



Balkan Asset Management
Interagency Network

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

MANUAL





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**BALKAN
ASSET MANAGEMENT INTER-AGENCY NETWORK**

(BAMIN)

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**The History, Statement of Intent, Membership and
Functioning of BAMIN**

2023 Edition

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1. The History of BAMIN



- 1.1 In April 2014 a conference was held in Pristina hosted by the Agency for the Management of Sequestered and Confiscated Assets. The conference was attended by representatives of regional States in the Balkans and a representative from Europol's Criminal Asset Bureau. Participants were drawn from equivalent agencies and judicial authorities within the region. The conference was supported by the EU project 'Support to the Agency for Managing of Sequestered and Confiscated Assets (AMSCA)'
- 1.2 Workshops were held between practitioners and the objective was to present recommendations dealing with the subject of identifying, tracing, seizing, managing and selling the proceeds of crime.
- 1.3 One of the recommendations arising from the conference was to look at the establishment of an informal network of contacts and a cooperative group, in the area of criminal asset management and disposal.
- 1.4 Considering the then limited presence of specialized asset management offices in the region and to ensure participation from all jurisdictions at the meeting, the name agreed for the group at this time was the Balkan Asset Recovery Inter-Agency Network.
- 1.5 The following states and jurisdictions attended the launch congress: Albania, Croatia, FYR Macedonia, Kosovo, Montenegro and Slovenia. Bosnia Herzegovina and Serbia were invited but were unable to attend.
- 1.6 A BARIN plenary session was convened in September 2017. Asset management specialists representing Albania, Croatia, FYR Macedonia, Kosovo, Montenegro, Slovenia and Bosnia Herzegovina attended the event, while Serbian representatives were unable to attend.

Considering the developments of specialized entities for Asset Management in the region, the focus of the informal network in this sector has been further clarified and the name of network updated to reflect this focus. The official name of the network is BAMIN – Balkans Asset Management Inter-agency Network.

- 1.7 The aim of the Balkan Asset Management Inter-Agency Network is to enhance the effectiveness of efforts in managing and eventually selling, returning or otherwise disposing of confiscated criminal benefits. 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 Balkans region.

2. Statement of Intent



2.1. Introduction

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

2.2. Aim

The aim of BAMIN is to increase members' efforts, on a multi-agency basis, in depriving criminals of their illicit profits through effective management of their assets liable for confiscation.

2.3. Key Objectives

In seeking to meet its aim BAMIN 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 managing 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 managing the proceeds of crime;
- act as an advisory group to other appropriate authorities;
- facilitate, where possible, training in all aspects of managing the proceeds of crime;

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- emphasise the importance of cooperation with the private sector in achieving its aim
- encourage members to establish mechanisms to effectively manage frozen property in order not to lose its economic value, for example by establishing national Asset Management Offices.

3. Membership and Functioning of the BAMIN Network

The page features several large, abstract, curved shapes in various shades of blue (from light cyan to dark navy) that overlap and flow across the bottom and right sides of the page, creating a dynamic, modern background.

3.1. Membership

3.1.1. Member Status

Member Status is open to Western Balkan States and jurisdictions who were invited to the BARIN launch congress in 2014. Each Member may nominate two representatives to be the network contacts from an Asset Management Office/Agency, or from the institution or department mandated to deal with the management and disposal of criminal assets. In addition, Member Status will be available to other jurisdictions within the Balkan region. Further applications for Member Status can be considered by the Steering Group.

3.1.2. Observer Status

Observer status will be available to other states, jurisdictions and non-private bodies, concerned with the management and confiscation of the proceeds from crime. 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 public or private bodies with a complementary strategic role in the management and sale of the proceeds from crime. 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 agency involved in asset management, if existing. If not, 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/or practical procedural guidelines relating to asset management, for information sharing with other Members, Observers and Associates;
- 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 management, for information sharing with other Members and Observers;
- 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 BAMIN mean?

