



**COMMITTEE OF INTELLIGENCE AND SECURITY SERVICES OF AFRICA
(CISSA)**

**CONFERENCE
THIRTEENTH ORDINARY SESSION
01 TO 06 AUGUST 2016
KIGALI
RWANDA**

**CNF/13/OR/7
Original: English**

KIGALI DECLARATION

**KIGALI DECLARATION ON THE GROWING THREAT OF ABUSE
OF UNIVERSAL JURISDICTION AGAINST AFRICA**

1. We, Members of the Committee of Intelligence and Security Services of Africa (CISSA);
2. GATHERED in Kigali, from 4th to 5th August 2016 for the 13th CISSA Conference under the theme "Countering the Growing Threat of Abuse of Universal Jurisdiction against Africa";
3. INSPIRED by CISSA's *raison d'être* "to assist the African Union and all its institutions to effectively address the seemingly intractable security challenges confronting Africa";
4. MINDFUL of the prominent role of intelligence and security services in promoting sustainable peace and stability on the Continent;
5. ALARMED by the rate at which selective indictments and threats of arrest warrants against African leaders by the so-called "independent" western judges/courts threatens to reverse our strides towards stability; undermines sovereignty of targeted parties; creates tensions between communities and Nation States; inflicts suffering to citizens of targeted states due to unilateral imposition of sanctions;
6. CONCERNED by negative implication of the growing abuse of universal jurisdiction to the States sovereignty and dignity, as well as to national security of African states;
7. FURTHER concerned that the laws which were formulated to

serve international good, are being abused and used as tools to enhance national interest and foreign policies of some countries;

8. REFERRING to the Decision of the AU Assembly on the Report of the Commission on the Abuse of the Principle of Universal Jurisdiction at its 11th Ordinary Session held in Sharm El-Sheikh, Egypt from 30 June to 1 July 2008;

9. FURTHER REFERRING to the outcomes of the 19th Summit of the African Union Heads of State and Government, including the need to review its relations with the ICC in the wake of the alarming targeted indictments against African nationals, especially African leaders;

10. COGNIZANT of African Union objectives as enshrined in article 3 of its Constitutive Act;

11. REAFFIRMING our adherence to the principle of universal jurisdiction;

HEREBY DECLARE THE FOLLOWING:

12. Member Services EXPRESS their renewed commitment towards timely information sharing and integration of effort in order to effectively tackle the threats facing the Continent.

13. Member Services REAFFIRM to the pledge to deploy collective efforts to confront the growing threat of abuse of Universal Jurisdiction.

14. Member services DENOUNCE the triggering of application of the

principle of universal jurisdiction by a single judge and recommend that the decision to set universal jurisdiction in motion should always be tested by higher judicial authority.

15. Member services URGE States applying Universal Jurisdiction to consult the concerned States before indicting their nationals.

16. Taking note of article 98 of the Rome Statutes, member services further EXPRESS concerns on the signing of supplementary agreements which undermine the applicability of international law in the favor of some powerful countries.

17. Member services REITERATE their resolve to share intelligence on timely basis regarding all International Non-Governmental Organizations (INGOs) and media organizations whose purpose is unclear or activities considered to be malicious. Member Services equally denounce criminalization and dehumanization propagated by these INGOs against Africans.

18. Member services RENEW the AU Appeal for a moratorium on all pending arrest warrants and prosecutions filed against African leaders or other high-ranking officials until discussions among all stakeholders are concluded and the current stalemate is resolved.

19. Member Services COMMIT to explore practical mechanisms of ensuring the respect of international law, particularly the immunity of State officials when applying the principle of universal jurisdiction.

DONE AT KIGALI, 5th August 2016