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Course on

ILLICIT MARKETS AND ORGANIZED CRIME IN THE AMERICAS

PMI impact

MINISTÉRIO DA
JUSTIÇA E
SEGURANÇA PÚBLICA

AMERIPOL

Eurofront

Class

Organized Crime and Money Laundering

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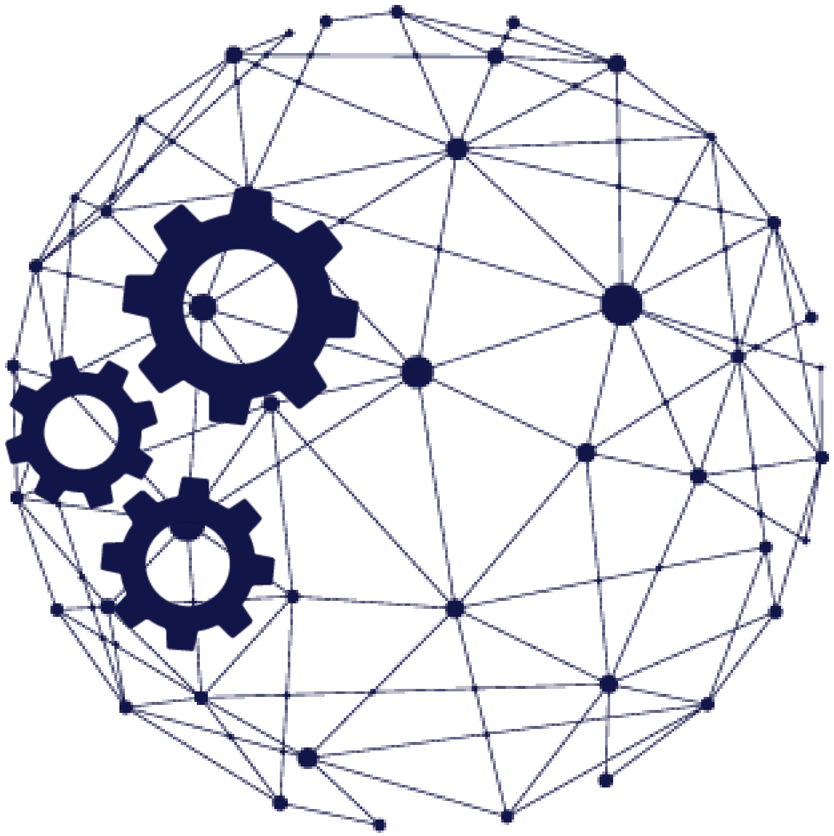
MINISTÉRIO DA JUSTIÇA E SEGURANÇA PÚBLICA

Introduction

In this class on operational strategies in response to organized crime, we will **discuss the recovery of assets generated by organized criminal groups**.

The invitation is for the deepening of knowledge in this area, especially recognizing the existing institutions to support this work, as well as the tools available to be developed in each country.



Concepts

Money laundering: the process by which criminal assets are integrated into the legal economic system with the appearance of having been lawfully obtained;

Institutions

FATF: the Financial Action Task Force was created at the G-7 meeting in Paris, 1989, and it is an international governmental group of an informal nature on banking and financial systems to combat money laundering;

GAFILAT: the Latin American Financial Action Group is an intergovernmental organization under the FATF created to prevent and combat money laundering, terrorist financing and the proliferation of weapons of mass destruction financing in the region;

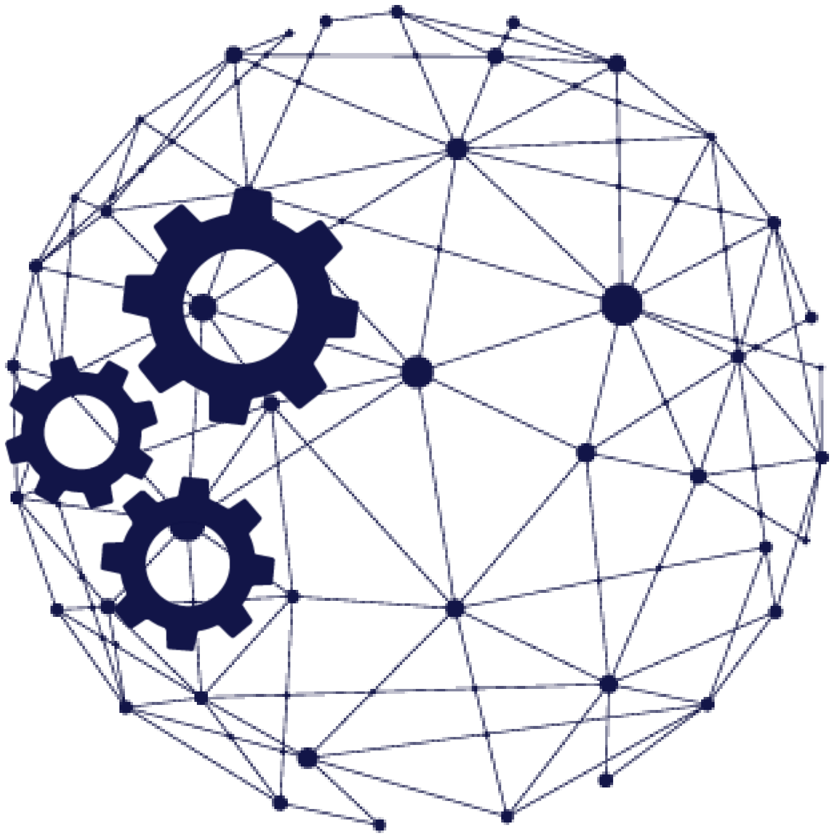
OAS: the Organization of American States is the oldest regional cooperation institution in the world, founded in 1948 to promote common policies in the American continent;

