



MAURITIUS DECLARATION 2018

WHEREAS, the Africa Prosecutors Association ('APA'), being a body of Prosecutors from across the African continent and having met in Mauritius from 30th October to 1st November 2018 for the 13th APA Conference and AGM;

AND WHEREAS, the Conference theme was 'Prosecutorial independence and accountability: A prerequisite of the rule of law';

RECALLING the past thirteen years of APA's existence and specifically the achievements of this Association;

GIVEN that we as Prosecutors from Africa, recognise the need to improve collaboration, networking, cooperation, mutual legal assistance, capacity building, training, workshops and the development of training manuals among the Prosecuting Authorities and Agencies;

NOTING the need for cohesive approaches in prosecution of corruption and transnational crimes;

ACKNOWLEDGING that development in Africa continues to be undermined if corruption and transnational crime is allowed to thrive;

RECOGNISING further that as Prosecutors from Africa having come together from different jurisdictions to formulate a common response to ensure jurisdictions to formulate a common response to ensure and support the establishment of effective collaboration and networking of both formal and informal that enhances capacity building and justice services to the people of Africa guided by the African Union Model Law on Universal Jurisdiction;

ACKNOWLEDGING with thanks, and commending the Director of Public Prosecutions of Mauritius, Mr Satyajit Boolell, SC for having drafted, published and launched the 'Mutual Legal Assistance Handbook', which is an informative guide on mutual legal assistance, for the benefit of prosecutors of APA and of the whole world. APA endorses the said handbook and undertakes to source potential donor of funds with a view to publish the said handbook in French, Portuguese and Arabic;

ACKNOWLEDGING the differences in our legal jurisdictions but united by a common vision and purpose of combating corruption, terrorism, financial crimes and other transnational crimes in Africa;

BEARING IN MIND that most country members have signed or ratified the African Union Convention on Prevention and Combating Corruption, the SADC Protocol on the fight against Corruption, the ECOWAS Protocol on the fight against Corruption, the UN Convention Against Transnational Organised Crime;

RECOGNISING that corruption, transnational crime and terrorism is a cross border problem that affects everyone;

ACKNOWLEDGING the new member States of APA and encouraging APA member countries to ensure that all AU member countries become APA member countries.

THEREFORE, we as members of the APA, having come together and resolved:

1. To implement all APA existing declarations against corruption, transnational crimes and terrorism and the other serious crimes;
2. To uphold the rule of law by promoting prosecutorial independence and accountability;
3. To collaborate more effectively with a view to encourage forfeiture of proceeds of crimes and address the challenges faced by prosecutors in identifying proceeds and instrumentalities of crimes, and to consider corporate liability through restitution orders;
4. To enhance cooperation among APA member countries and encourage sharing of information through both formal and informal mutual legal assistance among law enforcement and prosecuting agencies of countries, and promote the Mutual Legal Assistance Handbook published and provided by Mauritius;
5. To encourage APA member countries to conclude Memorandum of Understandings among each other;
6. To promote protection of rights of victims, and witness protection as well as the rights to confer with prosecutors, with a view to combat the hurdles in criminal prosecution, and to promote a victim oriented approach to contribute to confidence within the criminal justice systems and respect for the rule of law;
7. To enforce the legislations pertaining to wildlife crimes among APA member countries and encourage cooperation among countries to combat corruption

and trafficking of wildlife, and to effectively deal with all environmental crime typologies;

8. To continue to commit to building capacity;
9. To contribute to achieving the AU development goals through combating corruption, transnational crime and terrorism and to contribute to peace, security and eradication of poverty;

AND THEREFORE, adopt the Mauritius Declaration at the 13th Annual General Meeting of the Africa Prosecutors Association held in Mauritius on 1st November 2018.