

Camden Asset Recovery Inter-Agency Network (CARIN)

The History, Statement of Intent,
Membership and Functioning
of CARIN



MANUAL



CARIN MANUAL

Secretariat, Camden Asset Recovery Inter-Agency Network (CARIN)

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Foreword

The ability of both law enforcement and judicial authorities to target the proceeds of crime, using a modern practical strategy, up-to-date national laws and an effective multi-agency policy, is more essential now than ever before. Implementing these asset recovery strategies, laws and policies during investigation and prosecution requires the effort of conscientious dedicated individuals who are specialists in their knowledge and able to operate with a flexible pragmatic approach. The creation of innovative expert networks is a way to maximise the benefits of working with these individuals. Since its inception in 2004, CARIN has grown in success and reputation as a key asset recovery practitioners' network, offering support to jurisdictions determined to remove the illicit wealth from their criminal communities.

In particular, in the current financial climate, the need for contemporary effective asset recovery mechanisms has taken on a new dimension. CARIN, as an informal network, has risen to this challenge by ensuring that each year it remains at the forefront of asset recovery activity, continually highlighting best practice and pushing the boundaries of possibility to confiscate criminal profit. For example, the 2011 CARIN Annual Meeting explored national law enforcement and judicial variations to targeting unexplained wealth, providing a broader understanding of how these systems and approaches work, to improve international cooperation specifically in this area.

As the Director of the European Police Office, supporting EU Member States in disrupting international crime networks is one of my main objectives, and it is for this reason that I continue to support the work of CARIN by offering to host its Secretariat within the Europol Criminal Asset Bureau. In addition to this, the EU Internal Security Strategy states that, in order to combat the financial incentive of criminal networks, EU Member States must do all they can to seize, freeze, manage and confiscate criminal assets, and ensure they do not return to criminal hands¹. Europol acknowledges the importance of CARIN's activities in this process, both within Europe and across the globe.

In providing this foreword to the second edition of the CARIN Manual, I would like to congratulate CARIN on continually achieving its objectives. CARIN is now recognised globally as a high profile practitioners' network with an impact on both strategic and operational asset recovery work.

Mr Rob Wainwright



Director of Europol
The Hague
The Netherlands

¹ COM(2010) 673 final Communication to the European Parliament and the Council: The EU Internal Security Strategy in Action: Five Steps towards a more secure Europe.

1. The History of CARIN

In October 2002 a conference was held in Dublin co-hosted by the Criminal Assets Bureau Ireland and Europol. The conference was attended by representatives of all Member States of the European Union and some applicant states together with Europol and Eurojust. Participants were drawn from law enforcement agencies and judicial authorities within Member States. Workshops were held between practitioners and the objective was to present recommendations dealing with the subject of identifying, tracing and seizing the profits of crime.

One of the recommendations arising in the workshops was to look at the establishment of an informal network of contacts and a cooperative group in the area of criminal asset identification and recovery.

The name agreed for the group was the Camden Assets Recovery Inter-Agency Network (the Camden Court Hotel Dublin being the original location of the workshops where the initiative started).

The aim of the Camden Assets Recovery Inter-Agency Network is to enhance the effectiveness of efforts in depriving criminals of their illicit profits. This is now a major law enforcement tool in targeting organised crime gangs with particular reference to financial deprivation. There is added value in that membership of the group will improve cross-border and inter-agency cooperation as well as information exchange, within and outside the European Union.

The Official start of CARIN took place during the CARIN Establishment Congress in The Hague, 22-23 September 2004. The aim of this congress was the establishment of an informal network of practitioners and experts with the intention of improving mutual knowledge on methodologies and techniques in the area of cross-border identification, freezing, seizure and confiscation of the proceeds from crime. It is expected that this network will improve international co-operation amongst law enforcement and judicial agencies, which in turn will provide a more effective service.

The following states and jurisdictions attended the launch congress
Austria, Belgium, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland ,Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, UK (including the UK Crown Dependencies of Isle of Man, Guernsey, Jersey and Gibraltar), USA.

2. Statement of Intent

2.1. Introduction

CARIN is an informal network of contacts and a cooperative group in all aspects of tackling the proceeds of crime.

2.2. Aim

The aim of CARIN is to increase the effectiveness of members' efforts, on a multi-agency basis, in depriving criminals of their illicit profits.

2.3. Key Objectives

In seeking to meet its aim CARIN will:

- establish a network of contact points;
- focus on the proceeds of all crimes, within the scope of international obligations;
- establish itself as a centre of expertise on all aspects of tackling the proceeds of crime;
- promote the exchange of information and good practice;
- undertake to make recommendations to bodies such as the European Commission and the Council of the European Union, relating to all aspects of tackling the proceeds of crime;
- act as an advisory group to other appropriate authorities;
- facilitate, where possible, training in all aspects of tackling the proceeds of crime;
- emphasise the importance of cooperation with the private sector in achieving its aim;
- encourage members to establish national asset recovery offices.

