



**TREATY SERIES 2011  
N° 24**

**Agreement between the Government of Ireland and the  
Government of the United States of America on the  
privileges of US employees assigned to Preclearance duties  
in Ireland pursuant to the Agreement between the  
Government of Ireland and the Government of the United  
States of America on Air Transport Preclearance**

Done at Washington on 17 November 2008

Notes to bring the Agreement into force exchanged on 6 July 2010

Entered into force on 6 July 2010

Presented to Dáil Éireann by the Minister for Foreign Affairs

**AGREEMENT BETWEEN THE GOVERNMENT OF IRELAND AND THE  
GOVERNMENT OF THE UNITED STATES OF AMERICA ON THE  
PRIVILEGES OF US EMPLOYEES ASSIGNED TO PRECLEARANCE  
DUTIES IN IRELAND PURSUANT TO THE AGREEMENT BETWEEN THE  
GOVERNMENT OF IRELAND AND THE GOVERNMENT OF THE UNITED  
STATES OF AMERICA ON AIR TRANSPORT PRECLEARANCE**

**Note from the Department of Foreign Affairs, Ireland, to the Embassy of the  
United States of America**

Note No. 401/10

The Department of Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honour to refer to the Agreement between the Government of Ireland and the Government of the United States of America on Air Transport Preclearance done at Washington D.C. on 17 November 2008 (“the Agreement”) and, in particular, to Article X.4 thereof, which provides that employees of the Government of the United States assigned to Preclearance duties in Ireland pursuant to the Agreement, except employees who are permanently resident in Ireland, shall enjoy such privileges as are agreed between the Parties by an exchange of notes.

The Department therefore has the honour to propose the following:

1. Employees of the Government of the United States of America assigned to Preclearance duties in Ireland pursuant to the Agreement, except those who are permanently resident in Ireland, shall, for the purposes of privileges only, be designated as members of the administrative and technical staff of the Embassy of the United States of America and shall enjoy the privileges such members of the Embassy are entitled to pursuant to Article 37, paragraph 2 of the Vienna Convention on Diplomatic Relations.
2. Members of the families of employees so designated forming part of their respective households shall, if they are not nationals of or permanently resident in Ireland, enjoy the privileges which members of the families of the administrative and technical staff of the Embassy forming part of their respective households are entitled to pursuant to the Vienna Convention on Diplomatic Relations as referenced in (1), above.
3. In accordance with the procedures currently in place for notifying the Department of Foreign Affairs of the arrival of the Embassy’s administrative and technical staff and their family members, the Embassy shall request accreditation for individual employees of the Government of the United States of America assigned to Preclearance duties in Ireland as they arrive in Ireland and their family members, who will be issued identification cards indicating that they are entitled to the privileges accorded above.

4. For the avoidance of doubt, the immunities enjoyed by employees so designated shall be regulated solely by the Agreement. Members of the families of employees so designated shall not enjoy immunities.
5. The arrangement described at paragraph 1 above may be terminated by the Department giving three months notice in writing to the Embassy, at the end of which period employees so designated shall cease to be designated as members of the Embassy's administrative and technical staff and they and members of their families shall cease to enjoy such privileges.

If the foregoing proposals are acceptable to the Government of the United States of America, the Department has the honour to propose that this Note and the Embassy's reply in that sense shall constitute an agreement between the two Governments, which shall enter into force on the date of the Embassy's reply.

The Department of Foreign Affairs avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Embassy of the United States of America  
Ballsbridge  
Dublin 4

Dublin, 6 July 2010

**Note from the Embassy of the United States of America to the Department of Foreign Affairs, Ireland**

No. 507

The Embassy of the United States of America presents its compliments to the Department of Foreign Affairs and has the honour to refer to the Agreement between the Government of the United States of America and the Government of Ireland on Air Transport Preclearance, signed at Washington on November 17, 2008 (the Agreement) and to the Department's Note dated 6 July 2010, which reads as follows:

“The Department therefore has the honour to propose the following:

1. Employees of the Government of the United States of America assigned to Preclearance duties in Ireland pursuant to the Agreement, except those who are permanently resident in Ireland, shall, for the purposes of privileges only, be designated as members of the administrative and technical staff of the Embassy of the United States of America and shall enjoy the privileges such members of the Embassy are entitled to pursuant to Article 37, paragraph 2 of the Vienna Convention on Diplomatic Relations.
2. Members of the families of employees so designated forming part of their respective households shall, if they are not nationals of or permanently resident in Ireland, enjoy the privileges which members of the families of the administrative and technical staff of the Embassy forming part of their respective households are entitled to pursuant to the Vienna Convention on Diplomatic Relations as referenced in (1), above.
3. In accordance with the procedures currently in place for notifying the Department of Foreign Affairs of the arrival of the Embassy's administrative and technical staff and their family members, the Embassy shall request accreditation for individual employees of the Government of the United States of America assigned to Preclearance duties in Ireland as they arrive in Ireland and their family members, who will be issued identification cards indicating that they are entitled to the privileges accorded above.
4. For the avoidance of doubt, the immunities enjoyed by employees so designated shall be regulated solely by the Agreement. Members of the families of employees so designated shall not enjoy immunities.
5. The arrangement described at paragraph 1 above may be terminated by the Department giving three months notice in writing to the Embassy, at the end of which period employees so designated shall cease to be designated as members of the Embassy's administrative and technical staff and they and members of their families shall cease to enjoy such privileges.

If the foregoing proposals are acceptable to the Government of the United States of America, the Department has the honour to propose that this Note and the Embassy's reply in that sense shall constitute an agreement between the two Governments, which shall enter into force on the date of the Embassy's reply.”

The Embassy has the honour to confirm that the foregoing proposals are acceptable to the Government of the United States of America, and that the Department's Note and this reply shall constitute an agreement between the two Governments in this matter, which shall enter into force on today's date.

The Embassy of the United States of America avails itself of this opportunity to renew to the Department of Foreign Affairs the assurances of its highest consideration.

Embassy of the United States of America,  
Dublin, Tuesday, July 06, 2010