

**AGREEMENT
BETWEEN
THE INTERNATIONAL COMMISSION ON MISSING PERSONS
AND
THE REPUBLIC OF MACEDONIA**

In view of the importance of resolving the destiny of missing persons and of providing answers to their families for the Republic of Macedonia;

Recalling that in July 2002 the President of the Republic of Macedonia invited the International Commission on Missing Persons (ICMP) to contribute to the process of determining the fate and whereabouts of persons gone missing in the context of the 2001 crisis;

Recognizing that the mission of ICMP incorporates the provision of legal and forensic technical assistance and technical expertise in assisting States in clarifying the fate of persons missing as a result of conflict or crisis on the territory of the former Yugoslavia .

Acknowledging that ICMP incorporates state-of-the-art technology to assist in identifications of missing persons and *noting that* ICMP exercises its mandate without distinction to ethnic, religious or national origin, guided by the desire to help those persons with missing relatives find answers and determined to seek a full and timely resolution to the missing persons issues;

Recognizing the role of the Government in determining the fate and whereabouts of the missing, thus ensuring that the State meets its obligation to provide answers to their families;

In order to establish cooperation between the International Commission on Missing Persons and the competent Macedonian authorities, and to facilitate its activities in the Republic of Macedonia;

The International Commission on Missing Persons and the Government of the Republic of Macedonia have agreed as follows:

1. To establish the International Commission on Missing Persons Representative Office in Skopje, with national and international staff members needed to implement agreed projects and activities in the Republic of Macedonia;
2. The Office of the International Commission on Missing Persons in the Republic of Macedonia will support government efforts to determine the fate and whereabouts of missing persons and building capacity of the Government and civil society to accelerate this process;
3. The concrete projects and activities of the International Commission on Missing Persons in the Republic of Macedonia are to be determined in cooperation and in agreement with the respective authorities of the Republic of Macedonia.
4. To accelerate and facilitate the process of issuing visas and the resident permits to the international staff, as provided for by national legislation, employed in the International Commission on Missing Persons Representative office in Skopje and to their family members;

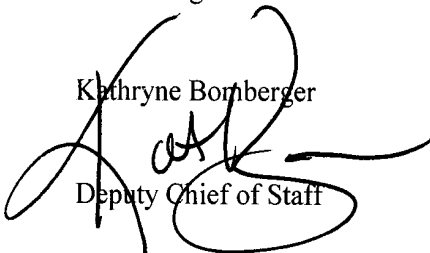
5. The Chairman and Board Members of the International Commission on Missing Persons, the Chief of Staff of the International Commission on Missing Persons, the Deputy Chief of Staff, and other international staff members employed in the Representative Office in Skopje shall enjoy diplomatic privileges and immunities in accordance with the 1961 Vienna Convention on Diplomatic Relations. The ICMP Representative Office in Skopje shall communicate to the Government of the Republic of Macedonia names of personnel who enjoy privileges and immunities under this Article.
6. The national staff of ICMP Representative Office in Skopje shall enjoy same status as the national staff employed by the diplomatic missions in the Republic of Macedonia
7. The provisions of the labor legislation of the Republic of Macedonia shall apply to national staff members employed in the International Commission on Missing Persons Representative Office in Skopje.
8. Privileges and immunities outlined in this Agreement are granted in the interest of ICMP, and not for personal benefit of the individuals themselves. The Chief of Staff of ICMP shall have the right and duty to waive the immunity of any staff member in case where, in his opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the ICMP.
9. The ICMP shall cooperate at all times with the appropriate government authorities to facilitate the proper administration of justice, secure the observance of legal regulations and prevent the occurrence of any abuse in connection with the privileges, immunities, and facilities mentioned in this agreement.
10. Free flow of funds and duty free import of material and equipment required for the activities of the International Commission on Missing Persons in the territory of the Republic of Macedonia shall be approved.
11. This Agreement shall enter in force on the date of its signature and shall remain valid for the duration of the activities of the International Commission on Missing Persons in the territory of Republic of Macedonia, unless the same is cancelled by either of the parties and upon written notice, or is amended by a written agreement of both parties.
12. The Parties agree to settle any disputes amicably. Failing amicable resolution, all disputes shall be solved by arbitration. In the event of dispute resolution by arbitration, each side shall appoint an arbitrator who shall jointly appoint a third arbitrator.

Signed at Skopje, on 16 September 2003 drawn up in two original copies, in English and Macedonian, each of which are equally authentic.

for the International Commission
on Missing Person

Kathryne Bombberger

Deputy Chief of Staff



for the Ministry of Foreign Affairs
of the Republic of Macedonia

Igor Dzundev

State Secretary

