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Secretariat for Multidimensional Security

**XLVI MEETING OF THE GROUP OF EXPERTS
FOR THE CONTROL OF MONEY LAUNDERING
June 4 and 5, 2019
Washington, D.C., USA**

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**PRESENTATION
PROGRESS REPORT OF THE STUDY ON CASES OF MONEY LAUNDERING LINKED
TO TRAFFICKING IN PERSONS AND MIGRANTS SMUGGLING IN THE REGION**

Bolivia, Co-coordinator of the Sub-Working
Group on Financial Intelligence Units and
Law Enforcement Agencies

PROGRESS REPORT OF THE STUDY ON CASES OF MONEY LAUNDERING LINKED TO TRAFFICKING IN PERSONS AND MIGRANTS SMUGGLING IN THE REGION



GENERAL OBJECTIVE



To know the state of the countries of the group, in terms of the prosecution of money laundering cases based on crimes trafficking in persons and of migrants smuggling.

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SPECIFIC OBJECTIVES

- Gather Information of the countries related with the typification of these crimes as base for money laundering and their investigative experiences.
- Know and share good practices in the prosecution of money laundering based on trafficking in persons and migrants smuggling.
- Share the challenges in the prosecution of money laundering based on such crimes, in order to propose actions that assist countries in overcoming such challenges.

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METHODOLOGY

- We designed a questionnaire, approved by the Technical Secretariat, which was circulated among all members of the group through e-encuestas.
- The answers were received until May 30th 2019. Until such date, 30 answers were received, corresponding to 18 countries. The preliminary results will be presented as follows:
- A new deadline for those who did not answer the questionnaire will be submitted for plenary's decision. As well as for the countries that answered more than one survey through their different agencies to review and obtain a single answer. Finally, to determine countries that answered the survey but did not identify themselves.
- Once all the answers have been consolidated, we will obtain the results and the final report will be elaborated.

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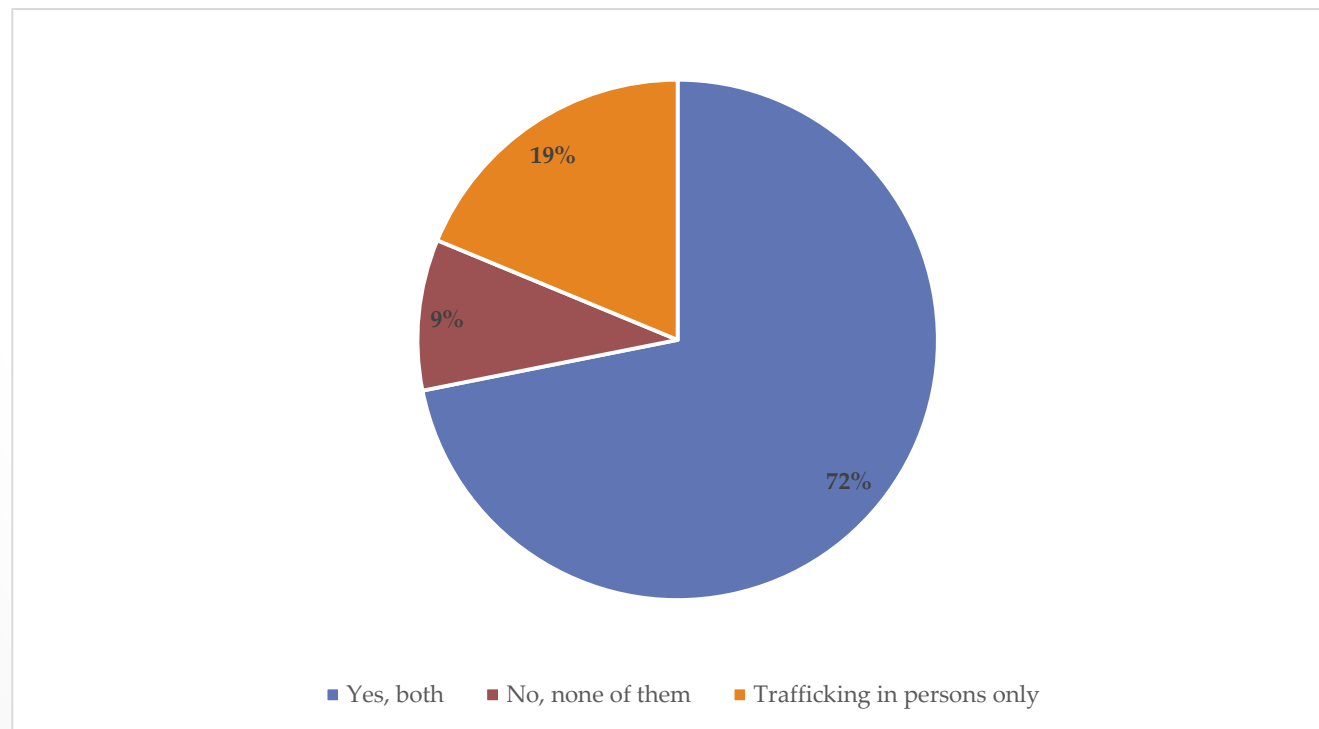
Countries	Answers to the survey
Argentina	2 Answers
Bahamas	1 Answer
Brazil	2 Answers
Bolivia	1 Answer
Colombia	1 Answer
Chile	1 Answer
Costa Rica	1 Answer
El Salvador	1 Answer
Spain	1 Answer
United States	1 Answer
Guyana	1 Answer
Grenada	1 Answer

