



**MEMORANDUM OF UNDERSTANDING
BETWEEN**

**THE MINISTRY OF JUSTICE OF
ALBANIA,**

**THE MINISTER OF STATE FOR
DIASPORA**

**AND
THE ALBANIAN RED CROSS**



Considering that the Ministry of Justice, the Minister of State for Diaspora and the Albanian Red Cross (hereinafter referred to as “the Parties”) wish to cooperate in the framework of their functions, purposes and jurisdictions;

Considering that the Parties through such cooperation, to support the achievement of their respective responsibilities towards the families that are separated or lose contact with their members as a consequence of migration or other situations requiring humanitarian action;

Considering that the Parties through such cooperation, wish to enhance and expand cooperation, information exchange and experience on the matter of tracing the location of lost individuals in migration and re-establishing contacts with their relatives, on the basis of the Geneva Conventions of 1949 and their Additional Protocols of 1977;

For the reasons above, the Parties have agreed as follows:

Article 1 Commitments and Responsibilities of Parties

Based on the standard International Red Cross operational procedures, when there are no other ways of communication between members of separated families for the reasons outlined above, the Parties agree to cooperate, within the scope of their respective responsibilities, in the following matters:

- 1) The search for lost persons will be conducted through the International Research Network within the International Red Cross and Red Crescent Movement, which enables the pursuit of missing persons search cases in countries where the presence of the Red Cross is present and Red Crescent.
- 2) Requests for Search of a Lost Person may be made by the Parties, Standard operational procedures in finding the location of people who have been separated with their relatives begin immediately after the family member submits the application to the Albanian Red Cross.
- 3) Whenever possible, the Parties shall provide family reunification services to vulnerable individuals, mainly unaccompanied children, elderly or special individual needs, through referral of the case to the Social Service.
- 4) When normal communication channels between relatives are broken off (for example, a lost person is found in punishment centers) and there is no other way of communicating, people are offered a special communication service. The individual in this case, completes a personal message on a special Red Cross (Red Cross message) form, which is sent to the family in good faith.
- 5) The Parties undertake to designate countries that have been the destination of lost family members who have migrated or are currently not known to be located for unknown reasons in order to reach the identification of persons who may also be located in the penitentiary system.
- 6) Parties or other state authorities may identify and refer to the Albanian Red Cross, national family members of Albania, who have lost contact with relatives who have migrated to initiate the search process.



Article 2

Modalities Search for missing persons

All modalities for the search process for missing persons are specified in a separate appendix attached to this agreement.

Article 3

Extension, Substitution and Conclusion

1. The duration of this Memorandum is indefinite from its entry into force.
2. In the event of a substitution of the conditions that have dictated its signature, the Parties shall present and approve the relevant amendments to this Memorandum only with the mutual written consent.
3. The Parties may grant unilaterally and at any time this Agreement for legitimate reasons. To do so, they must notify their written request at least at least 90 days before the chosen date for its revocation.

Article 4

Resolving disputes

1. The controversial issues concerning the interpretation or implementation of this Memorandum shall be settled by mutual consent, through consultation and negotiations between the Parties.

Article 5

Entry into force

This Memorandum of Understanding shall enter into force upon signature by the Parties.

Tirana, on December 6th 2017, in three original texts in English and in Albanian, both texts being authentic equally, a copy of which shall be submitted to each of the Parties.