**17.3 Kidnapping—Foreign Official or Official Guest**

**(18 U.S.C. § 1201(a)(4))**

The defendant is charged in [Count \_\_\_\_\_\_\_ of] the indictment with kidnapping [a foreign official] [an internationally protected person] [an official guest] in violation of Section 1201(a)(4) of Title 18 of the United States Code. For the defendant to be found guilty of that charge, the government must prove each of the following elements beyond a reasonable doubt:

First, the defendant [[seized] [confined] [inveigled] [decoyed] [kidnapped] [abducted] [carried away]] [*name of kidnapped person*];

Second, [*name of kidnapped person*] was [*specify status*]; and

Third, the defendant [[held] [detained]] [*name of kidnapped person*] against [his][her] will.

[The government is not required to prove that the defendant kidnapped [*name of kidnapped person*] for reward or ransom, or for any other purpose.]

[The fact that [*name of kidnapped person*] [may have] initially voluntarily accompanied the defendant does not necessarily [prevent the occurrence] [negate the existence] of a later kidnapping.]

**Comment**

*See* Comment to Instruction 17.1 (Kidnapping—Interstate Transportation).

“Foreign official,” “internationally protected person,” and “official guest” are defined in 18 U.S.C. § 1116(b).

*See* Comment to Instruction 17.2 (Kidnapping—Within Special Maritime and Territorial Jurisdiction of United States) concerning the need for an instruction distinguishing kidnapping from other offenses involving seizure, confinement, detention, or asportation.

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