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**United States of America
and
Gambia**

Agreement between the Government of the United States of America and the Government of the Republic of the Gambia regarding the surrender of persons to the International Criminal Court. Banjul, 5 October 2002

Entry into force: 27 June 2003 by notification, in accordance with paragraph 5

Authentic text: *English*

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**États-Unis d'Amérique
et
Gambie**

Accord entre le Gouvernement des États-Unis d'Amérique et le Gouvernement de la République de Gambie relatif à la remise de personnes à la Cour pénale internationale. Banjul, 5 octobre 2002

Entrée en vigueur : 27 juin 2003 par notification, conformément au paragraphe 5

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[ENGLISH TEXT – TEXTE ANGLAIS]

Agreement between the Government of the United States of America and Government of the Republic of The Gambia 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 The Gambia, 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, "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.