RRAG: the GAFILAT Asset Recovery Network has the mission of developing a network of contacts to facilitate the identification, location and recovery of assets, with two points of contact in the Public Prosecution Service and in the national police.

Class Content

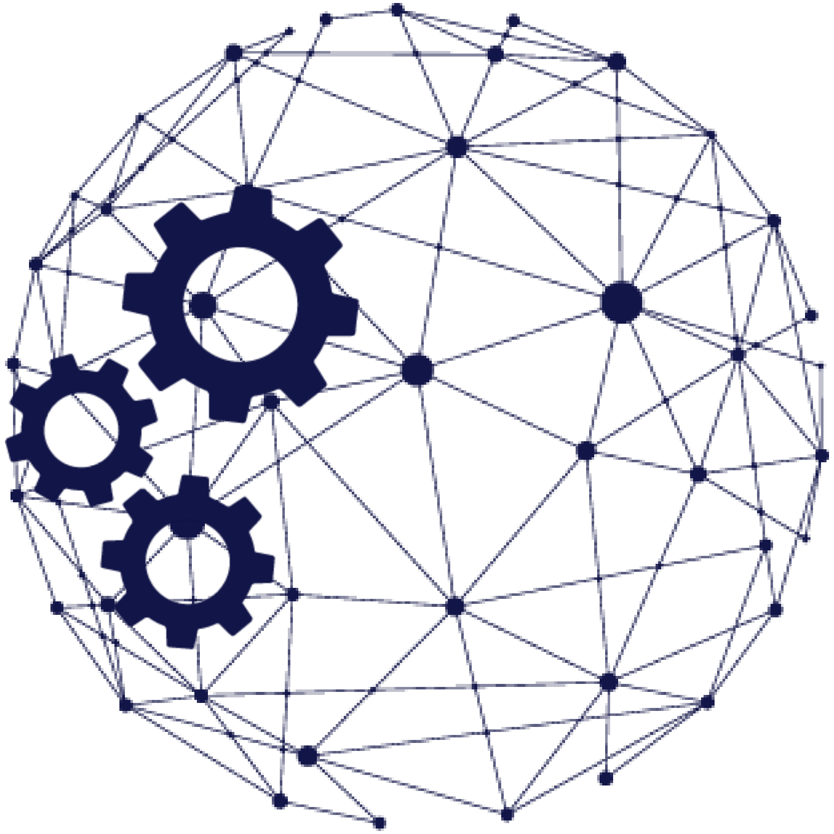
Money laundering linked to organized crime aims to hide and disguise the illegal origin of assets, in order to give a legal appearance to profits and wealth ownership and acquisition. In this way, the proceeds of crime can be introduced into the economy linked to permitted activities, making it easier for these "criminal enterprises" to disguise their illegal operations without jeopardizing their source of income.

Drug trafficking is the main antecedent crime of money laundering due to the large volume of profits generated, but human trafficking, arms trafficking and smuggling are also present.



Class Content

To deal with the problem, investigators must use the **heritage investigation** technique, which will allow them to systematically analyze existing information in various records and databases. Thus, several open and closed sources to which they have access can be consulted to identify and individualize the assets and rights that compose the assets of the targets of the investigation, whether individuals or legal entities, and the support network detected.



Class Content

The **FATF** is a relevant institution on the subject because, in particular through **Recommendation No. 4**, related to "confiscation and provisional measures" and suggests that countries adopt legal changes that allow competent authorities to freeze or confiscate assets generated by organized crime or intended for terrorist financing.

