



**Agreement between the Government of the Republic of Guyana and the Government of the United States of America regarding the Surrender of Persons to the International Criminal Court;**

The Government of the Republic of Guyana and the Government of the United States of America, 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 Republic of Guyana and the Government of the United States of America 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 their officials, employees, military personnel or other nationals,

Bearing in mind Article 98 of the Rome Statute,

Hereby agree as follows:

1. For the purposes of this agreement, "persons of the United States of America" are current or former United States Government officials, employees (including contractors), or military personnel or United States nationals.

2. Persons of the United States of America present in the territory of Guyana 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 Guyana extradites, surrenders, or otherwise transfers a person of the United States of America to a third country, the Government of Guyana 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. 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.

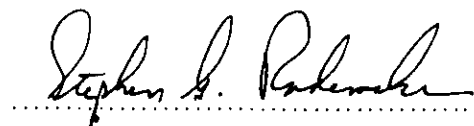
Done at Georgetown this 11<sup>th</sup> day of December, 2003.

For the Government of the Republic of  
Guyana.

For the Government of the  
United States of America.



S. R. Insanally  
Minister of Foreign Affairs.



Stephen G. Rademaker  
Assistant Secretary of State.