

**No. 51747\***

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**United States of America  
and  
Swaziland**

**Agreement between the Government of the United States of America and the Government of the Kingdom of Swaziland regarding the surrender of persons to the International Criminal Court. Mbabane, 10 May 2006**

**Entry into force:** *20 September 2006 by notification, in accordance with paragraph 4*

**Authentic text:** *English*

**Registration with the Secretariat of the United Nations:** *United States of America, 4 March 2014*

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**États-Unis d'Amérique  
et  
Swaziland**

**Accord entre le Gouvernement des États-Unis d'Amérique et le Gouvernement du Royaume du Swaziland relatif à la remise de personnes à la Cour pénale internationale. Mbabane, 10 mai 2006**

**Entrée en vigueur :** *20 septembre 2006 par notification, conformément au paragraphe 4*

**Texte authentique :** *anglais*

**Enregistrement auprès du Secrétariat des Nations Unies :** *États-Unis d'Amérique, 4 mars 2014*

*\* 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.*

**AGREEMENT**

between

**The Government of the United States of America**

and

**The Government of the Kingdom of Swaziland**

(hereinafter called "the Parties")

**Regarding the Surrender of Persons to the  
International Criminal Court**

*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,

The Parties hereby agree as follows:

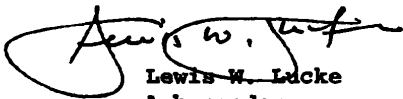
1. For purposes of this Agreement, "persons" are current or former Government officials, employees (including contractors), or military personnel or nationals of the United States of America.
2. Persons of the United States of America present in the territory of the Kingdom of Swaziland shall not, absent 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 Kingdom of Swaziland extradites, surrenders, or otherwise transfers a person of the United States of America to a third country, the Government of the Kingdom of Swaziland will not agree to the surrender or transfer of that person to the International Criminal Court by the third country, absent the express consent of the Government of the United States of America.
4. (1) 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.
- (2) This Agreement will remain in force until one year after the date on which one Party notifies the other of its intent to terminate this Agreement.
- (3) 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.

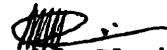
Done in the English language at MBABANE, Swaziland, this 10th day of May, 2006.

FOR THE GOVERNMENT OF  
THE UNITED STATES OF AMERICA:

FOR THE GOVERNMENT OF  
THE KINGDOM OF  
SWAZILAND:



Lewis W. Lucke  
Ambassador  
United States of America



Mathendele Dlamini  
Foreign Minister  
Kingdom of Swaziland