

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF ANTIGUA AND BARBUDA
CONCERNING THE REMOVAL OF THIRD COUNTRY NATIONALS

The Government of the United States of America and the Government of Antigua and Barbuda (hereinafter referred to individually as a “Participant” and collectively as the “Participants”),

AFFIRMING their willingness to cooperate concerning the potential transfer of certain third-country nationals present in the United States to Antigua and Barbuda,

Have reached the following understandings:

1. Purpose and Scope

1.1. The purpose of this Memorandum of Understanding (“MOU”) is to memorialize a non-binding, understanding between our Governments to facilitate the transfer of third-country nationals (“TCNs”) from the United States to Antigua and Barbuda.

2. Case-by-Case Consideration and Documentation

2.1. The Government of the United States of America may in its complete discretion propose to the Government of Antigua and Barbuda the transfer of such third-country nationals, and the Government of Antigua and Barbuda may in its complete discretion consider accepting such a proposal in whole or in part.

2.2. Prior to any transfer, the Government of the United States of America intends to provide the Government of Antigua and Barbuda with documentation of each proposed deportee's biographical, medical, and criminal documentation to the extent available and permitted by law.

3. Assurances

3.1. The Participants intend that all actions taken pursuant to this MOU be in accordance with their respective obligations under: the Convention Relating to the Status of Refugees, done at Geneva on July 28, 1951; the Protocol Relating to the Status of Refugees, done at New York on January 31, 1967; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted in New York on December 10, 1984; and all other relevant international obligations, national constitutions, laws, regulations, and immigration and visa policies, as well as the

principle of non-refoulement. Consistent with this intention, the Government of Antigua and Barbuda assures the Government of the United States of America that it would treat any TCN transferred from the United States to Antigua and Barbuda in a manner that is in accordance with its international legal obligations and that any third-country national transferred to Antigua and Barbuda would not be subjected to persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, or torture, in Antigua and Barbuda, or further transferred to any country in which they would be subjected to persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, or torture.

4. Information Sharing and Confidentiality

- 4.1. The Participants intend to exchange personal data over secure channels and to use such data solely for vetting and case management and retain that data no longer than deemed necessary by each Participant.

5. General Provisions

- 5.1. The Participants intend to consult to resolve any questions about the interpretation or implementation of this MOU. The Participants intend to coordinate public messaging relating to this MOU in advance and do not intend to disclose individual case details publicly.
- 5.2. Either Participant may discontinue its participation in this MOU at any time but should endeavor to provide ninety (90) days' written notice to the other Participant through diplomatic channels.
- 5.3. Nothing in this MOU is intended to create any rights or obligations under international or domestic law, including with respect to the disbursement or obligation of funds.
- 5.4. All actions under this MOU are subject to the applicable laws and regulations of the Participants.
- 5.5. This MOU becomes operative upon signature by both Participants.

Signed, in two originals, in the English language.

**FOR THE GOVERNMENT OF
THE UNITED STATES OF AMERICA:**

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Date:
Place:

**FOR THE GOVERNMENT OF
ANTIGUA AND BARBUDA:**

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Date:
Place: