



Council of the
European Union

Brussels, 19 November 2014
(OR. en)

11715/4/09
REV 4 EXT 1

JAI 449
USA 54
RELEX 638
DATAPROTECT 46
ECOFIN 493

PARTIAL DECLASSIFICATION

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Subject: Negotiating directives for negotiations between the European Union and the United States of America for an international agreement to make available to the United States Treasury Department financial payment messaging data to prevent and combat terrorism and terrorist financing

Delegations will find attached the partially declassified version of the above-mentioned document.



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THE EUROPEAN UNION**

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REV 4 (en)**

EXT 1 (19.11.2014)

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NOTE

from : Presidency
to : Council

No prev. doc : 11006/09 JAI 397 USA 43 RELEX 574 DATAPROTECT 42

Subject : Negotiating directives for negotiations between the European Union and the United States of America for an international agreement to make available to the United States Treasury Department financial payment messaging data to prevent and combat terrorism and terrorist financing

At the Coreper meeting of 23 July 2009, a consensus was reached on the negotiating directives for an international EU-US Agreement to make available to the United States Treasury Department financial payment messaging data to prevent and combat terrorism and terrorist financing, as set out in the annex to this note.

NEGOTIATING DIRECTIVES

1. The Agreement is a very short term, and not longer than twelve months interim agreement to be negotiated on the basis of Articles 24 and 38 of the Treaty on European Union. In the event that the Lisbon Treaty enters into force, the Agreement shall provide that the Contracting parties resume negotiations for a new Agreement under the conditions of the appropriate legal framework;

NOT DECLASSIFIED

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14. The Agreement shall be equally authentic in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish language and shall include a language clause to this effect;
15. The Agreement should be concluded for a maximum period of twelve months;
16. The Agreement shall provide for provisional application in the framework of existing national laws from the time of signature until entry into force of the Agreement.