**Agreement on the Management of the RCM Fund for Assistance to Intra-regional Migrants in Vulnerable Situations**

***WHEREAS***

1. Based on Item 14 of the conclusions of the meeting of the Regional Consultation Group on Migration (RCGM) held in Panama City, Panama on May 18-19, 2004 a Protocol was developed for execution of the mechanism between Member States of the Regional Conference on Migration (RCM) on matters relating to the return of regional migrants by land.
2. At the meeting of RCGM held on December 4-6, 2012 in Panama City, Panama, representatives from Member States requested that the International Organization for Migration (IOM) develop a new draft agreement on the management of the Fund for Assistance to Intra-regional Migrants in Highly Vulnerable Situations, including the comments and suggestions provided by various delegates during the meeting.

Considering the above, the parties to this instrument

**AGREE:**

**1.** That the financial resources from the Fund shall be used to provide humanitarian assistance to migrants in highly vulnerable situations requiring assistance beyond that which is considered in existing programmes in each Member State of RCM.

To this effect, the following are considered to be migrants in highly vulnerable situations: (a) sick or injured unaccompanied boys, girls, and adolescents; (b) pregnant, sick or injured women; (c) unaccompanied adults more than 70 of age; y (d) any other sick or disabled person.

The maximum amount of assistance for each case is US$1000, with the objective of establishing the available resources as seed funding that is potentiated through other potential contributors, such as involved governments, international organizations, private foundations, individuals, etc.

Governments of Member States of RCM shall only apply for resources from the Fund when they have exhausted their own resources for providing protection and assistance. Assistance through the Fund shall mainly be provided with the objective of helping to build the capacity of governments to manage return processes.

**2.** That the regular approval of use of the resources from the Fund is directly made by IOM, in accordance with the guidelines established by RCM and without the need for prior approval by the RCM Technical Secretariat or President Pro-Tempore.

**3.** That when a request for support is received to use resources from the Fund to finance a return processes that does not comply entirely with the established guidelines for management of the Fund due to its characteristics or the costs involved, IOM shall submit this request to the Technical Secretariat for consideration, which shall make the final decision regarding financing.

**4.** That resources from the Fund may be used to finance return processes by air of migrants when required, given the health or security condition of the migrant. For any other case, returns financed with resources from the Fund shall be carried out by land. The contribution by the Fund for return processes by air shall not exceed the amount of US$1000 for each beneficiary, as established in Article 1 of this Agreement.

**5.** That for the return of boys, girls and adolescents or sick or injured persons, resources from the Fund may be used to cover the costs of one person, as a maximum, to accompany the returning migrant for medical reasons or to guard the migrant when required. If several migrants requiring accompaniment are travelling together, as a general rule costs shall be covered for one person to accompany them.

**6.** IOM shall submit quarterly reports (by calendar year) on execution of the Fund to the RCM Technical Secretariat (TS). The TS shall disseminate the report to focal points in Member States of RCM. The quarterly reports previously submitted by IOM shall be presented at meetings of RCM and the Regional Consultation Group on Migration (RCGM). The format to be used for presenting the written reports is attached to this Agreement as **Appendix I**.

Any additional report on execution of the Fund other than the above-mentioned reports shall be requested as agreed by Member States of RCM within the framework of meetings of RCM or RCGM.

Signed

President Pro-Tempore of the Regional Conference on Migration (RCM)

International Organization for Migration (IOM)