

No. 51544

**United States of America
and
Côte d'Ivoire**

Agreement between the Government of the United States of America and the Government of the Republic of Côte d'Ivoire regarding the surrender of persons to the International Criminal Court. Abidjan, 30 June 2003

Entry into force: *16 October 2003 by notification, in accordance with paragraph 6*

Authentic texts: *English and French*

Registration with the Secretariat of the United Nations: *United States of America, 25 November 2013*

**États-Unis d'Amérique
et
Côte d'Ivoire**

Accord entre le Gouvernement des États-Unis d'Amérique et le Gouvernement de la République de Côte d'Ivoire relatif à la livraison de personnes à la Cour pénale internationale. Abidjan, 30 juin 2003

Entrée en vigueur : *16 octobre 2003 par notification, conformément au paragraphe 6*

Textes authentiques : *anglais et français*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *États-Unis d'Amérique, 25 novembre 2013*

[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND
THE GOVERNMENT OF THE REPUBLIC OF COTE D'IVOIRE 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 Cote d'Ivoire, 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 Parties have each expressed their 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, "persons" are current or former Government officials, employees (including contractors), or military personnel or nationals of one Party.
2. Persons of one Party present in the territory of the other shall not, absent the expressed consent of the first Party
 - (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 United States extradites, surrenders, or otherwise transfers a person of Cote d'Ivoire to a third country, the Government of the United States will not agree to the surrender or transfer of that person to the International Criminal Court by the third country, absent the expressed consent of the government of the Republic of Cote d'Ivoire.
4. When the Government of the Republic of Cote d'Ivoire extradites, surrenders, or otherwise transfers a person of the United States of America to a third country, the Government of Cote

d'Ivoire will not agree to the surrender or transfer of that person to the International Criminal Court by a third country, absent the expressed consent of the Government of the United States.

5. Each Party agrees, subject to its international legal obligations, not to knowingly facilitate, consent to, or cooperate with efforts by any third party or country to effect the extradition, surrender, or transfer of a person of the other Party to the International Criminal Court.
6. 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.

This Agreement is drawn up in two copies, English and French, and both texts shall be deemed authentic.

In witness whereof, the undersigned duly appointed by their respective governments signed the Agreement concerning the surrender of persons to the International Criminal Court.

Executed in Abidjan,

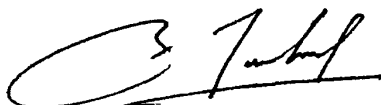
June 30, 2003

For the Government
of the United States of America
The Ambassador



Arlene Render

For the Government
of the Republic of Cote d'Ivoire
The Minister of Foreign Affairs



Bamba Mamadou