

# THE ASSET RECOVERY INTER-AGENCY NETWORK FOR SOUTHERN AFRICA (ARINSA) —— MANUAL ——



**UNODC**

United Nations Office on Drugs and Crime



**ARINSA**

ASSET RECOVERY  
INTER-AGENCY NETWORK  
SOUTHERN AFRICA



**THE ASSET RECOVERY INTER-AGENCY  
NETWORK FOR SOUTHERN AFRICA (ARINSA)**

— **MANUAL** —



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## 1. BACKGROUND OF ASSET RECOVERY INTER-AGENCY NETWORK FOR SOUTHERN AFRICA (ARINSA)

In October 2002, representatives of all European Union (EU) Member States attended a conference in Dublin, Ireland. The objective of the conference was to present recommendations dealing with identifying, tracing and seizing the profits of crime.

One of the main issues arising from the conference was to consider the establishment of an informal network of contacts and a cooperative group dealing with criminal assets identification and recovery.

The Camden<sup>1</sup> Asset Recovery Inter-Agency Network (CARIN) was officially formed at a congress held on 22-23- September 2004 in The Hague.

On 23 and 24 March 2009, asset recovery practitioners held a meeting in Pretoria, South Africa, where it was agreed to establish a Southern African network based on the CARIN model. As a result of the meeting, the ARINSA was established and has a permanent secretariat in Pretoria at the National Prosecuting Authority's of South Africa (NPA) Asset Forfeiture Unit and UNODC under the Global Programme against Money Laundering (GPML).

Representatives from the following Member States attended the ARINSA launch:

Botswana, Lesotho, Mauritius, Namibia, South Africa, Swaziland (now Eswatini), Tanzania, Zambia and Zimbabwe.

Angola, Democratic Republic of Congo (DRC), Swaziland (now Eswatini), Kenya, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Tanzania, Uganda, Zambia and Zimbabwe subsequently joined ARINSA as permanent members.

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1. The name Camden refers to the Camden Court Hotel in Dublin, Ireland where the Network was discussed.



## 2. STATEMENT OF INTENT

### 2.1 Introduction

ARINSA is an informal network of contacts and a collaborative group from Southern and Eastern Africa on all aspects of tackling the proceeds of crime.

### 2.2 Aim

The aim of the ARINSA is to increase the effectiveness of its members on a multi-agency basis, in depriving criminals of their illicit gains.

### 2.3 Key objectives

The purpose of ARINSA is to:

- a. Encourage collaboration and promote continuous engagements among contact points;
- b. Focus on the proceeds and instrumentalities of all crimes in line with international obligations;
- c. Establish itself as a centre of excellence in all aspects of asset tracing and recovery
- d. Promote the exchange of information and good practices;
- e. Undertake to cooperate with regional bodies such as but not limited to the African Union (AU) and the Southern Africa Development Community (SADC) relating to all aspects of tackling the proceeds and instrumentalities of crime;
- f. Facilitate training on all aspects of tackling the proceeds and instrumentalities of crime;
  - Emphasize the importance of domestic and international cooperation as well as private sector and civil society in achieving its aim;
  - Encourage members to establish a mechanism for recording and reporting comprehensive statistics;
  - Encourage members to establish and strengthen regimes on asset forfeiture;
  - Encourage members to establish and strengthen national asset management policies and legal frameworks;
  - Encourage members to establish and strengthen asset forfeiture funds where appropriate;
  - Act as an advisor to other appropriate authorities on matters relating to asset recovery.



### **3. MEMBERSHIP AND FUNCTIONING OF THE ARINSA NETWORK**

#### **3.1 Membership**

##### **3.1.1 Member Status**

Membership to ARINSA will be open to any African state. Membership will be considered by the Steering Committee. Member will be considered by the Steering Committee. Each member state may nominate two representatives to be their ARINSA contact points. These contact points may be from a Law Enforcement Agency, a prosecution authority or an institution mandated to conduct asset recovery. It is proposed that one contact point be from Asset forfeiture unit where present. It is advisable that the contacts points should not be from the same institution. A member state may nominate more than two representatives to attend Arinsa meetings at their own expense.

##### **3.1.2 Observer Status**

Non-governmental organizations (NGOs) and cooperating partners that share the objectives of ARINSA as well as inter-agency Asset Recovery networks such as CARIN, RRAG ARIN-EA, ARIN-WA may also be observers. A state may be eligible for observer status if it has not been granted member status.

Each Observer member may nominate two representatives to be the network contact point: namely one from a Law Enforcement Agency and one from a Prosecution Authority or an institution mandated to conduct asset recovery in the case of jurisdictions. Asset forfeiture Units may represent law enforcement or the prosecution. Cooperating Partners and International organizations may also nominate two representatives as observers. Observers are not entitled to vote at any AGM or membership of the Steering Committee.

