

icmp International Commission on Missing Persons



International Organization for Migration (IOM)
Organisation Internationale pour les Migrations (OIM)
Organización Internacional para las Migraciones (OIM)

COOPERATION AGREEMENT

BETWEEN

THE INTERNATIONAL COMMISSION ON MISSING PERSONS

AND

THE INTERNATIONAL ORGANIZATION FOR MIGRATION

The International Commission on Missing Persons (ICMP) and the International Organization for Migration (IOM),

TAKING NOTE that the purposes of the ICMP are to secure the co-operation of governments and other authorities in locating and identifying persons missing as a consequence of wars, human rights abuses and natural disasters, or other involuntary reasons, and to assist them in doing so.

TAKING NOTE that IOM, committed to the principle that humane and orderly migration benefits migrants and society, acts to: assist in meeting the operational challenges of migration; advance understanding of migration issues; encourage social and economic development through migration; and work towards effective respect of the human rights and well-being of migrants,

CONSCIOUS of the need for closer cooperation between ICMP and IOM in matters of common interest, and desirous of further enhancing and strengthening such cooperation,

HAVE AGREED AS FOLLOWS:

ARTICLE I

GENERAL PRINCIPLES OF COOPERATION

1. ICMP and IOM shall act in close collaboration and hold consultations on all matters of common interest. To this end, the two parties shall consider the appropriate framework for such consultations as and when necessary.
2. ICMP and IOM agree that the two Organizations shall aim at coordinating their activities in areas of common interest in an effort to achieve the maximum cooperation and the elimination of unnecessary duplication between them, and that when common interests so dictate, either Organization may request the cooperation of the other.
3. Each Organization shall endeavour, in so far as possible and in compliance with its constituent instruments and decisions of its competent bodies, to respond favourably to such requests for cooperation in accordance with procedures to be mutually agreed upon.

ARTICLE II

EXCHANGE OF INFORMATION AND DOCUMENTATION

1. ICMP and IOM agree to exchange information and documentation in the public domain to the fullest extent possible on matters of common interest.
2. Where appropriate and subject to the necessary requirements, information and documentation relating to specific projects or programmes may also be exchanged between the parties with a view to attaining better complementary action and effective coordination between the two Organizations.



ARTICLE III

JOINT ACTION

1. ICMP and IOM may, through special arrangements, decide to act jointly in the implementation of projects that are of common interest. Special arrangements shall define the modalities for the participation of each Organization in such projects and shall determine the expenses payable by each of them.
2. ICMP and IOM may, whenever they consider it desirable, set up commissions, committees or other technical or advisory bodies, on terms and conditions to be mutually agreed upon in each case, to advise them on matters of common interest.

ARTICLE IV

AREAS OF COOPERATION

Without prejudice to cooperation in additional fields and subject to the availability of resources, the Parties agree to consider the following areas for mutual cooperation:

- Missing persons as a result of migration, displacement or human trafficking.
- DNA testing in the framework of family reunification according to ethical principles and standards.
- Research studies on matters of mutual interest.

ARTICLE V

COOPERATION BETWEEN THE SECRETARIATS

The Director General of ICMP and the Director General of IOM shall take appropriate measures to ensure effective cooperation and liaison between the Secretariats of the two Organizations. This includes close cooperation in the field, in particular in locations where both organizations are represented.

ARTICLE VI

IMPLEMENTATION OF THE AGREEMENT

The Administration of ICMP and the Administration of IOM shall consult each other regularly on matters relating to this Agreement.



ARTICLE VII

SUPPLEMENTARY ARRANGEMENTS

ICMP and IOM may enter into such supplementary arrangements for the purpose of cooperation and coordination as may be found desirable.

ARTICLE VIII

CONFIDENTIALITY

All information including personal information which comes into the parties' possession or knowledge in connection with this Agreement is to be treated as strictly confidential. No personal information shall be communicated to any third party without the prior written approval of IOM and the person concerned. The parties shall comply with the IOM Data Protection Principles in the event that it collects, receives, uses, transfers or stores any personal data in the performance of this Agreement. The obligations under this Article shall survive the expiration or termination of this Agreement.

ARTICLE IX

STATUS OF THE PARTIES

Nothing in this Agreement affects the privileges and immunities enjoyed by the Parties as intergovernmental organizations.

ARTICLE X

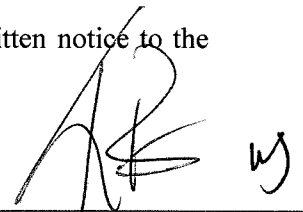
DISPUTE RESOLUTION

Any dispute, controversy or claim arising out of or in relation to this Agreement, or the breach, termination or invalidity thereof, shall be settled amicably by negotiation between the parties. In the event that such negotiation is unsuccessful, either party may submit the dispute to arbitration. The arbitration will be carried out in accordance with the UNCITRAL arbitration rules. The arbitral award will be final and binding.

ARTICLE XI

ENTRY INTO FORCE, AMENDMENTS AND DURATION

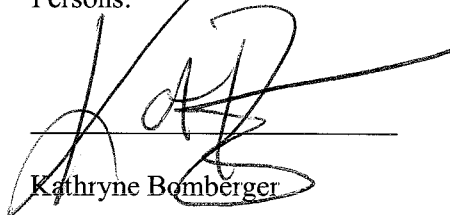
1. This Agreement shall enter into force on the date of its signature by the duly authorized representatives of the two Organizations. Upon its entry into force, both organizations will publicize it among their field and headquarters personnel.
2. This Agreement may be amended by mutual consent of the parties. The proposed amendment should be made in writing to the other party and shall enter into force upon its acceptance in writing by the two parties.
3. Either of the parties may terminate this Agreement by giving six months' written notice to the other party.

Handwritten signature and initials in the bottom right corner of the page.

IN WITNESS WHEREOF, the undersigned representatives of the International Commission on Missing Persons and of the International Organization for Migration have signed the present Agreement.

Signed this 8th day of March 2013 at Geneva.

For the International Commission on Missing
Persons:



A handwritten signature in black ink, appearing to read 'K. Bomberger', written over a horizontal line.

Kathryne Bomberger

Director General

For the International Organization
for Migration:



A handwritten signature in black ink, appearing to read 'William Lacy Swing', written over a horizontal line.

William Lacy Swing

Director General