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United States of America

## Organization of American States

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**XLV MEETING OF THE GROUP OF EXPERTS  
FOR THE CONTROL OF MONEY LAUNDERING  
October 4-5, 2018  
Santa Cruz de la Sierra, Bolivia**

**OEA/Ser.L/XIV. 4.45  
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July 26, 2018  
Textual**

### TERMS OF REFERENCE

**Group of Experts and Working Groups:**

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

**Source of the Terms of Reference:**

Secretariat for Multidimensional Security (SMS)

**Organization:**

Organization of American States (OAS)

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**According to:**

- The recommendations of the Group of Experts in its meeting held on September 25-26, 2017, in Asuncion, Paraguay (LAVEX XLIV); and
- The Work Plan 2017-2018 approved by the Inter-American Drug Abuse Control Commission (CIDAD) in its Sixty-second regular session, held in Washington D.C., United States, in December 2017.

**Considering that:**

- As a working basis for the Group of Experts for the Control of Money Laundering (GELAVEX), the areas of action identified by the GELAVEX at its XXIV plenary session held in Santiago, Chile November 7-9, 2007, are as follows: forfeiture, *In-Rem* forfeiture, Asset Recovery Agencies, coordination and integration between Financial Intelligence Units (FIU) and Law Enforcement Agencies (LEA), and terrorism financing;
- GELAVEX will hold two annual meetings, depending on the availability of resources; one during the first half of the year, exclusively for the Sub Working Groups; and the second during the second half of the year, which will feature a plenary session as well as an additional meeting for the Sub Working Groups;
- The Plenary of the Group of Experts recommended in its meeting held in Asuncion, Paraguay, on September 25-26, 2018 (LAVEX XLIV) the approval of the lines of action proposed for a new GELAVEX's

Strategic Plan for 2018-2020. This proposal was approved by CICAD in its Sixty-second regular session, held in Washington D.C., United States, in December 2017.

- According to the approved Working Plan 2017-2018, the Sub-Working Group on International Cooperation and Forfeiture will work on the following line of action: a) Study on the liquidation or sale of seized assets: valuation for its proper destination; and b) Identification of the challenges faced by OAS Member States in asset recovery: a diagnosis that will include forfeiture law and victims. Likewise, according to the Work Plan approved by CICAD, the Sub-Working Group of Financial Intelligence Units and Law Enforcement Agencies will develop: a) a study on new AML/CFT typologies, including the use of virtual currencies; and b) a study on evidence (experts) in AML/CFT cases.
- According with a Note from December 20, 2017, the International Union of Notaries (UINL) presented to the Technical Secretariat of the GELAVEX its interest to be observer member of this Group of Experts. This request will be submitted to the GELAVEX for consideration during its XLV Meeting, in order to recommend it or not to the CICAD that UINL is considered observer member according to the Statutes and Regulations of CICAD.
- According to a Note from May 28, 2018, the Permanent Mission of Mexico to the OAS has suggested that at this XLV Meeting, one of the sessions discuss the subject of "Crypto currencies and their use in illicit drug trafficking networks and other related offenses". Considering that this topic is one of the lines of action of the Sub-Working Group Financial Intelligence Units and Law Enforcement for the Work Plan 2017-2018, it will be included in the corresponding session within the agenda of this Meeting.

#### **Profile of the delegates to the Group of Experts:**

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

In the interest of maintaining the work continuity of the GELAVEX, the Technical Secretariat kindly requests, if possible, that countries participating in subgroups try to retain and send the delegates who have attended previous meetings. Consecutively, for better results at the working sessions, the Technical Secretariat suggests to those countries participating in more than one subgroup, according to its possibilities, designate an expert for each subgroup.

**Structure and Working Methodology:**

The Technical Secretariat will provide administrative and professional support in the design and development of the final report and other documents, as well as to facilitate the subgroups discussions, providing technical support as requested. Once they are agreed upon, these documents will be submitted to Member States for their review and comments.

**Financial Support:**

According to article 22, paragraph 2 of the regulation of CICAD, “the expert groups and their members shall be responsible for the expenses they incur for their meetings unless other funds are available for this purpose”. For this reason, **given that the Technical Secretariat does not have financial resources available at the moment, in this case, it will not be possible to provide any financial assistance.**