile** for the coordination of the **Working Subgroup on Financial Intelligence Units and Criminal Investigation Agencies**.

#### **2.2.13 Election of the Chair and Vice Chair of GELAVEX for the 2022–2023 term and handover of duties**

The Plenary approved by acclamation the assumption of **Ecuador** as **Chair** for the 2022-2023 term.

It also considered and approved by acclamation the nomination of the **Dominican Republic** as **Vice Chair** of GELAVEX for the 2022-2023 term.

**Decisions:** The Plenary approved the nominations of **Ecuador** and the **Dominican Republic** for the positions of Chair and Vice Chair, respectively, for the 2022-2023 term.

#### **2.2.14 Presentation and approval of the Proposed Work Plan 2022-2023 by the incoming Chair and Vice Chair ([DDOT/LAVEX/DOC.19/22](#))**

The incoming Chair, Ecuador, in accordance with Article 21.a of the Rules of Procedure, proceeded to present the draft 2022-2023 Work Plan.

#### **2022-2023 Work Plan**

##### **Working Subgroup on Financial Intelligence Units and Criminal Investigation Agencies**

1. Study on illegal money collection typologies, including pyramid schemes, ponzi schemes, extortive loans, using activities carried out by virtual asset service providers as fronts, etc.
2. Guide to member states' strategic analysis techniques and methodologies for strengthening advanced analytical capabilities and the use of new technological systems and solutions.

##### **Working Subgroup on International Cooperation and Forfeiture**

1. Implementation status of laws on extinction of ownership in the region and other forms of pre-conviction forfeiture.
2. Guide to procedures and best practices in asset seizure processes, including virtual assets and their proper administration and return.

##### **Working procedure**

The Chair will coordinate arrangements for an appropriate platform for GELAVEX's activities, on which all member countries will have access to the working materials and documents developed by the subgroups.

The Chair will encourage the delegations' participation in the working groups, so that they have the opportunity to be involved in the development of the studies, guidelines, and reviews envisaged in the Work Plan.

The Chair shall request the support of the Technical Secretariat in the conduct the agreed-upon meetings, for which the appropriate digital communication channels will be established.

The Chair will drop an activities and meetings schedule that includes appropriate deadlines for the completion of the work plan.

**Decisions:** The Plenary adopted the 2022-2023 work plan proposed by the incoming Chair and Vice Chair ([DDOT/LAVEX/DOC.19/22](#)).

### 2.2.15 Conclusions and recommendations

The GELAVEX Plenary decided:

- i. To adopt the final reports submitted by the Working Subgroup on Financial Intelligence Units and Criminal Investigation Agencies on the following documents: (a) Red flags guide for reporting on money laundering cases related to human trafficking; (b) Analysis of money laundering cases linked to environmental crimes; and (c) Study on trade-based money laundering typologies.
- ii. To adopt the final documents presented by the Working Subgroup on International Cooperation and Forfeiture: (a) Guide to Identification and Investigation Techniques in Cases of Money Laundering Related to Political Corruption; (b) Study on Best Practices in Coordination between Asset Forfeiture Authorities in Cases of Money Laundering Linked to Illicit Arms Trafficking, and Their Proper Disposition; (c) Regional Diagnostic Assessment of the Fight against Cybercrime Money Laundering in OAS Member States.
- iii. To express appreciation for the statements made during the panel discussion on “Asset recovery and administration processes in relation to proceeds of transactions involving illicit funds” by **John Grajales**, DTOC Technical Specialist; **Naike Palla**, of the Monetary Police Special Unit of the Guardia di Finanza of Italy; and **Carlos Alberto Tobar Galicia**, Financial Intelligence Unit Attaché at the Mexican Embassy to the United States.
- iv. To express appreciation for the statements made during the panel discussion on “The importance of extinction of ownership as a legal tool to curb the operational capacity of criminal organizations” by **Jonathan Riggs**, General Secretary of the Ministry of Public Security of Panama; **Ramona Nova**, Head of the Anti-Money Laundering and Terrorist Financing Specialized Prosecution Unit of the Dominican Republic; and **Alfonso Trilleras**, DTOC Technical Support Officer.
- v. To approve by acclamation the nominations of **Chile and Costa Rica** as coordinators of the Working Subgroups on Financial Intelligence Units and Criminal Investigation Agencies and on International Cooperation and Forfeiture, respectively, for the 2022-2023 term.
- vi. To approve by acclamation the candidacies of Ecuador and the Dominican Republic as Chair and Vice Chair, respectively, for the 2022-2023 term.
- vii. To adopt the 2022-2023 work plan proposed by the incoming Chair and Vice Chair ([DDOT/LAVEX/DOC.19/22](#)).
- viii. To agree that the next plenary meeting of GELAVEX, to be held in the second quarter of 2023, will be set by the Chair and the Executive Secretariat. The Technical Secretariat will confirm dates, city and format in due course.
- ix. To agree that the proposals to be submitted for consideration by the OAS General Assembly through the Committee on Hemispheric Security will be considered after the fifty-third meeting.

