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United States of America
and
Mongolia

Exchange of notes constituting an agreement between the United States of America and Mongolia regarding the surrender of U.S. persons to third parties. Washington, 6 June 2003

Entry into force: *27 June 2003 by notification, in accordance with the provisions of the said notes*

Authentic text: *English*

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États-Unis d'Amérique
et
Mongolie

Échange de notes constituant un accord entre les États-Unis d'Amérique et la Mongolie relatif à la remise de ressortissants américains à des tierces parties. Washington, 6 juin 2003

Entrée en vigueur : *27 juin 2003 par notification, conformément aux dispositions desdites notes*

Texte authentique : *anglais*

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

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[ENGLISH TEXT – TEXTE ANGLAIS]

DEPARTMENT OF STATE

WASHINGTON

June 6, 2003

Excellency:

I have the honor to refer to recent discussions between representatives of the Government of the United States of America and the Government of Mongolia regarding the surrender of U.S. persons to third parties.

Recalling the Consular Convention between the Government of the United States of America and the Government of Mongolia, done at Ulaanbaatar on August 2, 1990, which facilitates the protection of the rights and interests of each Party's nationals,

Recalling also the Agreement on Military Exchanges and Visits between the Government of the United States of America and the Government of Mongolia, done at Ulaanbaatar on June 26, 1996, which addresses military exchanges and visits by each Party's military and civilian personnel who are carrying out that agreement,

Considering that the Government of the United States of America and the Government of Mongolia have each

His Excellency
    Ravdangiin Bold,
        Ambassador of Mongolia.

DIPLOMATIC NOTE

expressed their intention to continue their cooperation in the field of military assistance,

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

Considering that the Government of the United States of America has expressed its intention to, where appropriate, investigate and prosecute war crimes, crimes against humanity, and genocide alleged to have been committed by its officials, employees, military personnel and nationals,

Respecting the expanding friendly relations between our countries,

I have the honor to propose the following agreement:

1. For purposes of this agreement, "U.S. persons" are all U.S. nationals and all current and former U.S. military personnel.

2. U.S. persons present in the territory of Mongolia shall not, absent the express consent of the Government of the United States of America,

> (a) be surrendered or transferred by any means to any international tribunal for any purpose, unless such tribunal has been established by the UN Security Council, 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 any international tribunal, unless such tribunal has been established by the UN Security Council.