#### **3.2 Membership and Observer status Criteria**

##### **3.2.1 Applicants and Intended members must fulfill the following:**

- a. Submit an application and required information to the Secretariat indicating two (2) designated national contact point(s);
- b. Supplying an outline and summary of their legislation and practical procedural guidelines relating to civil and criminal asset forfeiture/confiscation. This information will be shared with other Members and Observers and also be included on the ARINSA website (in the case of countries/jurisdictions);
- c. Undertaking to meet the objectives and functions as set out in the statement of intent.

#### **3.3 Commitment of ARINSA Members and Observers**

Members should:

- a) Actively participate in the affairs of the network;
- b) Facilitate requests for the exchange of information from other ARINSA members and observers;



- c) Advise on mutual legal assistance;
- d) Facilitate requests for mutual legal assistance through the appropriate formal legal channels;
- e) Share good practices, knowledge and experiences about their own national initiatives and provide feedback to assist in research and development relating to asset tracing and recovery;
- f) Raise awareness about the importance of developing all aspects of tackling proceeds of crime
- g) Share information with regard to Asset Recovery with all relevant law enforcement and prosecution authorities;
- h) Provide relevant and timely data and statistics as requested by the secretariat;
- i) Each member state to fund their own costs and expenses unless, in exception of cases, external funding is available for such activities.

### **3.4 Functioning of the ARINSA Network**

#### **3.4.1 General**

- a) ARINSA's working language will be English.
- b) ARINSA will hold an Annual General Meeting (AGM) hosted by the presidency for its Members and Observers. The hosts may invite representatives of other Asset Recovery Networks to the AGM;  
The AGM may be held upon recommendation of the Steering Committee. The location of each AGM will be determined by the secretariat in consultation with the President. Countries hosting the AGM are encouraged to provide any kind of contributions such as venue e.t.c. Where necessary, it will be held virtually.  
Attendance to the AGM is open to all members and observers.
- c) The ARINSA Secretariat will host and administer a dedicated website for the network. Membership to the website will be open to criminal justice professionals who are public servants of their governments. It will also be open to donors and partners.

#### **Voting by contact points and Steering Committee**

- a) Each Member State shall have one vote in AGM and in the Steering Committee meetings.
- b) Voting shall be by secret ballot.
- c) In the event of a tie, the president or acting president shall have a tie-breaking vote.
- d) Observer members shall have no right to vote.
- e) Decisions shall be made on the basis of simple majority of Member States present. The quorum necessary for a Steering Committee and AGM shall be four and nine, respectively.

#### **Contact points should:**

- a) Be from an Asset Recovery Unit, Law Enforcement Agency, a prosecution authority or an institution mandated to conduct asset recovery.
- b) Provide the Secretariat with their relevant contact details i.e. phone numbers, e-mail, WhatsApp, office postal or physical address, institution and designation.



- c) Immediately notify the secretariat of any change in contact details or inability to act as a Contact Point.
- d) Receive operational requests from ARINSA Member States or the ARINSA Secretariat and acknowledge receipt of requests within 24hrs.
- e) Provide feedback or a progress report within five (5) working days of receiving the request; A progress report should be given every five (5) days until it is executed.
- f) Share good practices, knowledge and experiences relating to tracing and recovery of assets by providing feedback via the ARINSA website (photos, newspaper articles, judgements etc.) to assist in research and development of the asset recovery regimes.
- g) Submit comprehensive statistics on money laundering, asset forfeiture and any other relevant information to the ARINSA website on a quarterly basis.
- h) Treat all the requested and received information strictly confidential.

### **3.4.2 Steering Committee**

- a) The Steering committee shall comprise of:  
Eight Members, namely: Botswana, Mauritius, Namibia, South Africa, Tanzania, Zimbabwe; and two non-founding members on a rotational basis. In the event that the president is from a non-founding member of ARINSA, they will assume one of the two non-founding positions.
- b) ARINSA will have a Steering Committee comprising of up to eight (8) members.
- c) Every ARINSA Member state should make every effort to be gender sensitive when nominating contact points and Steering Committee Member.
- d) UNODC (GPML) will have permanent observer status in the Steering Group.

### **Functions of the Steering Committee**

- a) The Steering Committee will oversee the administration of the network including setting out annual priorities for the financial year based on the needs of ARINSA Member States.
- b) Following nominations from a member or observer, the Steering Committee will receive applications for membership, and will decide if the application meets the eligibility criteria.
- c) The Steering Committee may establish working groups to examine and report on legal and practical issues.
- d) The Steering Committee will assist in the preparation of the AGM agenda and will identify areas for consideration at the AGM.
- e) The Steering Committee will promote ARINSA and the ARINSA initiatives in meetings, conferences and other events.
- f) The Steering Committee will propose revisions to the ARINSA Manual following suggestions from ARINSA Members for the approval of the contact points at the AGM.
- g) The ARINSA Manual may be amended no more than once every four years, save for exceptional circumstances.
- h) The Steering Committee should endeavor to meet once every quarter.