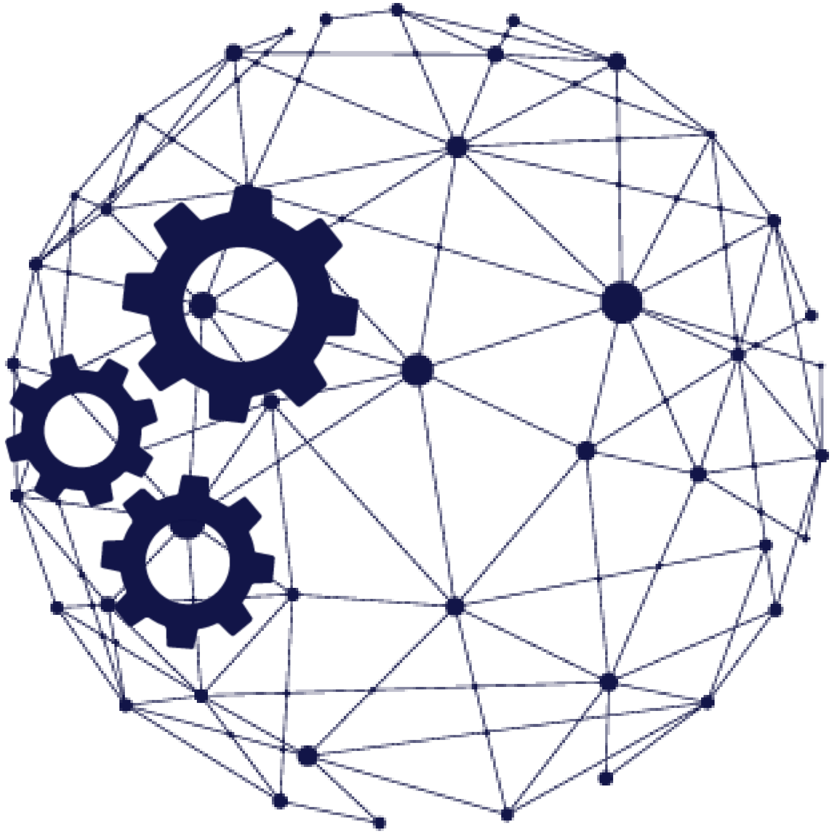
In Latin America, GAFILAT stands out and, under its umbrella, the **RRAG:** the only mechanism that allows the secure exchange of information prior to legal assistance with foreign counterparts. By the first half of 2020, the RRAG identified assets valued at approximately US$184 million, distributed among movable and immovable property, companies, bank accounts and company shares, among others.

The **OAS**, through the Department against Transnational Organized Crime (DDOT), also publishes important publications on the subject, such as the book "Combating Money Laundering from the Judiciary System" and the Practical Guide of Special Investigation Techniques in Cases of Transnational Organized Crime.

Class Content

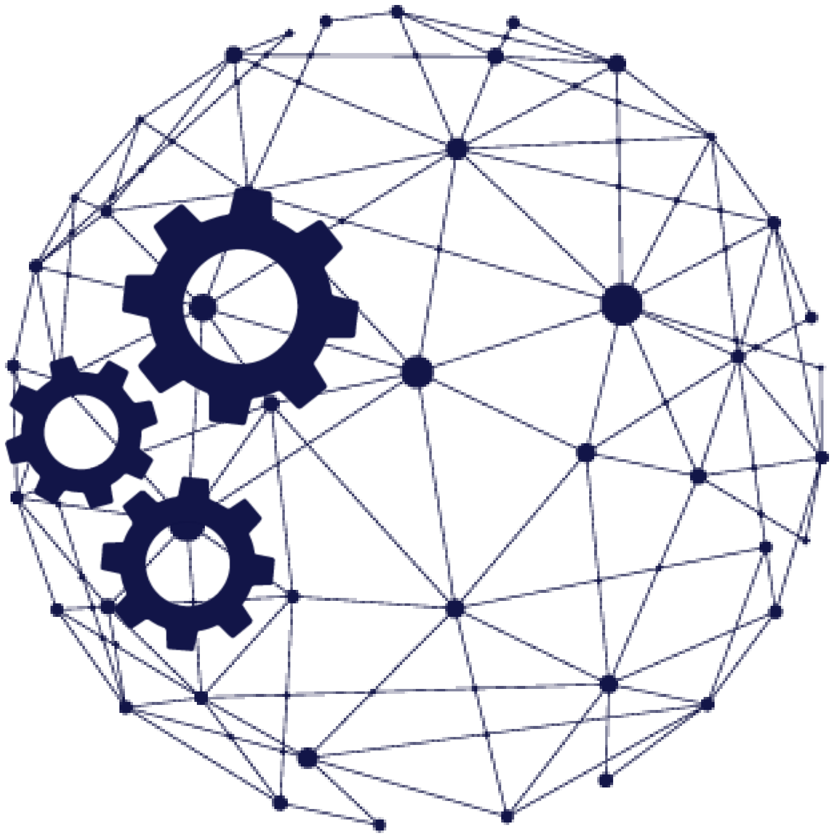
As for the challenges faced by the region, it is necessary to **increase the exchange of information** in an agile and dynamic way, especially considering the transnational nature of this type of crime.

In addition, it is necessary to **advance in the training of personnel specialized in cyberspace**, especially police officers and criminal investigators, and **continue to incorporate relevant figures into national legislation**, such as the confiscation of assets or the anticipated disposal of seized assets.



Class Summary

- Definitions of money laundering associated with transnational criminal activities;
- Exhibition of the main organizations and publications for international and regional cooperation in the theme;
- Good practice recommendations for the future.



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