No. 51230[*]

United States of America
and
Madagascar

Agreement between the Government of the United States of America and the Government of the Republic of Madagascar regarding the surrender of persons to the International Criminal Court. Antananarivo, 23 April 2003

Entry into force: *4 August 2003 by notification, in accordance with paragraph 5*

Authentic texts: *English and French*

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États-Unis d'Amérique
et
Madagascar

Accord entre le Gouvernement des États-Unis d'Amérique et le Gouvernement de la République de Madagascar relatif à la remise de personnes à la Cour pénale internationale. Antananarivo, 23 avril 2003

Entrée en vigueur : *4 août 2003 par notification, conformément au paragraphe 5*

Textes authentiques : *anglais et français*

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

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[ENGLISH TEXT – TEXTE ANGLAIS]

Agreement between the Government of the United States of America and the Government of the Republic of Madagascar 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 Madagascar, 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 United States extradites, surrenders, or otherwise transfers a person of the other Party to a third country, the