PROGRESS REPORT OF THE STUDY ON CASES OF MONEY LAUNDERING LINKED TO TRAFFICKING IN PERSONS AND MIGRANTS SMUGGLING IN THE REGION

Countries	Answers to the survey
Honduras	1 Answer
Panama	3 Answers
Paraguay	3 Answers
Peru	1 Answer
Dominican Republic	2 Answers
Trinidad and Tobago	1 Answer
Not identified	5 Answers
Not answered	16 countries (Antigua and Barbuda, Barbados, Belize, Canada, Cuba, Dominica, Ecuador, Guatemala, Haiti, Jamaica, Mexico, Nicaragua, Saint Kitts and Nevis, St. Vincent and the Grenadines, Santa Lucia, Suriname, Uruguay and Venezuela)

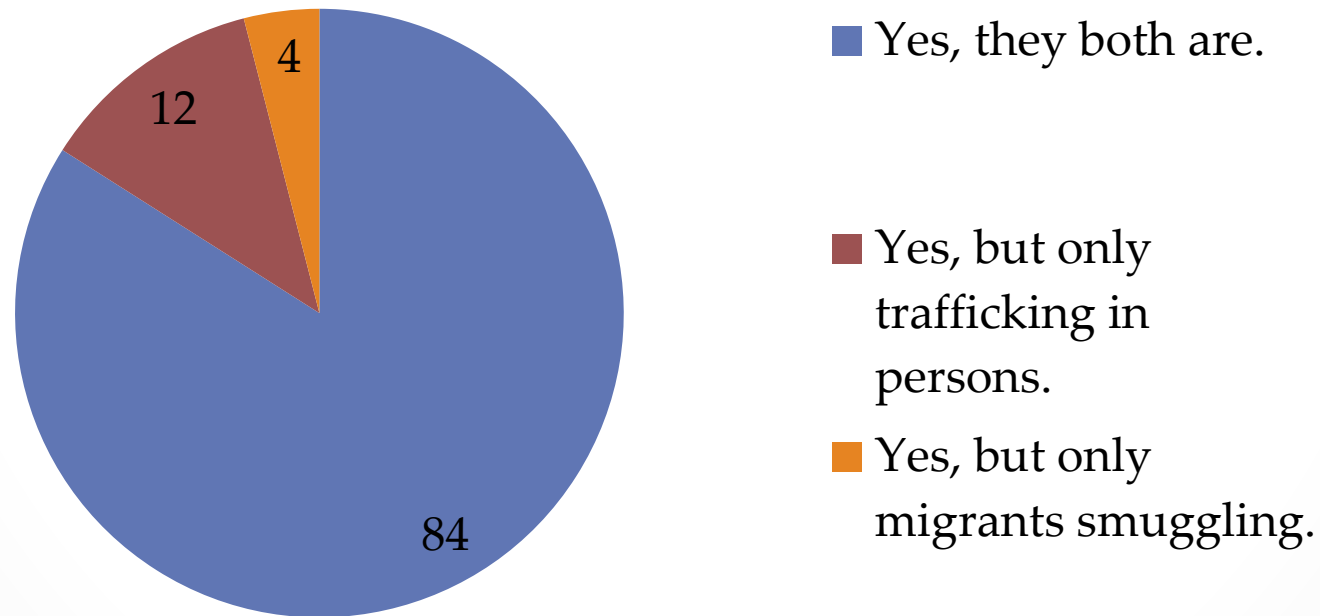
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. In your country, is there a criminal offence type for migrants smuggling and/or trafficking in persons?