3. Membership and Functioning of the CARIN Network

3.1. Membership

3.1.1. Member Status

Member Status is open to EU Member States and to states and jurisdictions who were invited to the CARIN launch congress in 2004. Each Member may nominate two representatives, one from a Law Enforcement Agency and one from a Judicial Authority to be their CARIN contacts. Assets Recovery Offices may represent law enforcement or the judiciary.

3.1.2. Observer Status

Observer status will be available to states and jurisdictions that do not qualify for Member status, and non-private bodies concerned with the identification and confiscation of the proceeds from crime. Each Observer member may nominate two representatives to be the network contacts. Country or jurisdiction Observers may nominate one from a Law Enforcement Agency and one from a Judicial Authority to be their CARIN contacts. Assets Recovery Offices may represent law enforcement or the judiciary. Observer status does not entitle the member to a vote at any plenary meeting or to membership of the Steering Group.

3.1.3. Associate Status

Associate Status will be available to bodies that, although not involved with the operational exchange of law enforcement and judicial information, demonstrate a complementary strategic role in the identification and confiscation of the proceeds from crime. Each Associate member may nominate two representatives to be the network contacts. Associate Status does not entitle the member to a vote at any plenary meeting or to membership of the Steering Group.

3.2. Membership Criteria

3.2.1. Criteria to be fulfilled by Members and Observers:

- a) they should provide the network with clearly identified national contact point(s). The number of contact points should be the minimum necessary for effective operation of the network. It is recommended that no more than two national contact points are nominated. One contact point should be the central office involved in asset tracing and forfeiture/confiscation. If not the central asset recovery office, this point of contact must have direct access to practitioners in this area;
- b) they will supply an outline and summary of their legislation and practical procedural guidelines relating to asset forfeiture/confiscation, civil and criminal, for information sharing with other Members and, Observers and for inclusion on the CARIN website;
- c) to undertake to meet the objectives and functions as set out in the Statement of Intent.

3.2.2. Criteria to be fulfilled by Associates:

- a) they should provide the network with clearly identified contact point(s). The number of contact points should be the minimum necessary for effective operation of the network. It is recommended that no more than two contact points are nominated;
- b) they should provide an outline of their practical procedural guidelines relating to asset forfeiture/confiscation, for information sharing with other Members, Observers and Associates;
- c) they will provide details of why and how they add strategic value to the network;
- d) to undertake to meet the objectives and functions, as set out in the statement of intent.

3.3. What does Commitment to CARIN mean?

3.3.1. For Members and Observers:

- a) as an informal practitioners network, they may facilitate the exchange of information with other CARIN Member and Observer status contacts, within available national, European and international legal frameworks;
- b) they should advise on and facilitate mutual legal assistance. Mutual legal assistance requests must be made through the appropriate formal legal channels;
- c) they should share good practice, knowledge and experiences, on their own initiative, and should provide feedback to assist in research and development;
- d) they should raise awareness with appropriate law enforcement and judicial authorities on the importance of developing all aspects of tackling the proceeds of crime and the dissemination of information;
- e) they will fund their own costs and expenses, other than when external funding is available.

3.3.2. For Associates:

- a) they may exchange complimentary strategic information on the identification and confiscation of the proceeds from crime with other CARIN Members, Observers and Associates, as far as national or organisational legislation and policy will allow, on an informal co-operative basis;
- b) they should share good practices, knowledge and experiences, on their own initiative and should provide feedback to assist in research and development;
- c) they will fund their own costs and expenses, other than when external funding is available.

3.4. Functioning of the CARIN Network

3.4.1. General

- a) CARIN's working language will be English.
- b) CARIN will hold an Annual General Meeting (AGM), of its Members and Observers, to be hosted by the nominated Presidency. Associate members may be invited to the AGM by the hosts. The Presidency will be both President of the Steering Group and the Plenary, for their one year term, running from 1 January.
- c) Each Member shall have one vote in plenary. Decisions will be made on the basis of simple majority.
- d) There will be a website designated for CARIN hosted by Europol and administered by the Secretariat. The details can be found in the Annex attached.
- e) The details of all CARIN Associate members will be entered onto the CARIN contacts list, which is circulated to Members and Observers. CARIN Associates can interact with Members and Observers via the Secretariat.

