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COOPERATION AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE INTERNATIONAL ORGANIZATION FOR MIGRATION

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The GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES, on the one hand, and the INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM), hereinafter called the Organization, on the other hand,

RECALLING that the Republic of the Philippines is a member of the Organization since 29 November 1988,

RECALLING the Agreement between the Government of the Republic of the Philippines and the Inter-Governmental Committee for Migration on the Legal Status, the Privileges and Immunities of this Organization in the Philippines dated 10 January 1986,

RECOGNIZING the significant and successful contribution of the Organization in addressing migration issues in the Philippines,

DESIROUS of strengthening the framework for cooperation between the Organization and the Republic of the Philippines through an updating of the 1986 Agreement,

DESIROUS of expanding the IOM Office in Manila to provide technical and administrative support for IOM offices worldwide,

CONSIDERING that the purpose and functions of the Organization and the activities carried out by the Organization and its staff warrant the granting in the Republic of the Philippines to the Organization and its staff of privileges and immunities substantially identical to those accorded to the specialized agencies of the United Nations and their staff,

HAVE AGREED as follows:

ARTICLE 1

1. In accordance with the relevant decisions of its governing Bodies and subject to the availability of funds, the Organization shall implement in the Philippines migration programmes such as capacity building, advisory services and technical cooperation on migration issues, migration information, counter-trafficking, migration health activities, migration of nationals and aliens, assistance to internally and externally displaced persons and other persons in need, return of qualified human resources and other assisted return activities.

2. In order to implement its activities, the Organization is authorized to open offices in the Philippines and to hire staff as required.

3. The IOM Office in Manila may also be used to provide technical and administrative support to IOM offices worldwide.

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ARTICLE 2

If required, details of the cooperation on modalities between the Parties concerning the implementation of presently envisaged or future programmes will be agreed upon in correspondence between the Parties. This correspondence will be considered as being part of this Agreement if designated as such.

ARTICLE 3

1. The Organization shall enjoy in the Republic of the Philippines the same privileges and immunities as those granted to specialized agencies of the United Nations by virtue of the Convention on the privileges and immunities of the specialized agencies of 21 November 1947.

2. In particular, the Organization shall be exempt from all indirect taxes for purchases or articles intended for official use.

3. The Organization shall be exempt from all taxes and customs duties in respect of the importation of motor vehicles for its official use in the Philippines. The importation of additional motor vehicles by the Organization shall be subject to prior consultation and approval of the Government. None of the Organization's motor vehicles may be sold or transferred to non-tax-exempt persons or entities without the prior approval of the Government and without the corresponding customs and duties being paid on them by such non-tax-exempt buyers. However, the motor vehicles may be exported subject to existing laws and regulations of the Philippine Government.

4. The Organization shall not sell within the country the goods imported duty free, except with the Government's approval and under conditions stipulated by the Government.

ARTICLE 4

The Director and the Deputy Director General of the Organization, on the one hand, and on the other hand, the staff of the Organization shall enjoy in the Republic of the Philippines the same privileges and immunities as those granted to executive heads and to the staff, respectively, of specialized agencies of the United Nations by virtue of the Convention on the privileges and immunities of the specialized agencies of 21 November 1947.

ARTICLE 5

Any dispute between the Government of the Philippines and the Organization arising out of the interpretation or implementation of this Agreement shall be settled by consultations or negotiations, through diplomatic channels.

ARTICLE 6

1. This Agreement will be applied provisionally from the date of signature. It shall enter into force on the date of the written notification by the Government of the Philippines, through diplomatic channels, indicating that the domestic requirements for its entry into force have been complied with.

2. Any amendment or revision to the text of this Agreement shall be done by mutual consent of the Parties. This amendment or revision shall enter into force in accordance with the provision on entry into force.

3. The Agreement shall remain in force and effect, unless one of the parties officially notifies the other, through diplomatic channels, of its desire to suspend or terminate this Agreement. In such a case, the Agreement shall remain valid twelve (12) months after the date of the notice for suspension or termination.

IN FAITH WHEREOF the undersigned representatives, duly authorized for that purpose, have this signed this Agreement.

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DONE in duplicate at Manila, on 13 March 2003.

FOR THE GOVERNMENT OF THE REPUBLIC FOR THE INTERNATIONAL

OF THE PHILIPPINES ORGANIZATION FOR MIGRATION

(Sgd.)BLAS F. OPLE (Sgd.)BRUCE REED

Secretary of Foreign Affairs Regional Representative and

Director of Administration -

Manila

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