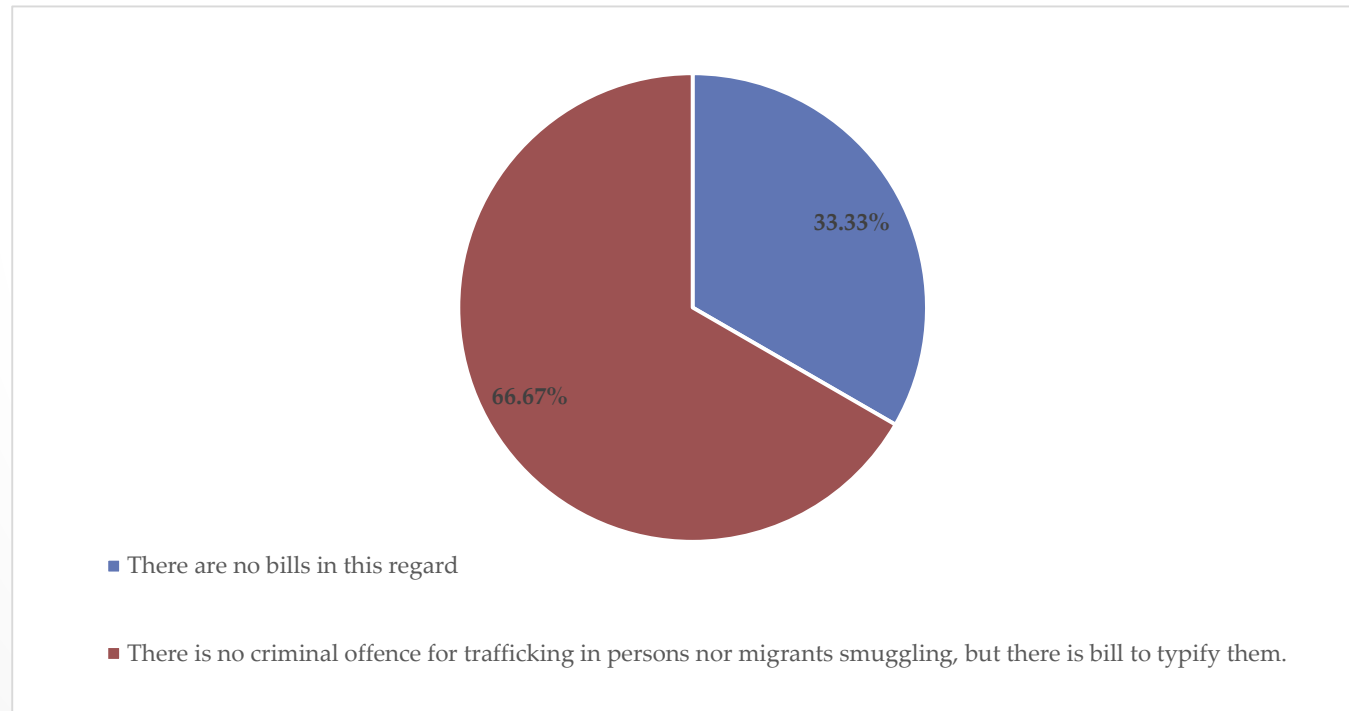
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In your legislation, are the crimes of trafficking in persons and migrant smuggling base crimes of money laundering?