3.4.2. Steering Group

- a) CARIN will have a Steering Group comprising of up to nine Members from which one Member will be elected President. The Steering Group period will run from 1 January each year and conclude on 31 December to allow for planning of the AGM.
- b) Membership of the Steering Group will rotate periodically with up to three Members offering to stand down each year to enable other Members to join the Steering Group. If the number of candidates exceeds the number of vacancies there will be a vote of all Members.
- c) The Steering Group will oversee the administration of the network.
- d) Following nominations from a Member or Observer, the Steering Group will receive applications for Member, Observer and Associate status and will decide if the application meets the eligibility criteria.
- e) Europol and Eurojust will have permanent Observer status in the Steering Group.
- f) The Steering Group may establish working groups to examine and report on legal and practical issues.
- g) The Steering Group will assist in the preparation of the annual conference agenda and will identify areas for consideration at plenary.
- h) The Steering Group will promote CARIN and the CARIN concept in meetings, conferences and other events.

- i) The Steering Group will be responsible for revising the CARIN Manual following suggestions from and consultation with CARIN Members.

3.4.3. The Presidency

- a) The Steering Group will elect the Presidency.
- b) Each Presidency will be elected at least two years in advance.
- c) A Steering Group representative will hold the Presidency for a period of one year.
- d) The Presidency period will commence on 1 January each year and conclude on 31 December to allow for planning of the AGM.
- e) The Presidency will oversee the external communication on behalf of the Network.
- f) The Presidency and Steering Group in cooperation with the Secretariat will oversee the preparation of a summary on the activities of CARIN for the year.

3.4.4. The Secretariat

- a) Europol will provide a permanent Secretariat function². The Secretariat will be located on the premises of Europol and the staff of the Secretariat will be part of the Europol staff. The Secretariat may draw on the administrative resources of Europol as is necessary for the performance of its tasks.
- b) As the administrating unit of CARIN, the Secretariat will provide the necessary professional experience, history and continuity for the network to function effectively.
- c) The Secretariat will provide effective administrative support to the CARIN Members, Observers and Associates, thus allowing them to undertake to meet the objectives and functions as set out in the Statement of Intent.
- d) The Secretariat will support and facilitate the Presidency and the Steering Group and manage the CARIN web site.
- e) The Secretariat will maintain the CARIN Contacts list.
- f) The Secretariat will draft documents related to CARIN activities, and prepare action plans to implement CARIN outcomes and recommendations.
- g) The Secretariat will keep an up to date record of projects and decisions taken.

² The CARIN Secretariat can be contacted on O31CARIN@Europol.europa.eu or +31 703 53 1366

- h) The Secretariat will provide support to CARIN meeting hosts in relation to the organisation of Steering Group, Plenary and sub-working group meetings.
- i) The Secretariat will establish and maintain relations with other bodies and structures in the field of asset recovery.
- j) The Secretariat will promote CARIN, and the CARIN concept, in meetings, conferences and other events.
- k) The Secretariat will facilitate initial contact between CARIN Members, Observers and Associates and other CARIN style networks such as ARINSA (Asset Recovery Inter-Agency Network Southern Africa) and RRAG (Red de Recuperacion de Activos de GAFISUD – Latin American Asset Recovery Network). Operational data will be exchanged between CARIN Members and Observers, and other CARIN Style networks within the international legal frameworks available.

Annex I

The CARIN Web Site Facility

Introduction

The Europol Financial Crime Information Centre (FCIC) is a closed user group web site, administered by Europol and available to all investigators and judicial authorities involved in combating financial crime. Access is available in line with the FCIC Business Procedures (available from Europol Financial Crime Unit) by means of a user name and password issued by Europol.

Contents and responsibilities

1. No personal information, which would be subject to relevant data protection regulations, can be placed onto the web site.
2. This web site will contain an open CARIN area, available to all FCIC users, the intent of which is to raise awareness of all FCIC users on asset forfeiture issues.
3. Within this area there will be a closed folder for exclusive use by CARIN Members and Observers only. This area will be referred to as the CARIN Membership Area.
4. The main website language will be English, although if documents are available only in another language they may also be included. In this case, a summary in English needs to be provided.
5. There are discussion/message boards in both the CARIN Membership Area and the main Home Page of the website.
6. CARIN members will be responsible for the provision of relevant material for inclusion in the CARIN area of the FCIC web site. This information should be submitted to the FCIC portal manager/editor at Europol, in electronic form to carin@europol.europa.eu. The portal manager/editor will confer with the CARIN Steering Group regarding the content for inclusion onto the web site if necessary.
7. The CARIN central contact points should relay information of interest from the web site to the relevant law enforcement or judicial agency or organisation within their own country or region.
8. The central contact point should raise awareness of the existence of the FCIC CARIN web site by ensuring it is mentioned at national financial crime fora and on national law enforcement and judicial web sites.
9. CARIN national contact point responsibilities commence when individuals become members of CARIN and have received their web site account details, available on request by email from Europol³.

