

Asset Recovery: Freezing & Seizing Assets Programme

BOTSWANA PRESENTATION

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HOW THE CASE CAME TO OUR ATTENTION

It came to our attention through the Risk and Intelligence office after a tip off by an anonymous person and they forwarded the case to our attention after profiling the individual.

THE CRIME THAT WAS COMMITTED

- Allegation, that the individual was using office funds for their own personal benefits. Upon investigation it was discovered that he has only one source of income, that he declared in the annual income tax returns to Botswana Unified Revenue Service (BURS). There was no additional income declared. As we investigated, we found that he owned several properties including farms, lodges, luxury cars, owned shares in big corporations, some of which were held under the names of close friends and family who didn't have the financial ability and capacity to be owning such properties.
- Government funds were transferred from the organizations account to the concerned individual's personal account under the disguise that its going to be used for government's expenditure and he used the money to purchase personal assets as stated above.
- Corruption and Tax evasion were the main predicate offences for Money Laundering

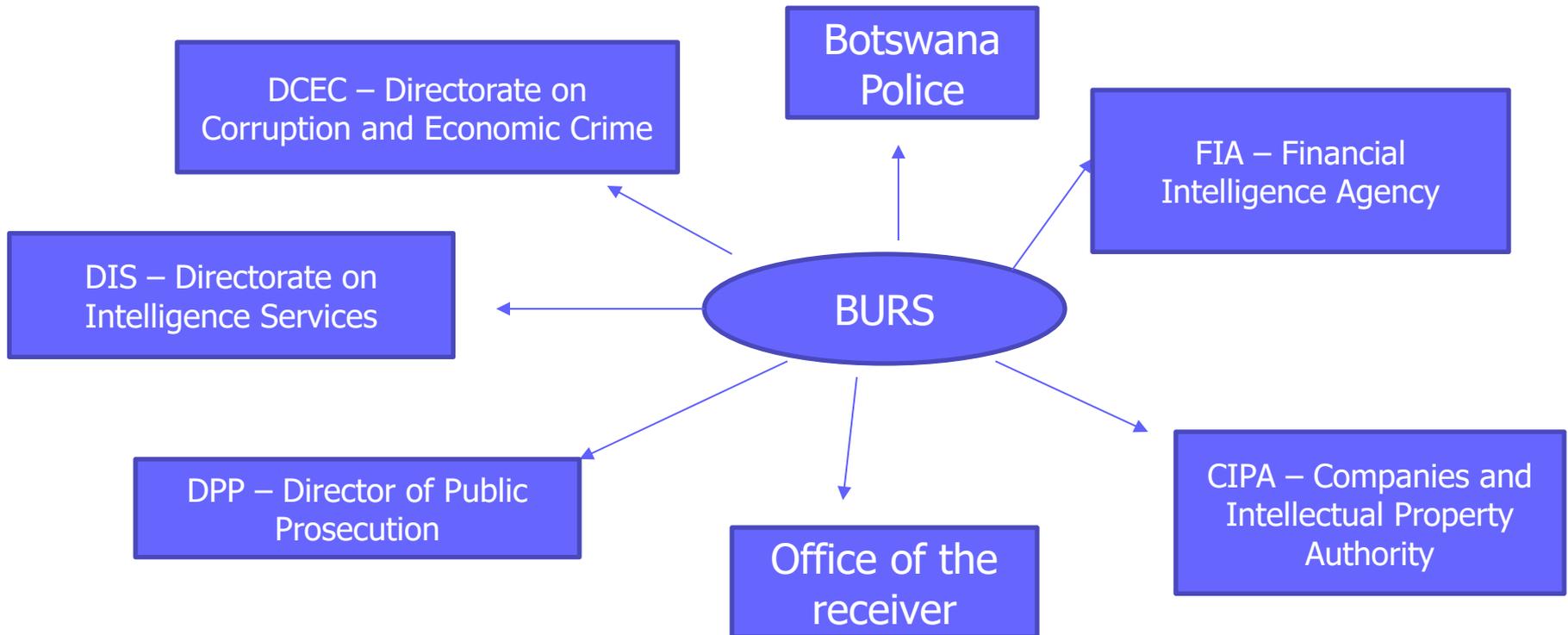
INVESTIGATIVE TECHNIQUES

- Individual profiling - A financial investigation was done to find out any other sources of income that the revenue service wasn't aware of, any indication of high spending as well as diversion of government funds into the individual's personal accounts. (lifestyle audits)
- A search in the tax system for BURS to check level of compliance in terms of tax returns and tax payment, to also determine the level of income for the individual in comparisons to the assets they have.
- A search with the Company and Intellectual Property Authority (CIPA) database, to find out if he has any companies under his name or is a director in any companies.
- Vehicle Registration and Licensing System (VRLS) to check ownership of the vehicles in question.

INVESTIGATIVE TECHNIQUES cont.

- Requisition for the bank statements of the person of interest from local banks, to trace expenses to assets
- Deeds registry, Land boards, Town Councils – to find out if the person has any plots and/or houses anywhere in the country
- Insurance firms to check if he had any assets and/or property insured
- Close family and friends were also interviewed to find out if they didn't hold any assets and/or property for the concerned individual.
- A physical search was done at his farms, homes and close associates premises and documents/ evidence pertaining to the case were discovered.

INTER-AGENCY COOPERATION



INTERNATIONAL COOPERATION

- Through Financial Intelligence Agency (FIA) we were able to liaise with other international financial intelligence units to check for other offshore investments.
- Director of Public Prosecution (DPP) – provides for mutual legal assistance, when requesting for offshore investments/assets.

CASE ASSET RECOVERY RESULTS

- Through Deeds Registrar we were able to locate some of the property/assets.
- Some of the items were purchased through cash, and it was difficult to determine if the cash was part of government funds, so the items were seized until they could prove otherwise.
- The assets recovered comprised of cattle, large sums of money in banks accounts, wild animals, house in a prime areas, farms, that were purchased and developed using the proceeds of the crime.
- Application to the court to freeze and seize the assets which were handed over to the office of the receiver, while the case is still ongoing as it will preserve the value of the property in its possession.

Thank you!