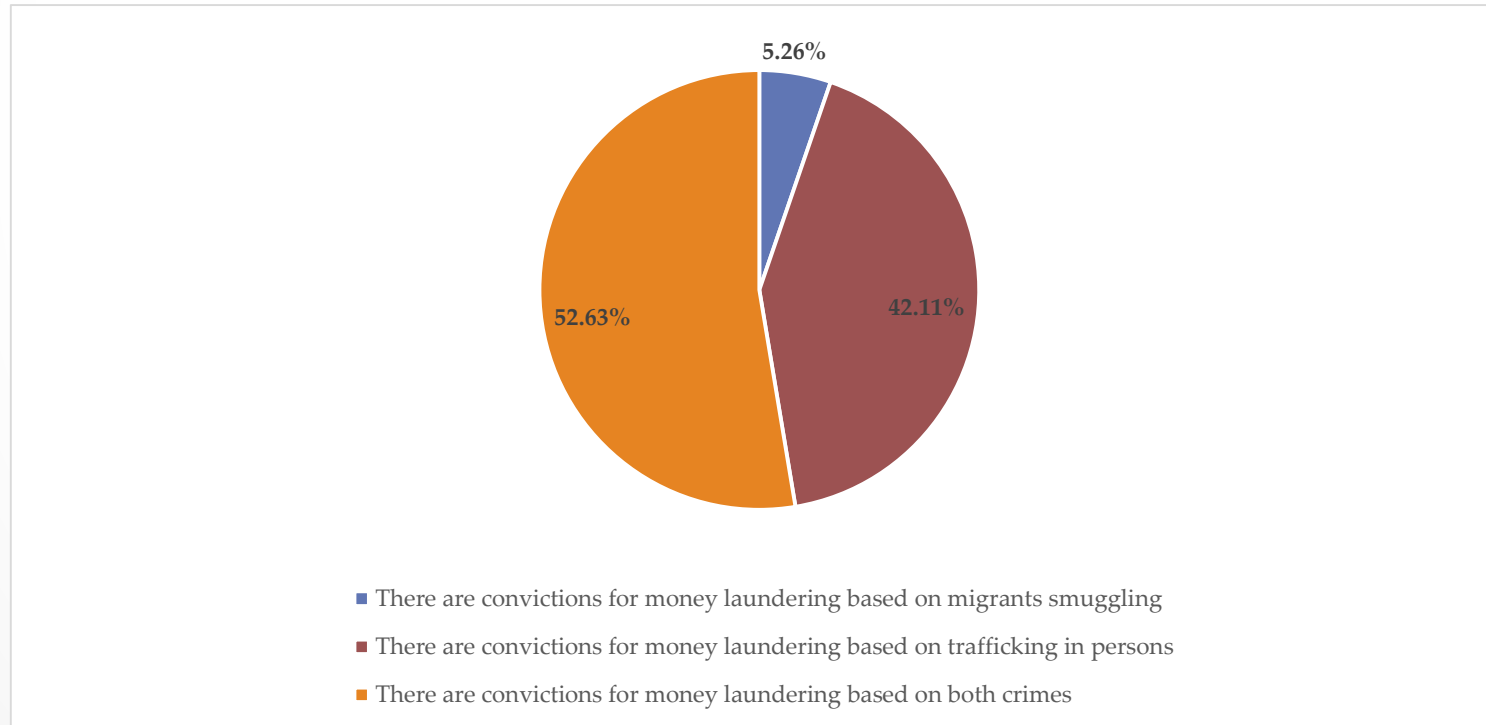
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If your previous answer was negative, indicate whether there are bills to make the crimes of trafficking in persons and / or migrants smuggling a base offense for money laundering.



