



**TREATY SERIES 2012
N° 11**

**Exchange of Notes terminating the Agreement between the
Government of Ireland and the Government of the United
Kingdom of Great Britain and Northern Ireland establishing
the Independent International Commission on
Decommissioning (“Decommissioning Agreement”) Done at
Belfast on 26 August 1997**

Notifications terminating the Agreement exchanged on 24 March and 30 March 2011

Agreement terminated on 31 March 2011

Notifications extending certain provisions regarding the Non-Disclosure, Privileges
and Immunities and Inviolability of the Archives pursuant to the Decommissioning
Agreement exchanged on 24 March 2011 and 30 March 2011

Entered into force on 31 March 2011

Presented to Dáil Éireann by the Minister for Foreign Affairs and Trade

**EXCHANGE OF NOTES TERMINATING THE AGREEMENT BETWEEN
THE GOVERNMENT OF IRELAND AND THE GOVERNMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
ESTABLISHING THE INDEPENDENT INTERNATIONAL COMMISSION
ON DECOMMISSIONING**

No. 1

*The Europe Directorate of the Foreign and Commonwealth Office to the Embassy of
Ireland, London*

24 March 2011
Foreign and Commonwealth Office, London

Note number: 002

Embassy of Ireland
London
SW1X 7HR

1. The Europe Directorate of the Foreign and Commonwealth Office presents its compliments to the Embassy of Ireland in London and has the honour to refer to the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland establishing the Independent International Commission on Decommissioning, signed at Belfast on 26 August 1997 (“the Decommissioning Agreement”).
2. The Foreign and Commonwealth Office also has the honour to inform the Embassy of Ireland of the intention of the Government of the United Kingdom of Great Britain and Northern Ireland to terminate the Decommissioning Agreement in accordance with Article 12 of the Decommissioning Agreement with effect from 31 March 2011.
3. The Foreign and Commonwealth Office also has the honour to inform the Embassy of Ireland that subject to the Government of Ireland agreeing to the same the Government of the United Kingdom of Great Britain and Northern Ireland shall extend the non-disclosure obligations under Article 8 of the Decommissioning Agreement with the effect that members of the Commission, members of the staff of the Commission, persons carrying out work for or giving advice to the Commission and agents of the Commission shall continue to be bound not to disclose any information obtained in the course of the performance of their functions as such members or persons.
4. The Foreign and Commonwealth Office also has the honour to inform the Embassy of Ireland that subject to the Government of Ireland agreeing to the same the Government of the United Kingdom of Great Britain and Northern Ireland shall extend the privileges and immunities conferred or provided to relevant individuals by domestic legislation pursuant to Article 6 of the Decommissioning Agreement.

5. The Foreign and Commonwealth Office also has the honour to inform the Embassy of Ireland that subject to the Government of Ireland agreeing to the same the Government of the United Kingdom of Great Britain and Northern Ireland shall continue to respect the inviolability of the official archives of the Independent International Commission on Decommissioning. This is subject to any waiver of that inviolability by either Government with the agreement of the other.

6. The Foreign and Commonwealth Office would be grateful for confirmation from the Embassy of Ireland that the Government of Ireland agrees to terminate the Decommissioning Agreement in accordance with Article 12 of the Decommissioning Agreement with effect from 31 March 2011 and that it agrees to the same obligations as the Government of the United Kingdom of Great Britain and Northern Ireland as set out in paragraphs 3-5 of this Note.

7. If this is acceptable to the Government of Ireland, it is proposed that this Note together with the Note of reply from the Embassy of Ireland shall constitute an agreement between the two Governments in these matters.

8. The Europe Directorate of the Foreign and Commonwealth Office avails itself of this opportunity to renew to the Embassy of Ireland the assurances of its highest consideration.

Europe Directorate
Foreign and Commonwealth Office
London SW1A 2AH

No. 2

Embassy of Ireland, London, to the Europe Directorate of the Foreign and Commonwealth Office, London

30 march 2011
Embassy of Ireland, London

Note number: FCO/30/03/11

Europe Directorate
Foreign and Commonwealth Office
London

The Embassy of Ireland presents its compliments to the Europe Directorate of the Foreign and Commonwealth Office and has the honour to refer to its Note No: 002 of 24 March 2011 informing the Embassy of the intention of the Government of the United Kingdom of Great Britain and Northern Ireland to terminate the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland establishing the Independent International Commission on Decommissioning, signed at Belfast on 26 August 1997 (“the Decommissioning Agreement”) with effect from 31 March 2011.

The Embassy of Ireland has the honour to inform the Foreign and Commonwealth Office that the Government of Ireland agrees to terminate the Decommissioning Agreement in accordance with Article 12 of the Decommissioning Agreement with effect from 31 March 2011.

The Embassy of Ireland also has the honour to confirm, in accordance with paragraphs 3-5 of Note No: 002 of 24 March 2011 and on the basis, as set out therein, that the Government of the United Kingdom of Great Britain and Northern Ireland agrees to the same obligations, that:

- (i) the Government of Ireland shall extend the non-disclosure obligations under Article 8 of the Decommissioning Agreement with the effect that members of the Commission, members of the staff of the Commission, persons carrying out work for or giving advice to the Commission and agents of the Commission shall continue to be bound not to disclose any information obtained in the course of the performance of their functions as such members of persons;
- (ii) the Government of Ireland shall extend privileges and immunities conferred or provided to relevant individuals by domestic legislation pursuant to Article 6 of the Decommissioning Agreement; and
- (iii) the Government of Ireland shall continue to respect the inviolability of the official archives of the Independent International Commission on Decommissioning. This is subject to any waiver of that inviolability by either Government with the agreement of the other.

The Embassy has the honour to confirm that the Government of Ireland is in agreement that Note number 002 of 24 March 2011 from the Foreign and Commonwealth Office together with this Note of Reply shall constitute an agreement between the two Governments in these matters.

The Embassy of Ireland avails itself of this opportunity to renew to the Europe Directorate of the Foreign and Commonwealth Office the assurances of its highest consideration.

Embassy of Ireland
London

30 March 2011