

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND THE GOVERNMENT OF ESWATINI
CONCERNING THE REMOVAL OF THIRD COUNTRY NATIONALS**

THE GOVERNMENT OF THE UNITED STATES OF AMERICA (“UNITED STATES”) AND THE GOVERNMENT OF ESWATINI (“ESWATINI”), hereinafter referred to individually as a “Participant” or collectively as “Participants”;

RECOGNIZING that Eswatini and the United States regulate their foreign relations in accordance with their international obligations and respective domestic laws, reiterating the purpose of contributing to the maintenance of peace and freedom, respect for human rights, and the strengthening of democratic processes and international institutions aimed at such ends;

EMPHASIZING the importance of the sovereign right of each Participant to control its own borders;

NOTING the shared urgency of curbing illegal migration for the public safety and security of each Participant and concerned by the threats posed by certain individuals capitalizing on illegal migration;

INTENDING, according to each Participant’s abilities and responsibilities, to work closely and cooperatively in a spirit of mutual respect and support; and

RECOGNIZING that Eswatini is a party to the 1951 Convention Relating to the Status of Refugees, done at Geneva on July 28, 1951 (the "1951 Convention"), the Protocol Relating to the Status of Refugees, done at New York on January 31, 1967 (the "1967 Protocol"), and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted in New York on December 10, 1984 (the "Convention Against Torture"), and that the United States of America is a party to the 1967 Protocol and the Convention Against Torture, and reaffirming their obligations to promote and protect human rights and fundamental freedoms in accordance with their international obligations;

Have reached the following understandings:

Section 1. The United States, by and through the U.S. Department of Homeland Security (DHS), intends to cooperate pursuant to this Memorandum as follows:

1. Collaborate with Eswatini on an ongoing basis to identify third country nationals (TCNs) – meaning individuals who are not nationals of the United States or Eswatini – who are present in the United States and may be removed to Eswatini. This may include TCNs with criminal backgrounds and/or who are designated suspected terrorists.
2. Provide Eswatini with USD 5,100,000 to build its border and migration management capacity. Such capacity may include relocation assistance and associated infrastructure necessary to administer such assistance for TCNs removed from the United States to Eswatini under this Memorandum.
3. Engage the International Organization for Migration (IOM) or other service provider to assist, as necessary, with the further relocation, within one year of arrival, of TCNs removed to Eswatini from the United States.

Section 2. Eswatini intends to cooperate pursuant to this Memorandum as follows:

1. Act in accordance with its national laws and international obligations, including the 1951 Convention Relating to the Status of Refugees, the 1967 Protocol, and the 1984 Convention Against Torture, including prevention of refoulement and access to asylum and protection systems.
2. Facilitate access for the United States to remove up to 160 TCNs to Eswatini after Eswatini has approved their removal to Eswatini. The 160 TCNs need not arrive in Eswatini at the same time.
3. Apply the immigration procedures for the transfer of TCNs that the United States removes to Eswatini in accordance with Eswatini's law.
4. Provide appropriate immigration status or other legal accommodation under Eswatini law for up to one year to TCNs.
5. Facilitate access for the IOM or other service provider to assist, as necessary, with the further relocation of TCNs removed to Eswatini from the United States.

Section 3.

1. Nothing in this Memorandum limits the capacity of Eswatini to continue to implement independently its immigration procedures under its jurisdiction, competence, criteria, procedures, authority, laws, and with its own funds.
2. Nothing in this Memorandum creates any rights or obligations under Eswatini law, U.S. law, or international law.

Section 4.

1. Nothing in this Memorandum is intended to create an obligation of the Participants to disburse or obligate funds.

2. All actions sought to be undertaken consistent with this Memorandum are subject to the availability of funds and the applicable laws and regulations of both Participants.

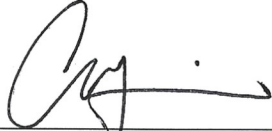
Section 5. This Memorandum is not intended to establish, nor does it establish, in any manner whatsoever, rights of any kind in favor of any third party against any of the Participants, their institutions, agencies, officers, employers, or agents, either collectively or individually.

Section 6.

1. This Memorandum is effective on the date of signature by the later of the Participants.
2. Either Participant may discontinue its participation in this Memorandum at any time but should endeavor to provide written notice to the other Participant through diplomatic channels. It is understood that the discontinuation mentioned in this item does not require acceptance by the other Participant.
3. This Memorandum, including any annexes, may be modified in writing by mutual decision of the Participants.
4. The Participants intend for any difference that may arise regarding the interpretation or implementation of this Memorandum to be resolved through diplomatic channels.

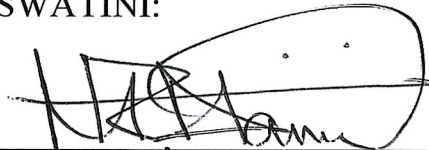
Signed,

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA



Date: May 14, 2025
Place: Mbabane

FOR THE GOVERNMENT OF
ESWATINI:



Date: 14/05/2025
Place: MIBABANE

ANNEX A
**Procedures for the Removal of Third Country Nationals from
the United States to Eswatini**

The Participants intend to use the following procedures to implement this Memorandum:

1. United States officials determine independently and under their own authority which third country nationals it would like to remove to Eswatini.
2. Once the United States identifies third country nationals for removal to Eswatini, the liaison designated by the United States notifies the liaison designated by Eswatini and provides the following information:
 - a. List of persons.
 - b. Demographic information.
 - c. Criminal records, if applicable.
 - d. Estimated schedule for the removal.
3. The Eswatini liaison confirms that the group identified by the United States liaison may be removed from the United States to Eswatini and on the schedule provided.
4. The United States liaison coordinates and organizes the charter or commercial flight, with the goal that it can be executed within a term of ninety-six (96) hours from the moment the Eswatini liaison provides confirmation.
5. The liaisons of the Participants share information on support and coordination as necessary.