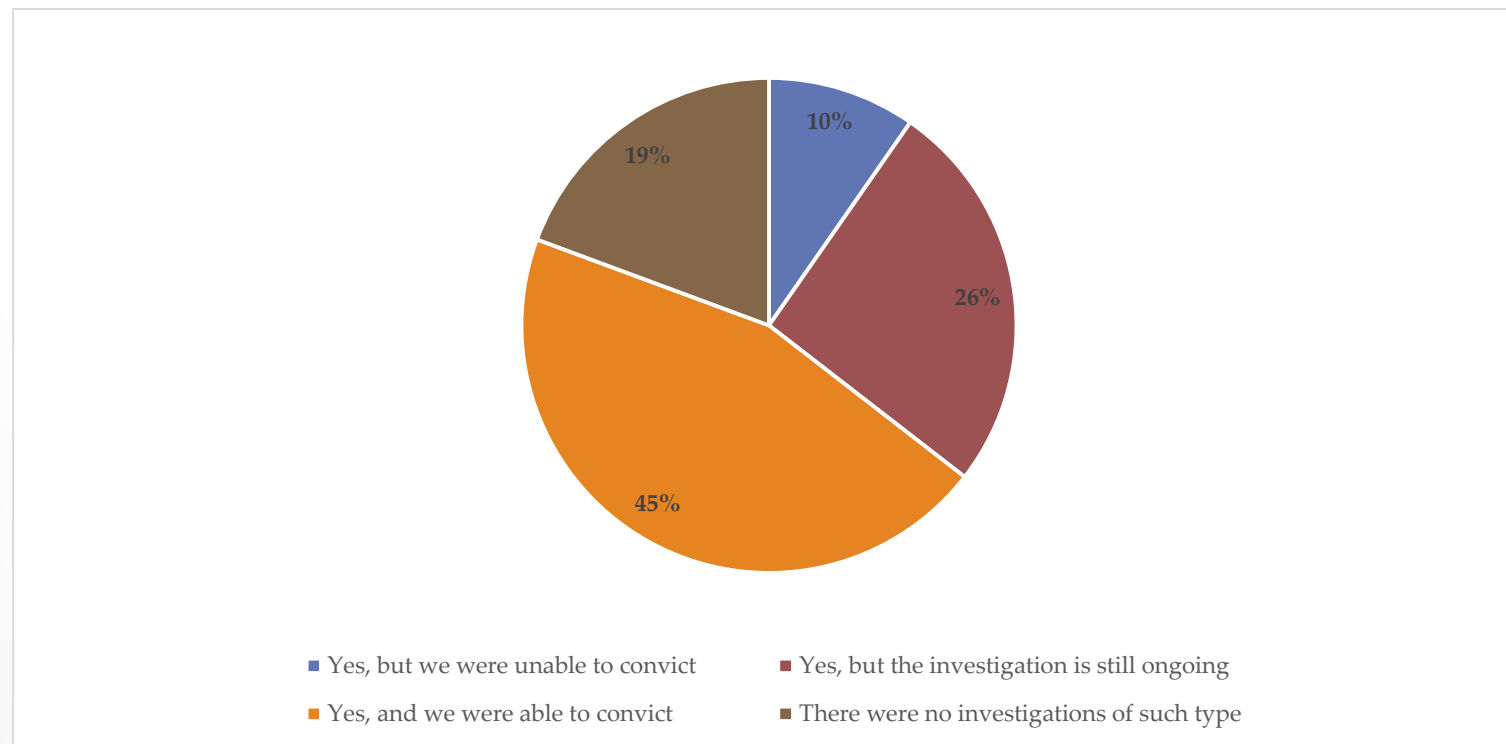
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- If the answer to question number 4 is positive, are there convictions in your country for money laundering with any of these base crimes?



