

No. 51196*

**United States of America
and
Senegal**

**Agreement concerning the surrender of persons to the International Criminal Court
between the Government of the United States of America and the Government
of the Republic of Senegal. Dakar, 19 June 2003**

Entry into force: *27 June 2003 by notification, in accordance with paragraph 4*

Authentic texts: *English and French*

Registration with the Secretariat of the United Nations: *United States of America, 20
August 2013*

**No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

**États-Unis d'Amérique
et
Sénégal**

**Accord entre le Gouvernement des États-Unis d'Amérique et le Gouvernement de la
République du Sénégal relatif à la remise de personnes à la Cour pénale
internationale. Dakar, 19 juin 2003**

Entrée en vigueur : *27 juin 2003 par notification, conformément au paragraphe 4*

Textes authentiques : *anglais et français*

Enregistrement auprès du Secrétariat des Nations Unies : *États-Unis d'Amérique, 20
août 2013*

** Numéro de volume RTNU n'a pas encore été établie pour ce dossier. Les textes reproduits ci-dessous, s'ils sont disponibles, sont les textes authentiques de l'accord/pièce jointe d'action tel que soumises pour l'enregistrement et publication au Secrétariat. Pour référence, ils ont été présentés sous forme de la pagination consécutive. Les traductions, s'ils sont inclus, ne sont pas en form finale et sont fournies uniquement à titre d'information.*

[ENGLISH TEXT – TEXTE ANGLAIS]

**Agreement between the Government of the United States of America and the Government
of the Republic of Senegal regarding the Surrender of Persons to the
International Criminal Court**

**The Government of the United States of America and the Government of the Republic of
Senegal, hereinafter “the Parties,”**

**Reaffirming the importance of bringing to justice those who commit genocide, crimes
against humanity and war crimes,**

**Recalling that the Rome Statute of the International Criminal Court done at Rome on July
17, 1998 by the United Nations Diplomatic Conference of Plenipotentiaries on the
Establishment of an International Criminal Court is intended to complement and not
supplant national criminal jurisdiction,**

**Considering that the Government of the United States of America has expressed its
intention to investigate and to prosecute where appropriate acts within the jurisdiction of
the International Criminal Court alleged to have been committed by its officials,
employees, military personnel or other nationals,**

Bearing in mind Article 98 of the Rome Statute,

Hereby agree as follows:

- 1. For purposes of this agreement, “U.S. persons” are current or former U.S. Government
officials, employees (including contractors), or military personnel or U.S. nationals.**
- 2. U.S. persons present in the territory of Senegal shall not, absent the express consent of
the Government of the United States of America,**
 - (a) be surrendered or transferred by any means to the International Criminal Court for
any purpose, or**
 - (b) be surrendered or transferred by any means to any other entity or third country, or
expelled to a third country, for the purpose of surrender to or transfer to the
International Criminal Court.**
- 3. When the Government of the Republic of Senegal extradites, surrenders, or otherwise
transfers a U.S. person to a third country, the Government of the Republic of Senegal will
not agree to the surrender or transfer of that person to the International Criminal Court by a
third country, absent the express consent of the Government of the United States of
America.**
- 4. This Agreement shall enter into force upon an exchange of notes confirming that each
Party has completed the necessary domestic legal requirements to bring the Agreement into
force. It will remain in force until one year after the date on which one Party notifies the
other of its intent to terminate this Agreement. The provisions of this Agreement shall
continue to apply with respect to any act occurring, or any allegation arising, before the
effective date of termination.**