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on the Establishment of an
International Criminal Court

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COMMITTEE OF THE WHOLE
Working Group on Enforcement

REPORT OF THE WORKING GROUP ON ENFORCEMENT

Addendum

I. INTRODUCTION

1. The Working Group held two further meetings, from 11 to 13 July 1998, to consider the remaining articles of Part 10. The Working Group herewith transmits to the Committee of the Whole the following text for article 101.
2. The Working Group has thereby concluded its work on Part 10.

II. PART 10 ENFORCEMENT

Article 101

Escape

If a convicted person escapes from custody and flees the State of enforcement, that State may, after consultation with the Court, request the person's surrender from the State in which the person is located pursuant to existing bilateral or multilateral arrangements, or may request that the Court seek the person's surrender in accordance with Part 9. Where the Court seeks the person's surrender, it may direct that the person be delivered to the State in which he or she was serving the sentence or to another State designated by the Court. 1/

1/ The modalities for implementation of this article would need to be established in the Rules of Procedure and Evidence.