



The Dar es Salaam Declaration on Strengthening Asset Forfeiture for Development

We, the Representatives of Members of the Asset Recovery Inter-Agency Network of Southern Africa (ARINSA), having assembled in Dar es Salaam, Tanzania, on 12 June 2019, to reaffirm our shared commitment to strengthen asset recovery and foster cooperation and information exchange between ARINSA contact points and international partners,

Noting with concern that transnational organised crime and illicit financial flows resulting from crimes such as corruption, terrorist financing, wildlife crime, illegal fishing, cyber-crime, illicit drug trafficking, illicit trafficking in precious metals, illicit mining, illicit trade of timber and wildlife, trafficking in persons, cause inestimable damage in Africa and continue to be challenges that do not recognise national or regional boundaries;

Recognising the negative impact of transnational organised crime and illicit financial flows to security and development, and acknowledging the adverse effect to service delivery, infrastructure and society at large including vulnerable communities or groups such as women and children;

Determined to deny safe haven for and disrupt the flows of illicit finance related to criminal activities;

Recognising that in order to deprive criminals and terrorist organisations of the proceeds and instrumentalities of crime, it is crucial that Member take all measures to seize, freeze and confiscate all proceeds and instrumentalities;

Recognising the need for engaging at both regional and international levels to facilitate the recovery of assets and the exchange of information;

Recognising that the proceeds of crime, if confiscated, can be used to address the damage caused, compensate victims, as well as contribute to initiatives such as supporting law enforcement to fight crime and recover assets;

Recognising that ARINSA is aimed at strengthening international cooperation for the recovery of the proceeds of crime and countering the financing of terrorism;

Recalling international asset recovery commitments made in the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, the United Nations Convention against Transnational Organised Crime, the United Nations Convention against Corruption, Recommendations made through the Financial Action Task Force and the Eastern and Southern Africa Anti-Money Laundering Group and the 2030 Agenda for Sustainable Development, the Addis Ababa Action Agenda.

Acknowledging that although individual and collective efforts by members in asset recovery have made strides, there remains a need for further attention given that member countries continue to incur losses through illicit financial flows;

Aware that the context outlined above requires ARINSA members to take proactive steps to enact appropriate legislation, and ensure quality investigations, prosecutions and asset recovery;

Recognising in this regard, that asset forfeiture units and practitioners working in this area remain under-resourced, thus unable to effectively address the scourge of trans-national organised crime and illicit financial flows;

Recognising the importance of strong inter-agency coordination amongst various national law enforcement agencies and other institutions whose work is relevant to asset forfeiture;

Recognising that the effective management and preservation of seized and confiscated assets remain crucial for the realisation of the proceeds and instrumentalities of crime;

Recognising the merits of providing certainty as to the destination of recovered funds such as through asset forfeiture funds;

Recognising the need to strengthen capacity building at both regional and national levels of those in law enforcement working in asset forfeiture to address this challenge effectively;

To that end, aware of the need for joint action, ARINSA Members undertake to:

Promote ARINSA and the asset forfeiture agenda in both national and international fora and ensure that asset forfeiture remains in the forefront both on the development agenda, as well as a major tool in the fight against transnational organised crime and illicit financial flows;

Strengthen cooperation with both regional and international partners working in asset forfeiture;

Strengthen inter-agency coordination amongst various national practitioners working in asset forfeiture;

Continue efforts to strengthen capacity at both regional and national levels to address transnational organised crime and illicit financial flows effectively, in particular to mitigate its impact on service delivery, infrastructure and society at large, including vulnerable communities or groups such as women and children;

Encourage the development and sharing of expertise and/or the creation of joint task teams to promote regional asset forfeiture, as well as cooperation through regional joint investigations;

Implement measures that enable the effective management of assets to ensure the preservation and eventual realisation of their value;

To continue support to the ARINSA Contact Points to enable their further contribution and participation in the network;

To strengthen asset forfeiture processes and capacity building to enhance the regional ability to counter money-laundering and illicit financial flows.

Undertake and continue to adopt and enhance national measures to strengthen capacity building and international cooperation mechanisms;

Strive to secure additional financial and human resource allocation to law enforcement or asset forfeiture units to fight crime and forfeit the proceeds of crime and other assets.

Consider the direct use of a portion of the recovered funds to fund national and/or regional asset forfeiture initiatives;

Continue efforts to develop law and policy to support asset forfeiture in accordance with commitments made in the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, the United Nations Convention against Transnational Organised Crime, the United Nations Convention against Corruption, Recommendations made through the Financial Action Task Force and the Eastern and Southern Africa Anti-Money Laundering Group the 2030 Agenda for Sustainable Development, the Addis Ababa Action Agenda.