³ fcic@europol.europa.eu

The Open CARIN Folder

The open CARIN folder will be used as a means of displaying information in relation to criminal asset issues. This section of the website will contain the following;

10. A list of asset recovery vocabulary applicable in each country should be stored on the open CARIN folder together with translation into a selected number of languages.
11. A 'Member Country' page containing concise information relating to criminal asset issues. This will include reference to open sources of information available in each country. It will also include a synopsis of procedures, legislation and good practice and other relevant information supplied by each member. This should be short and informative.
12. Information on where legislation can be viewed (for example web site links).
13. Case studies with learning points, both positive and negative.
14. An events diary on matters relating to general asset recovery issues, for example CARIN Steering Group meetings or EU Commission meetings.
15. A CARIN News section, containing information on recent cases, important developments in relation to asset recovery worldwide and notification of new documents available in the CARIN area of the web site.
16. A frequently asked questions area (FAQ).
17. A helpdesk function is available for direct contact with the CARIN Secretariat and the portal manager/editor for questions, advice or assistance on any issue relating to asset recovery or the web site. This is accessible by use of the web site email function.
18. Links to university studies and their results.
19. Information resulting from the CARIN Steering Group meetings.

The CARIN Membership Area (CARIN Closed Folder)

The CARIN Membership Area should contain the following:

20. A contact list of all CARIN members.
21. CARIN Steering Group working or draft documents.
22. The central contact point should relay any information they deem relevant to other national contact points, via the web site message board or help desk function.

CARIN Members

Countries, States, Jurisdictions, Principalities and Organisations

Country, Jurisdiction or Organisation	Membership Status
Albania	Observer Status
ARINSA (Asset Recovery Inter-Agency Network Southern Africa) Secretariat	Observer Status
Australia	Observer Status
Austria	Member Status
Belgium	Member Status
Bulgaria	Member Status
Canada	Observer Status
Croatia	Observer Status
Cyprus	Member Status
Czech Republic	Member Status
Denmark	Member Status
Egmont Group	Observer Status
Estonia	Member Status
Eurojust	Observer Status (permanent observer in Steering Group)
Europol	Secretariat
Finland	Member Status
France	Member Status
Germany	Member Status
Gibraltar	Member Status
Greece	Member Status
Guernsey	Member Status
Hungary	Member Status
Iceland	Observer Status
International Criminal Court	Observer Status
International Monetary Fund	Associate Status
Interpol	Observer Status

Ireland	Member Status
Isle Of Man	Member Status
Israel	Observer Status
Italy	Member Status
Jersey	Member Status
Kosovo	Observer Status
Latvia	Member Status
Liechtenstein	Member Status
Lithuania	Member Status
Luxembourg	Member Status
Malta	Member Status
Moldova	Observer Status
Monaco	Observer Status
Montenegro	Observer Status
Netherlands	Member Status
Norway	Member Status
OLAF	Observer Status
Poland	Member Status
Portugal	Member Status
RRAG (Red de Recuperacion de Activos de GAFISUD) Secretariat	Observer Status
Romania	Member Status
Russia	Observer Status
Serbia	Observer Status
Slovak Republic	Member Status
Slovenia	Member Status
South Africa	Observer Status
Spain	Member Status
Sweden	Member Status
Switzerland	Member Status
United Kingdom	Member Status
Turkey	Member Status
United Nations Office of Drugs and Crime	Observer Status
United States of America	Member Status
World Bank	Associate Status

Annex III

CARIN Presidencies 2003 – 2014

2003 / 2004	Belgium & The Netherlands
2005	Ireland
2006	Austria
2007	United Kingdom
2008	France
2009	United States of America
2010	Czech Republic
2011	Bulgaria
2012	Hungary
2013	Ireland
2014	Spain

Steering Group Members 2003 – 2012

2003 / 2004	Austria, Belgium, Germany, Ireland, The Netherlands, United Kingdom
2005	Austria, Belgium, Germany, Ireland, The Netherlands, United Kingdom
2006	Austria, Belgium, Czech Republic, France, Germany, Ireland, Jersey, The Netherlands, United Kingdom
2007	Austria, Belgium, Czech Republic, France, Germany, Jersey, The Netherlands, United Kingdom, United States of America

2008	Belgium, Bulgaria, Czech Republic, France, Germany, Jersey, The Netherlands, United Kingdom, United States of America
2009	Belgium, Bulgaria, Czech Republic, France, Jersey, The Netherlands, Spain, United Kingdom, United States of America
2010	Belgium, Bulgaria, Czech Republic, France, Hungary, The Netherlands, Spain, United Kingdom, United States of America
2011	Bulgaria, Czech Republic, France, Guernsey, Hungary, Ireland, The Netherlands, Spain, United States of America
2012	Bulgaria, Czech Republic, France, Guernsey, Hungary, Ireland, The Netherlands, Spain, United States of America



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