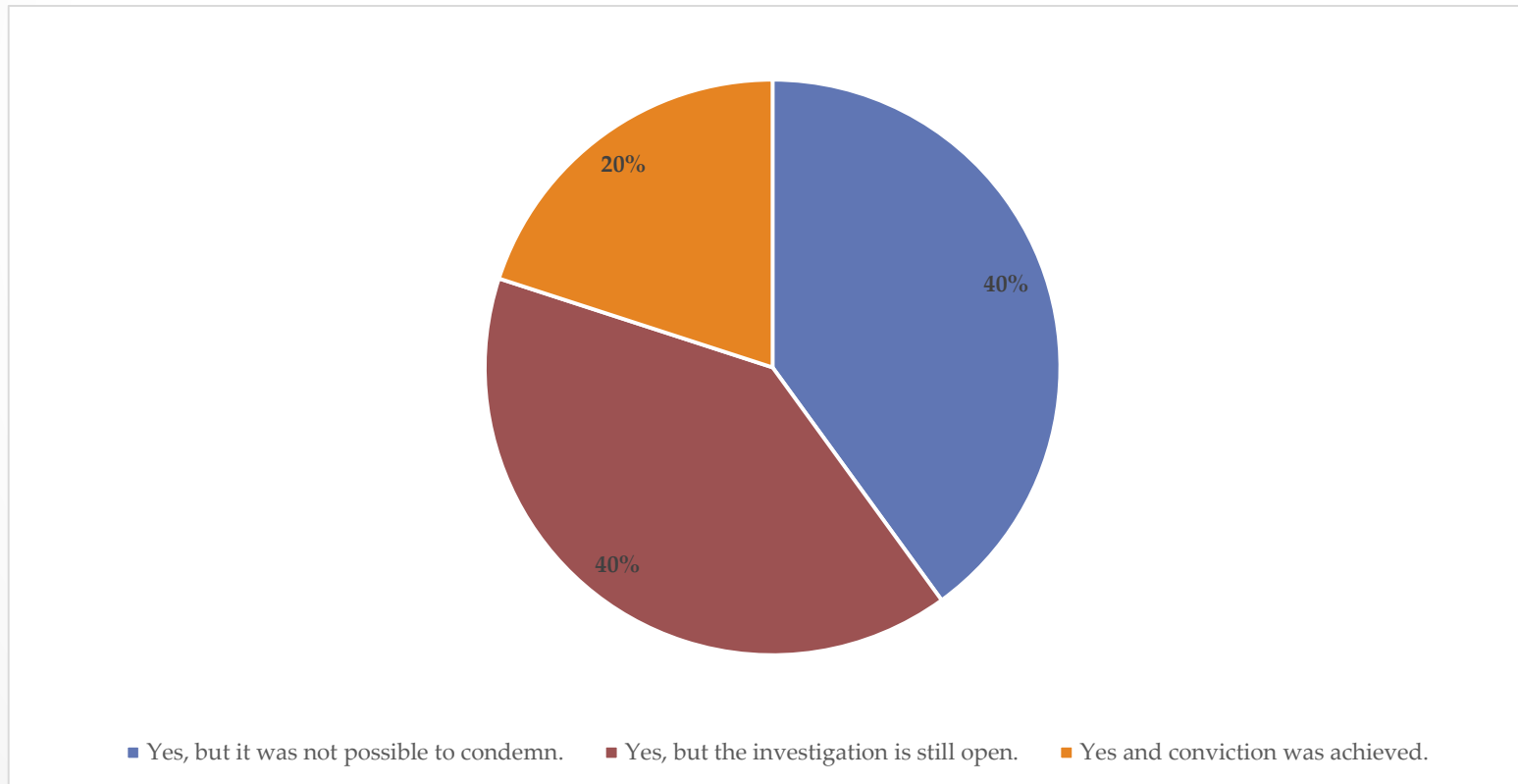
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Has your country investigated money laundering based on trafficking in persons?