### 3.4.3 The Presidency

- a) Each Member State may serve as president of ARINSA on a rotational basis in reverse alphabetical order. In the event more than one member state expresses an interest in the Presidency, an election may take place taking into account various criteria such as but not limited to whether or not the country has previously served the Presidency, the reverse alphabetical order etc...
- b) The Steering Committee will propose to the Contact Points at the AGM Member States interested for Presidency.
- c) Each Presidency will be elected for the duration of two (2) years, save for exceptional cases.
- d) The term of the presidency will terminate in two (2) years with written notification from the secretariat. The term of the presidency may be extended exceptionally by the decision of the Steering Committee.
- e) The Secretariat will convene the elections prior to the end of the tenure of the current presidency.
- f) Upon election the new Member State assumes the presidency.
- g) The Presidency, in conjunction with the Secretariat, will manage:
  - i. External communication with other Network Members.
  - ii. Internal communication with Network Members.
- h) The Presidency and Steering Committee in cooperation with the Secretariat will manage the compilation and dissemination of ARINSA's annual report.
- i) The Presidency will represent and promote the ARINSA Network in meetings, conferences and other events to which the Network is invited.
- j) The Presidency shall report to the Steering Committee and the ARINSA AGM on its activities for the preceding year.
- k) The Member State or Steering Committee may appoint an acting president in the event the incumbent is for any reason not be able to perform the functions.

### 3.4.4 The Secretariat

The Asset Forfeiture Unit at the National Prosecuting Authority in South Africa and the United Nations Office on Drugs and Crime (UNODC) will provide a Secretariat function.



**The Secretariat shall:**

- a) provide effective administrative support to the Presidency, ARINSA Members and Observers to ensure they are able to carry out their prescribed functions.
- b) support and assist the Presidency and the Steering Committee to manage the ARINSA website.
- c) maintain and update the ARINSA Contact Points list.
- d) prepare documents related to ARINSA activities and action plans to implement the Network's outcomes and recommendations.
- e) keep an up-to date record of projects and decisions taken by the Steering Committee.
- f) provide support to the Presidency organizing the AGM as well as the Steering Committee and working group meetings.
- g) establish and maintain relations with other international and regional bodies and structures in the fields of money laundering, asset tracing and recovery.
- h) promote ARINSA Network and concept in meetings, conferences and other events to which it is invited.
- i) compile and prioritize the training needs of the ARINSA members and facilitate the training initiatives where possible upon direction of the Steering Committee.
- j) facilitate Peer to Peer training and development amongst ARINSA members.
- k) maintain the statistics as well as good practices of the ARINSA members.
- l) the Secretariat will assist with the compilation and publication of the ARINSA annual report.

**ARINSA Funding**

- 1. ARINSA funding shall comprise of
  - a. Development Partners contributions
  - b. Voluntary contributions from member countries either
    - i. Monetary contributions
    - ii. Hosting of events such as AGMs, training events
    - iii. Other forms of in-kind contributions

**2. Management of ARINSA funds**

The Secretariat shall manage funds that come through development partners. Audited annual statements for Member states contributions may be presented during the AGM, together with a breakdown of expenditures. The Steering Committee may approve the ARINSA activities. Contribution or voluntary contributions in monetary form ARINSA members shall be managed by an independent appointed body.



## ANNEXURE

### ARINSA Members

#### Countries, States, Jurisdictions and Organizations

Country, Jurisdiction or Organization	Membership Status
Angola	Member
ARIN – AP (Asset Recovery Inter – Agency Network Asia – Pacific)	Observer
ARIN – WA (Asset Recovery Inter – Agency Network for West Africa)	Observer
ARIN – AP (Asset Recovery Inter – Agency Network for West + Central Asia)	Observer
Botswana	
CARIN (Camden Assets Recovery Inter -Agency Network)	Observer
DRC (the Democratic Republic of the Congo)	Member
Kenya	Member
Lesotho	Member
Malawi	Member
Mauritius	Member
Namibia	Member
Mozambique	Member
Madagascar	Member
Seychelles	Member
South Africa	Member
Swaziland	Member
Tanzania	Member
Uganda	Member
United Nations Office on Drugs and Crime (UNODC)	Observer
The World Bank	Observer
Zambia	Member
Zimbabwe	Member



[www.arinsa.org](http://www.arinsa.org)

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