



**OAS | DTOC**



La justicia  
es de todos

Minjusticia



**DEPARTMENT AGAINST TRANSNATIONAL ORGANIZED CRIME (DTOC)  
ORGANIZATION OF AMERICAN STATES (OAS)**

**XLVIII (VIRTUAL) MEETING OF THE GROUP OF EXPERTS  
FOR THE CONTROL OF MONEY LAUNDERING  
June 30, 2020  
Washington D.C. – USA.**

**OEA/Ser.L/XLVIII. 4.48  
DDOT/LAVEX/doc.3/20  
June 25, 2020  
Original: Spanish**

**DESIGN OF THE NETWORK OF ADMINISTRATORS OF ASSETS SUBJECT TO FORFEITURE**

**CONCEPT NOTE**

**SUB-WORKING GROUP ON FORFEITURE AND INTERNATIONAL COOPERATION**

**JUNE, 2020**



OAS | DTOC



La justicia  
es de todos

Minjusticia



## I. JUSTIFICATION

The effective action of the authorities in the region regarding the prosecution of illicit assets led the States to constitute special entities endowed with a particular regime for the administration of assets subject to forfeiture to try to maintain their market value and / or achieve their adequate commercialization in order to obtain liquid resources destined to combat organized crime, money laundering and drug trafficking, among others.

In the face of this new challenge, the Member state representatives that participated in the XLVII Meeting of the Group of Experts for the Control of Money Laundering (GELAVEX) of the OAS held on September 25, 2019 in Bogotá approved the proposal to design a regional group of entities charged with the administration of assets subject to forfeiture. The main objective is creating a network of experts to exchange experiences and good practices on the subject and generate recommendations that can be implemented by the member states.

Countries that have developed advanced mechanisms are expected to offer technical support to those who need to strengthen their system through training and knowledge transfer under this initiative. In addition, the network will prepare recommendations regarding the reception, management, and sale of assets of illicit origin according to their typology so that all the countries of the region can implement them and achieve a homogeneous and uniform development that contributes to the generation of resources for the States.

Likewise, opportunities for exchange will be created with the GAFILAT Asset Recovery Network, the Asset Recovery Network of the Caribbean (ARIN-CARIB) or similar groups in order to identify the challenges that the entire asset recovery chain faces (tracking, identification, seizure or embargo, forfeiture and administration of assets). This will lead to the construction and implementation of common guidelines to consolidate the regional strategy in the fight against organized crime and allow an effective recovery of assets of illicit origin.

This Network will have the technical support of the Department against Transnational Organized Crime of the OAS (DTOC / OAS) through the Project entitled "*Seized and Forfeited Assets of Latin America (BIDAL / OAS)*" and other international organizations and the private sector specialized in this field that can contribute their knowledge and financial support.



OAS | DTOC



La justicia  
es de todos

Minjusticia



## II. NETWORK'S OBJECTIVE

The Network of Administrators of Assets Subject to Forfeiture will have the purpose of exchanging knowledge and good practices among its member states and generating recommendations in the matter of asset administration and management.

To achieve its purpose, the Network will:

- Establish periodic meetings (face-to-face or virtual) bilaterally or multilaterally in order to promote the transfer of knowledge and good practices.
- Promote the creation of effective training mechanisms that include virtual tools or other mechanisms that allow effective and efficient learning by public officials.
- Generate recommendations regarding the reception, management and sale of assets of illicit origin according to their typology. The member States of the Network will promote its implementation in accordance with their internal regulations.
- Coordinate meetings with asset recovery networks in order to socialize the common problems involved in this process and find solutions to them.
- The Network will share its progress with international organizations that promote policies and programs to combat money laundering, terrorism financing, and related crimes.
- The network will be open to the participation of countries from the five continents who want to know the experience of the region and exchange best practices. International organizations may also participate as observers, and experts from the private sector, who have no conflict of interest, will be invited to give lectures on some of the network's topics.
- Contribute to studies in the region on the evolution of the strategy for forfeiture of criminal proceeds and its impact on the fight against transnational organized crime.
- Each State will designate a point of contact in charge of the administration and management of seized and forfeited assets in their country.
- Every two years one of the members will take over the Pro tempore Presidency and will be in charge of leading the activities listed above.



OAS | DTOC



La justicia  
es de todos

Minjusticia



### III. NETWORK DESIGN CONSTRUCTION PROCESS

- On September 25, 2019, during the XLVII Meeting of the Group of Experts for the Control of Money Laundering (GELAVEX) of the OAS, Costa Rica, through the Asset Recovery Unit of the Costa Rican Institute on Drugs; and Colombia, through the Special Assets Society (SAESAS), were tasked with the designing the Network of Administrators of Assets Subject to Forfeiture .
- In February and March 2020, the two entities held virtual meetings to agree on the scope and functions of the Network. On April 8, 2020, Costa Rica and Colombia presented the progress of the design of the Network to the GELAVEX Secretariat and to the other coordinators of the Sub-Working Groups.
- **EL PAcCTO** (Europe Latin America Assistance Program against Organized Transnational Crime), an international cooperation program financed by the European Union, expressed its interest in contributing to the creation of the Network of Administrators of Assets Subject to Forfeiture in a virtual meeting on April 29, 2020 where the Secretariat of GELAVEX, Costa Rica and Colombia participated.
- After the XLVIII (Virtual) Meeting of the Group of Experts for the Control of Money Laundering on June 30, 2020, it is expected that member States will make written comments on this design proposal for the Network of Administrators of Assets Subject to Forfeiture, which will be incorporated by Costa Rica and Colombia in a maximum period of two months from the XLVIII GELAVEX virtual meeting.
- The final version of the Network design will be presented for discussion and approval at the next plenary session of the Group of Experts for the Control of Money Laundering, to be held during the fourth quarter of 2020.
- Once the final version of the Network design has been approved, GELAVEX may request from the Technical Secretariat the necessary steps to conform the Network of Administrators of Assets Subject to Forfeiture, taking into account the recommendations agreed by the Group of Experts at its XLIX Plenary Meeting, including its geographical configuration (regional or sub-regional).