

INTERNATIONAL CRIMINAL COURT

Article 98

**Agreement between the
UNITED STATES OF AMERICA
and MALDIVES**

Signed at Male and Colombo
April 8 and 10, 2003



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

MALDIVES

International Criminal Court: Article 98

*Agreement signed at Male and Colombo
April 8 and 10, 2003;
Entered into force July 8, 2003.*

**Agreement between the Government of the Republic of Maldives and
the Government of the United States of America
regarding the surrender of persons to International Tribunals**

The Government of the Republic of Maldives and the Government of the United States of America, hereinafter referred to as “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, where appropriate, to 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 the purpose 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 otherwise obligated to do so by an international agreement to which both the Republic of Maldives and the United States of America are parties, 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 otherwise obligated to do so by an international agreement to which both the Republic of Maldives and the United States of America are parties.
3. When the Government of the Republic of Maldives extradites, surrenders, or otherwise transfers a person of the United States of America to a third country, the Government of the Republic of Maldives will not agree to the surrender or transfer of that person by the third country to any international tribunal, unless otherwise obligated to do so by an international agreement to which both the Republic of Maldives

A handwritten signature in black ink, appearing to be 'Amal' followed by a stylized flourish.

and the United States of America are parties, absent the express consent of the Government of the United States of America.

4. When the Government of the United States of America extradites, surrenders, or otherwise transfers a person of the Republic of Maldives to a third country, the Government of the United States of America will not agree to the surrender or transfer of that person by the third country to any international tribunal, unless otherwise obligated to do so by an international agreement to which both the Republic of Maldives and the United States of America are parties, absent the express consent of the Government of the Republic of Maldives.
5. Each Party agrees 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 otherwise obligated to do so by an international agreement to which both the Republic of Maldives and the United States of America are parties.
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 in duplicate and in English only, on the 8th Day of April, 2003.

Fathulla Jameel
Minister of Foreign Affairs



For The Government Of
the Republic of Maldives

Signed: April 8, 2003
Male

E. Ashley Wills
US Ambassador To The Maldives



For The Government Of
the United States of America

Signed: April 10, 2003
Colombo