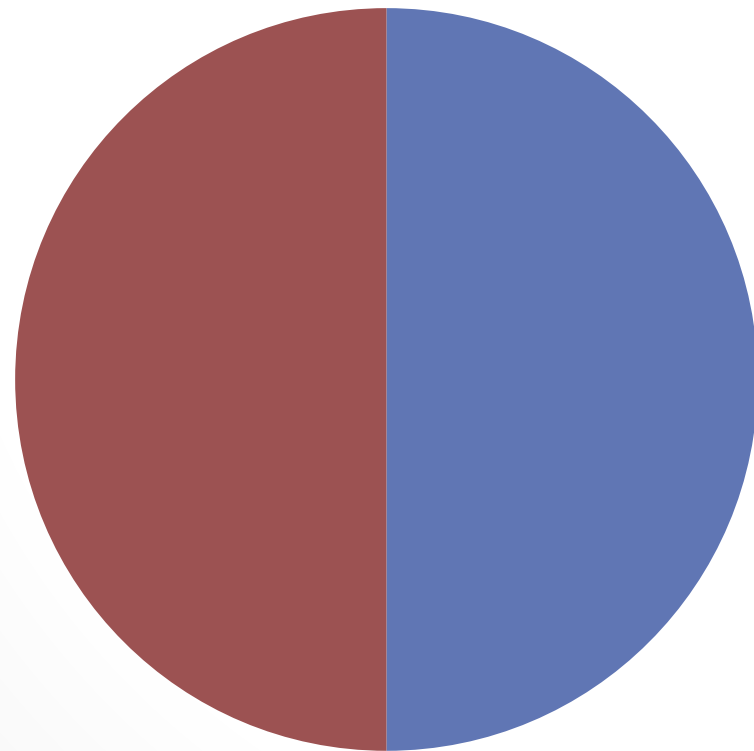
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Has your country investigated money laundering based on migrants smuggling?



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If you answered that there are no convictions, what do you think was the main difficulty in these cases?



- Prove that the money comes from the base crime
- Other difficulties whose description I will send by email

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PRELIMINARY RESULTS:

- 1.- Most countries indicate that the crimes of trafficking in persons and migrants smuggling are a base crime for money laundering in their legislation.
- 2.- Most of the countries that indicate that these crimes are not base for money laundering offense indicate that they currently have bills to make it so.
- 3.- Among the countries that have these crimes as a base for money laundering, most of them have convictions for ML with both crimes as predicate offenses.
- 4.- Among the countries that have investigations of ML bases on these crimes, more investigations are reported with "trafficking in persons" as a base crime than with "migrants smuggling".
- 5.- Regarding the challenges, half of the countries state that the most difficult part is to prove that the money comes from the base crime.

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Proposed continuation of the work for the final report:

- 1.- Set a new deadline until July 31, so that the countries that have not answered the survey can answer it and those that have answered more than one survey, consolidates a unique answer for the country. Also to identify the answers not claimed by the countries.
- 2.- In the month of August, review the results and request that the delegations identified as having good results in money laundering convictions and investigations with these precedent criminal offenses, send their submissions and successful investigations to the Sub-working group for incorporating them into the report and share it with the plenary at the next meeting.
- 3.- Prepare a final report to be submitted in September and present it to the plenary session, with the indicators that are being raised and with successful experiences that will serve all countries to improve the prosecution of money laundering with these precedent criminal offences.

THANK YOU