

**Joint Communique by the Ministry of Finance and Economic Development,
Ministry of Financial Services and Good Governance, the Financial Services
Commission, and the Economic Development Board of Mauritius
on the “Mauritius Leaks”**

Reference is made to the various articles on Mauritius published by the International Consortium of Investigative Journalists (ICIJ) on the 23rd of July 2019, in the so-called “Mauritius Leaks”.

The Government of Mauritius has taken cognizance of the information averred by the ICIJ in the articles, **which were illegally obtained and tampered with**, and of the allegations which are of a **serious and malicious nature, and factually incorrect**. It is noteworthy that a criminal investigation is currently being conducted after the police has received complaints that the IT systems of a corporate service provider has been illegally intruded and breached.

The ICIJ has, all throughout its articles, clearly stated that “***offshore companies and trust have legitimate uses,***” and that “***we do not intend to suggest or imply that the people or companies or other entities...have broken the law or otherwise acted improperly***”.

It would seem that the ICIJ itself is confused as to the purpose and objective of its articles. And it appears, therefore, that its agenda is to use its unsubstantiated “findings” and incorrect arguments just to harm the repute of Mauritius.

In this light, the Government of Mauritius firmly rejects the statement that Mauritius is a “*a small island off Africa’s east coast helped companies leach tax revenue from poor African, Arab and Asian nations*”, as stated in one of the

articles by ICIJ's Will Fitzgibbon. The ICIJ was apprised, at the very outset, of the recent legislative and policy changes brought to our system, but nevertheless focussed on obsolete information.

Furthermore, in the articles, the ICIJ connotes the signing of DTAA's with tax malpractices. This is incorrect.

Sovereign nations freely sign DTAA's after arms-length negotiations in order to mutually improve their investment climate with a view to attracting foreign direct investment, and to prevent burdensome double taxation of the same income during cross-border investments and transactions.

Mauritius is not the only country in the world to have signed DTAA's. **There are more than 3,000 tax treaties signed by over 70 nations, yet the obsession of the ICIJ seems to be on Mauritius** only. And the Mauritius tax treaties are based on a combination of the UN and OECD's model tax treaties.

Furthermore, in July 2017, Mauritius signed the Multilateral Convention to Implement Tax Treaty Related Measures, commonly known as "Multilateral Instruments" (MLI), as part of the OECD's BEPS actions.

The rationale behind the MLI is to ensure the **implementation of internationally agreed minimum standards for cooperation between countries to tackle base erosion and profit shifting practices and treaty abuses**. Mauritius has to date covered 41 of its 45 DTAA's by the MLI; the ones not covered have either been recently finalised or renegotiated.

Having said the above, it is noteworthy that Mauritius has been at the forefront of driving quality investments into African and Asian nations which was confirmed by the UNCTAD Report in 2019. The international investing community choose Mauritius as its hub of choice for its Africa-bound

operations and investments notably because the country has established itself as a robust, transparent and reliable business-friendly jurisdiction

The Government of Mauritius wishes to reiterate that the Mauritius jurisdiction is compliant with international norms and standards, including the standards on transparency and exchange of information for tax purposes, the Base Erosion and Profit Shifting recommendations, and the Common Reporting Standard on automatic exchange of information. Furthermore, Mauritius is not on the blacklist of the European Union.

Mauritius is also a member of the Eastern and Southern Africa Anti-Money Laundering Group to implement the Financial Action Task Force's (FATF) Recommendations. **Our anti-money laundering and combatting the financing of terrorism systems and procedures have been recently successfully re-evaluated and were endorsed by the FATF Global Network.**

Moreover, Mauritius' cooperation with mainland Africa extends to beyond the field investment. In fact Mauritius has over the years put in place a number of important building blocks for mutually beneficial political and economic relations with mainland Africa. Mauritius is notably:

- a founding member and active participant in the AU, SADC and COMESA;
- a signatory to the African Continental Free Trade Agreement for a unified African market;
- the State which provides annual scholarships to African students to study in Mauritius;
- home to various regional capacity-building institutions dedicated to empowerment of Africa, such as the African Leadership College, AFRITAC South, Africa Training Institute (ATI), Regional Multidisciplinary Centre of Excellence and OECD's Regional Training Centre;

- a visa-free country for most African citizens; and
- developing industrial and ICT parks in partner African countries, such as Senegal, Madagascar, Ghana and the Ivory Coast, amongst others.

These demonstrate our commitment and endeavours to work in unity for the development and prosperity of our Continent.

25 July 2019