### 2.2.16 Closing remarks

**Carla Gabriela Mera Proaño**, Director General of the Financial and Economic Analysis Unit (UAFE) of Ecuador and Chair Pro Tempore of the Group of Experts for the Control of Money Laundering (GELAVEX), expressed—together with the Attorney General's Office, represented by Dr. Diana Salazar Méndez—her honor to Chair GELAVEX, which had the vital task of analyzing and proposing a course of action to prevent and combat money laundering and strengthen international human and institutional capacities in the region to combat money laundering, the financing of terrorism, and related crimes. She added that taking

up the Chair of this body was a challenge, but that her country was assuming it with the utmost commitment, responsibility and enthusiasm. She reiterated that the technical team of the Financial and Economic Analysis Unit (UAFE) of Ecuador would not just represent Ecuador but was prepared to work jointly with all the OAS member states and propose spaces for joint collaboration to enable the work plan to be carried out. She concluded by congratulating the Dominican Republic, represented by the Director General of the Financial Analysis Unit, Ms. Aileen Guzmán Coste, on assuming the Vice Chair and said that she looked forward to working closely with her on behalf of the region.

**Aileen Guzmán Coste**, Director General of the Financial Analysis Unit (UAF) of the Dominican Republic and Vice Chair of GELAVEX, expressed her commitment to supporting the work plan presented, which would not be the exclusive purview of the Chair and Vice Chair, but be a team effort to meet the common objectives of all and be on the same wavelength for its effective implementation. She thanked each of the delegations for their support and a most productive meeting. She reiterated the support of the Dominican Republic—through the UAF—to Ecuador as Chair. She concluded by congratulating the speakers at the meeting and thanking them for their presentations, which had provided valuable contributions. She also urged that these spaces for knowledge transfer and replication be a constant, not only in the context of the work plan, but also as part of their proposals and objectives as Financial Intelligence Units.

**Gastón Schulmeister**, Director of the Department against Transnational Organized Crime (DTCO) of the Organization of American States (OAS), offered his thanks and congratulations to **Pablo Gómez Álvarez**, Head of the Financial Intelligence Unit of Mexico and former Chair Pro Tempore of GELAVEX, for his leadership and the work of his team in organizing this plenary and successfully completing the Work Plan he had proposed for the 2021-2022 term, including the adoption of the GELAVEX Rules of Procedure; and also to **Dr. Carla Gabriela Mera Proaño**, Director General of the Financial and Economic Analysis Unit (UAFE) of Ecuador, who had served as Vice Chair Pro Tempore during the previous term. He also congratulated the coordinators of the working subgroups—**Argentina, Chile, Costa Rica, and Guatemala**—on their commitment to advancing and completing the development of the outputs entrusted to them, as well as the active participation of experts from all the OAS member states. Lastly, he congratulated **Ecuador** (through the UAFE) and the **Dominican Republic** (through its Financial Analysis Unit (UAF)) on their election as Chair and Vice Chair Pro Tempore, respectively, of the Group of Experts for the 2022-2023 term and wished them every success in the implementation of the work plan.

The **Chair** adjourned the GELAVEX plenary meeting.