3.3.1. For Members and Observers:

- a) They may exchange information with each other, as far as their national legislation will allow, on an informal cooperative basis;
- 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 practices, 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 managing the proceeds of crime and the dissemination of information;
- e) they will fund their own costs and expenses for participation to network activities, other than when external funding is available.

3.3.2. For Associates:

- a) they may exchange strategic information with other BAMIN Members, Observers and Associates, as far as national or organisation legislation 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. Structure of the BAMIN Network

3.4.1. The Presidency

- a) BAMIN Members may volunteer to hold the BAMIN Presidency and host the BAMIN Annual General Meeting (AGM)
- b) Each Presidency will be elected two years in advance.
- c) The presidency will commence as soon as funding is available and run for a period of one year.
- d) The Presidency will oversee the external communication on behalf of the Network, supported by the Secretariat.
- e) The Presidency and Steering Group in cooperation with the Secretariat will oversee the preparation of a summary on the activities of BAMIN for the year.

3.4.2. Steering Group

- a) BAMIN will have a rotating Steering Group comprising up to five members.
- b) The Steering Group will be comprised of the previous, current and future BAMIN Presidencies, together with up to 2 further jurisdictions with either Member or Observer status. Observer members must have completed one year in BAMIN before joining the Steering Group.
- c) On the first day of the new Presidency year, a new Steering Group will be formed which will run for a period of one year.
- d) The Steering Group will oversee the administration of the network.
- e) The Steering Group will receive applications for Member, Observer and Associate status and will decide if the application meets the eligibility criteria.

- 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.

3.4.3. The Secretariat

- a) The BAMIN has created a temporary Secretariat function¹. Since March 2020, the BAMIN Secretariat is supported by the Project *“Strengthening the fight against transnational organized crime in South-Eastern Europe through improved regional co-operation in asset seizure, confiscation, management and re-use”* Component two *“Increased efficiency and cost-effectiveness of asset management, including through improved regional co-operation”*. The project designated 3 experts to the Secretariat. The Secretariat may draw on the administrative resources of other bodies as is necessary for the performance of its tasks. ^[1]_{SEP}
- b) As the administrating unit of BAMIN, the Secretariat will provide the necessary professional experience, history and continuity for the network to function effectively. ^[1]_{SEP}
- c) The Secretariat will provide effective administrative support to the BAMIN Members, Observers and Associates, thus allowing them to undertake to meet the objectives and functions as set out in the Statement of Intent. ^[1]_{SEP}
- d) The Secretariat will support and facilitate the Presidency and the Steering Group.
- e) The Secretariat will maintain the BAMIN Contacts list. ^[1]_{SEP}

¹ The temporary Secretariat will be composed by three experts, Jill Thomas, Andrea D’Angelo and Alessandro D’Autillio, and will be in place until the Secretariat function will be passed to BAMIN Members

- f) The Secretariat will draft documents related to BAMIN activities, and prepare action plans to implement BAMIN outcomes and recommendations. ^[1]_[SEP]
- g) The Secretariat will keep an up-to-date record of BAMIN strategic planning, projects and decisions taken.
- h) The Secretariat will provide support to BAMIN meeting hosts in relation to the organisation of Steering Group, Plenary and sub-working group meetings. ^[1]_[SEP]
- i) The Secretariat will establish and maintain relations with other bodies and structures in the field of asset management and asset recovery. ^[1]_[SEP]
- j) The Secretariat will promote BAMIN, and the BAMIN concept, in meetings, conferences and other events. ^[1]_[SEP]

3.5. Functioning of the BAMIN Network

- a) BAMIN's working language will be English.
- b) BAMIN 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.
- h) If a vote is required, each Member shall have one vote in plenary. Decisions will be made based on simple majority.
- i) The details of all BAMIN Associate members will be entered onto the BAMIN contacts list, which is circulated to Members and Observers. BAMIN Associates can interact with Members and Observers via the Secretariat.

- j) The Secretariat will maintain a newsletter and will periodically share relevant information and news on asset management, including relevant policy developments at EU level, with BAMIN members.



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