

AGREEMENT  
BETWEEN  
THE GOVERNMENT OF JAPAN  
AND  
THE INTERNATIONAL ORGANIZATION FOR MIGRATION  
ON THE PRIVILEGES AND IMMUNITIES

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The Government of Japan (hereinafter referred to as "the Government") and the International Organization for Migration (hereinafter referred to as "the Organization"),

Having regard to Articles 27 and 28 of the Constitution of the International Organization for Migration, 1953,

Desiring to define the privileges and immunities of the Organization, representatives of Member States, the Director General, the Deputy Director General and the staff of the Organization,

Have agreed as follows:

Article 1

The Organization, representatives of Member States, the Director General, the Deputy Director General and the staff of the Organization shall enjoy the privileges and immunities accorded to the specialized agencies, the representatives of members and the officials of the specialized agencies (including the executive head of the specialized agencies), in accordance with Article 3, Article 4, Article 5, Article 6, Section 25 of Article 7 and Section 31 of Article 9 of the Convention on the Privileges and Immunities of the Specialized Agencies, 1947.

Article 2

Should the Government consider that an abuse of any of these privileges or immunities has occurred, the Organization shall, upon request, consult with the Government to determine whether any such abuse has occurred. If such consultation fails to achieve a result satisfactory to the Government and to the Organization, the matter shall be determined in accordance with the procedure set out in Article 3.

### Article 3

Any dispute between the Government and the Organization concerning the interpretation or application of this Agreement or any question affecting the relationship between the Government and the Organization which is not settled by negotiation or other agreed modes of settlement shall be referred to a tribunal of three arbitrators: one to be appointed by the Government, one to be appointed by the Organization and the third, who shall be the chairman of the tribunal, to be appointed by the first two arbitrators. Should the first two arbitrators fail to agree upon the third within six months following their appointment, the third arbitrator shall be appointed by the President of the International Court of Justice at the request of the Government or the Organization. The decisions of the tribunal shall be final and binding upon the Government and the Organization.

### Article 4

At the request either of the Government or of the Organization, consultations shall take place with respect to amendment of this Agreement. Any amendment shall be made by agreement between the Government and the Organization.

### Article 5

1. This Agreement shall enter into force on the thirtieth day after the date on which the Government and the Organization exchange notes indicating their acceptance of this Agreement.
2. This Agreement may be terminated at any time by either the Government or the Organization upon written notice to the other and shall terminate one year after receipt of such notice.

IN WITNESS WHEREOF, the undersigned, duly authorized thereto, have signed this Agreement.

DONE at Geneva, in duplicate, in English language, on  
this twenty-third day of February, 2010.

For the Government of Japan:

Shinichi Kitajima

For the International  
Organization for Migration:

William Lacy Swing