



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 26 January 2011

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COVER NOTE

from: Mr Rory Montgomery, Permanent Representative of Ireland to the European Union

received: 21 January 2011

to: Mr Pierre de Boissieu, Secretary General, Council of the European Union

Subject: Agreement between the European Union and the United States of America on the processing and transfer of Financial Messaging Data from the European Union to the United States for the purposes of the Terrorist Finance Tracking Program

Delegations find annexed a letter from Mr Rory Montgomery, Permanent Representative of Ireland to the European Union, by which Ireland notifies its intention of accepting the Agreement between the European Union and the United States of America on the processing and transfer of Financial Messaging Data from the European Union to the United States for the purposes of the Terrorist Finance Tracking Program, which was signed in Brussels 28 June 2010 and entered into force on 1 August 2010.

As this notification has been done under Article 4 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, the procedure of Article 331(1) of the Treaty on the Functioning of the European Union applies *mutatis mutandis*. Accordingly the Commission has four months to confirm the participation of Ireland in the above Agreement.

Dear Secretary General,

I refer to the provisions of Protocol (No. 21) to the Treaty on the Functioning of the European Union (on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice) and, in particular, Article 4 thereof, under which Ireland may at any time after the adoption of a measure by the Council pursuant to Title V of Part Three of the Treaty on the Functioning of the European Union notify its intention to the Council and to the Commission that it wishes to accept that measure.

I have today notified the President of the Council and the Secretary General of the Commission, on behalf of Ireland, in accordance with Article 4 of the above mentioned Protocol, that Ireland wishes to accept the following measure:

AGREEMENT between the European Union and the United States of America on the processing and transfer of Financial Messaging Data from the European Union to the United States for the purposes of the Terrorist Finance Tracking Program

(Complimentary close)

(s.) Rory Montgomery
