

Senior Asset Recovery Specialist, Kenya

Job title:	Senior Asset Recovery Specialist
Place of work:	Nairobi, Kenya
Start date:	January 2022 or shortly thereafter
Employment rate:	100%
Contract duration:	1 year (with potential for extension)
Reporting:	Coordinator Southern and Eastern Africa / Senior Investigation Specialist

About the International Centre for Asset Recovery (ICAR)

ICAR is a specialist centre of the Basel Institute on Governance that works with countries around the world to strengthen their capacities to recover stolen assets. Particular emphasis is placed on hands-on mentoring to assist law enforcement practitioners to conduct financial investigations, develop suitable strategies for the prosecution of corruption offences, and to identify, restrain and confiscate proceeds of crime. ICAR also supports legislative and institutional reform processes, develops and delivers tailor-made training, and works with other international organisations to advance innovation and global policy dialogue on asset recovery.

ICAR programme in Kenya

ICAR has strong and established relationships across the anti-corruption chain in Kenya. ICAR's cooperation with the Ethics and Anti-Corruption Commission (EACC) dates back to 2005 and initially focused on providing fly-in, fly-out support to ensure the country's compliance with UNCAC; deliver foundational training on asset recovery; and investigate a number of emblematic and complex international cases. The embedded expert model introduced by ICAR in 2014 has subsequently supported the EACC to drive sustained performance improvement in its investigative and international cooperation practices, and to tangibly improve its capacity to trace, freeze, and confiscate assets.

As part of the new UK Foreign, Commonwealth and Development Office (FCDO)-funded phase of our programme (November 2021–October 2024), ICAR will continue to provide targeted technical support to EACC (via our Coordinator Southern and Eastern Africa / Senior Investigation Specialist) and embed a full-time Senior Asset Recovery Specialist at the Office of the Director of Public Prosecutions (ODPP). This work will build on the GIZ-funded project to support ODPP which ICAR implemented in 2020. During the one-year assignment, ICAR provided targeted case support and mentoring to ODPP prosecutors, and delivered training on asset recovery case analysis, financial investigation, restraint, confiscation and

enforcement, and mutual legal assistance (MLA) aspects of casework. In due course, the Senior Asset Recovery Specialist will also be expected to support Kenya's Asset Recovery Agency (ARA), albeit in a more targeted manner.

Responsibilities

The focus of the Senior Asset Recovery Specialist's activity will be on case analysis, case preparation and application with an emphasis on strengthening asset recovery, and case review for specific identified complex and serious cases within the Corruption Division of the Economic Crimes Department of the ODPP and ARA. The post holder will work in a team of three, supervised by the in-country Coordinator Southern and Easter Africa / Senior Investigation Specialist and supported by a Programme Manager. The team will be under the strategic oversight of the HQ-based ICAR Head of Programmes.

Key responsibilities include:

- Supporting the development of prosecution strategies for complex corruption-related proceedings through practical mentoring and advice.
- Supporting case preparation and presentation through practical mentoring and advice.
- Supporting efforts to obtain judicial orders for the restraint, seizure, and confiscation of proceeds of crime.
- Facilitating international cooperation and evidence gathering by establishing and enhancing channels for international communication and by assisting partner agencies in the drafting of mutual legal assistance requests.
- Designing and delivering training tailored to the local legal and policy context, with an emphasis on prosecuting corruption and other financial crimes, international mutual legal assistance, and asset recovery procedures.
- Promoting and embedding a strong emphasis on the identification, restraint, and confiscation of proceeds of crime as a priority in corruption cases.
- Facilitating domestic agency coordination and collaboration and promoting prosecutor-informed joint investigation processes.
- Reviewing legislative frameworks concerning corruption, financial crime and the recovery of proceeds of crime and identifying areas for potential amendment.
- Analysing agency-specific processes and procedures regarding prosecutions and asset recovery proceedings and identifying areas for development.
- Engaging with local and international partners to establish and maintain relationships for the benefit of enhancing asset recovery capabilities in the target country.
- Supporting the development of workplans and training calendars.
- Submitting progress reports in line with ICAR HQ and donor requirements.

Qualifications

- At least 10 years of experience prosecuting high-level and complex corruption, fraud, organised crime and money laundering cases.
- Proven experience prosecuting cases involving complex confiscation issues including early stage restraint and freezing of assets both domestically and abroad.
- Track record in prosecuting complex multi-defendant cases involving early stage advice and decision making with investigative agencies.
- Knowledge and experience regarding international mutual legal assistance and the development of international relationships to facilitate the sharing of intelligence and evidence.
- Experience in the design and delivery of training modules within a criminal justice setting.
- Experience successfully transferring skills / new ways of working / methodologies to practitioners in lower capability jurisdictions.
- Excellent communication and interpersonal skills with the ability to contribute to policy discussions with national and international stakeholders.
- Undergraduate or postgraduate degree in law.
- Excellent speaking and writing fluency in English.

Remuneration package

The salary will be commensurate to experience and responsibility. Additional allowances for field staff may apply, including health allowance, accommodation allowance and one home leave flight per 12-month period. The position is entitled to 25 days of paid leave per 12-month period and 5 days of paid home leave per 12-month period.

Equal opportunity employer

The Basel Institute is an equal opportunity employer. It does not discriminate on the basis of race, religion, colour, sex, gender identity, sexual orientation, age, non-disqualifying physical or mental disability, national origin, veteran status or any other basis covered by appropriate law. All employment is decided on the basis of qualifications, merit, and business need.

Application

Please email your full application file, including a motivational letter in English and your detailed CV (merged into a single PDF file) by 6 December 2021 to application@baselgovernance.org. Only short-listed candidates will be contacted.