

AGREEMENT AMENDING

THE PROTOCOL

ON

MUTUAL LEGAL ASSISTANCE

IN CRIMINAL MATTERS

PREAMBLE

We, the Heads of State or Government of:

The Republic of Angola
The Republic of Botswana
The Kingdom of Lesotho
The Republic of Mauritius
The Republic of Namibia
The Republic of South Africa
The Kingdom of Swaziland
The United Republic of Tanzania
The Republic of Zambia
The Republic of Zimbabwe

AWARE that the Protocol on Mutual Legal Assistance in Criminal Matters came into force March 1st, 2007;

CONVINCED that the Protocol on Mutual Legal Assistance in Criminal Matters is a contribution for the promotion and adoption of mutual assistance agreements and arrangements in criminal matters in the SADC Region;

BEARING in mind that the Protocol lacks provisions for a Region-wide institutional mechanism to follow up on the implementation and monitoring of the Protocol;

NOTING that there is need to establish a SADC institutional mechanism to oversee the implementation and monitoring of the Protocol;

HEREBY AGREE AS FOLLOWS:

ARTICLE 1 DEFINITIONS

In this Agreement, the terms and expressions defined in Article 1 of the Treaty and Article 1 of the of the Protocol on Mutual Legal Assistance in Criminal Matters shall bear the same meaning unless the context otherwise requires.

ARTICLE 2 AMENDMENT TO THE PROTOCOL ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

The Protocol on Mutual Legal Assistance in Criminal Matters is amended by inserting, immediately after Article 22, the following Article 22A:

ARTICLE 22 A
FUNCTIONAL INSTITUTION FOR IMPLEMENTATION AND
MONITORING

State Parties hereby designate the Committee of Ministers of Justice/Attorneys-General to oversee the implementation of this Protocol in terms of their mandate provided for under Article 3(2) of the Protocol on Legal Affairs, 2000.

ARTICLE 3
ENTRY INTO FORCE

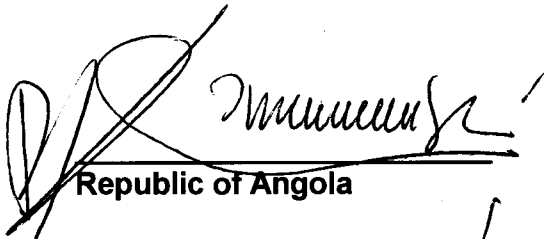
This Agreement shall enter into force on the date of its adoption by three-quarters of the States Parties to the Protocol.

ARTICLE 4
DEPOSITARY

1. The original texts of this Agreement shall be deposited with the Executive Secretary of SADC, who shall transmit certified copies to all Member States.
2. The Executive Secretary shall register this Agreement with the Secretariat of the United Nations Organisation and the Commission of the African Union.

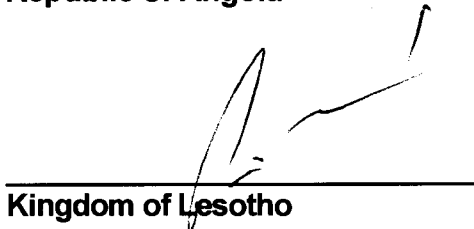
IN WITNESS WHEREOF, WE, the Heads of State or Government or our duly authorized representatives, have signed this Agreement.

Done at this.... day of..... in three (3) original texts in the English, French and Portuguese languages, all texts being equally authentic.



Republic of Angola

Republic of Botswana



Kingdom of Lesotho

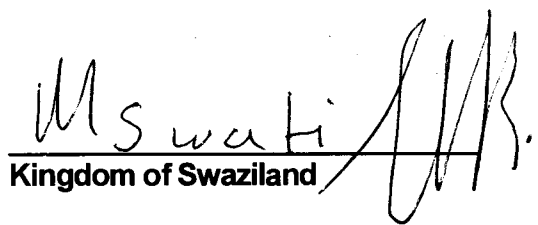
Republic of Mauritius



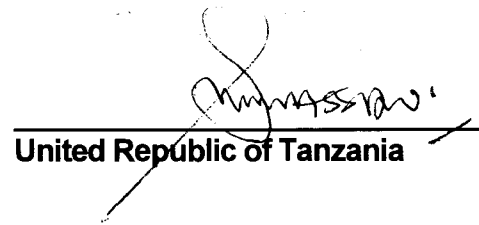
Republic of Namibia



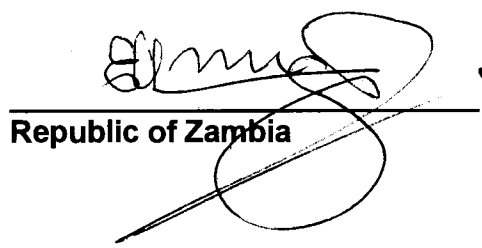
Republic of South Africa



Kingdom of Swaziland



United Republic of Tanzania



Republic of Zambia

Republic of Zimbabwe