

**Agreement between the Government of the United States of
America and the Government of the Republic of Burundi regarding the
Surrender of Persons to International Tribunals**

The Government of the United States of America and the Government of the Republic of Burundi, hereinafter "the Parties,"

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

Considering that the Parties have each expressed their intention to, where appropriate, investigate and prosecute war crimes, crimes against humanity, and genocide alleged to have been committed by their respective officials, employees, military personnel, and nationals,

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 express consent of the first Party,
 - (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.
3. When the United States extradites, surrenders, or otherwise transfers a person of the Republic of Burundi to a third country, the United States will not agree to the surrender or transfer of that person by the third country to any international tribunal, unless such tribunal has been established by the UN Security Council, absent the express consent of the Government of the Republic of Burundi.
4. When the Government of the Republic of Burundi extradites, surrenders, or otherwise transfers a person of the United States of America to a third country, the Government of the Republic of Burundi will not agree

□ *Ar*

to the surrender or transfer of that person by the third country to any international tribunal, unless such tribunal has been established by the UN Security Council, absent the express consent of the Government of the United States.

5. Each Party agrees, subject to its international legal obligations, not to knowingly facilitate, consent to, or cooperate with efforts by any third party or country to effect the extradition, surrender, or transfer of a person of the other Party to any international tribunal, unless such tribunal has been established by the UN Security Council.

6. 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 Bujumbura on the fifth day of July, 2003.

FOR THE GOVERNMENT OF
THE UNITED STATES OF AMERICA:

THE AMBASSADOR OF
THE UNITED STATES OF AMERICA



FOR THE GOVERNMENT OF
THE REPUBLIC OF BURUNDI:

THE MINISTER OF EXTERNAL
RELATIONS AND COOPERATION

