

EMPLOYMENT

Agreement Between the
UNITED STATES OF AMERICA
and IRELAND

Effected by Exchange of Notes
Signed at Washington September 17, 1996
and August 1, 1997



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89-497, approved July 8, 1966 (80 Stat. 271; 1 U.S.C. 113)—

“ . . . the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

IRELAND

Employment

*Agreement effected by exchange of notes
Signed at Washington September 17, 1996 and
August 1, 1997;
Entered into force August 1, 1997.*

The Department of State to the Irish Embassy

The Department of State proposes to the Embassy of Ireland that, on a reciprocal basis, dependents of employees of the United States Government assigned to official duty in Ireland and dependents of employees of the Government of Ireland assigned to official duty in the United States be authorized to be employed in the receiving country.

For the purposes of this agreement "dependents" shall include:

Spouses;

Unmarried dependent children under 21 years of age;

Unmarried dependent children under 23 years of age who are in full-time attendance as students at a post-secondary educational institution; and

Unmarried children who are physically or mentally disabled.

For the purposes of this agreement, "employees of the Government of Ireland" and "employees of the United States Government" mean persons assigned to diplomatic and consular positions as well as persons assigned to missions accredited to international organizations, and includes the administrative and technical members of the staff of such missions, but not members of the service staff.

In the case of dependents who seek employment in the United States, an official request must be made by the Embassy of Ireland in Washington to the Office of Protocol in the Department of State. Upon verification that the person is a dependent of an official employee of the Government of Ireland, the Embassy of Ireland will be informed by the Government of the United States that the dependent has permission to accept employment.

In the case of dependents who seek employment in Ireland, an official request must be made by the United States Embassy in Dublin to the Protocol Section of the Department of Foreign Affairs. Upon verification that the person is a dependent of an official employee of the United States Government, the United States Embassy will be informed by the Protocol Section that the dependent has permission to accept employment.

No restriction will be placed on the type of employment that may be undertaken. It is understood, however, that in positions where particular qualifications are required, it will be necessary for the dependent to meet those qualifications.

Dependents who obtain employment under this agreement and who have immunity from the jurisdiction of the receiving country in accordance with Article 31 of the Vienna Convention on Diplomatic Relations¹ or in accordance with the Convention on the Privileges and Immunities of the United Nations,² or any other applicable international agreement, do not enjoy immunity from civil and administrative jurisdiction with respect to matters arising out of such employment. Such dependents are also liable to pay all taxes and other deductions which may lawfully be due on any remuneration received as a result of employment in the receiving state.

In the event that a dependent who has immunity from criminal jurisdiction in accordance with the Vienna Convention on Diplomatic Relations or any other applicable international agreement is accused of a criminal offense committed in relation to his or her employment, the sending state will give serious consideration to any written request that may be submitted by the receiving state for the waiving of such immunity.

The Department of State further proposes that, if these understandings are acceptable to the Government of Ireland, this note and the Government of Ireland's reply concurring therein shall constitute an agreement between our two governments which shall enter into force on the date of that reply note. This Agreement shall remain in force until ninety days after the date of the written notification from either Government to the other of intention to terminate.

Kendall Montgomery

Department of State,

Washington, September 17, 1996.

¹ TIAS 7502; 23 UST 3227.

² TIAS 6900; 21 UST 1418.

The Irish Ambassador to the Secretary of State

AMBASAID NA HÉIREANN
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EMBASSY OF IRELAND
2234 MASSACHUSETTS AVE., N.W.
WASHINGTON, D.C. 20008

1 August 1997

Dear Madam Secretary,

I have the honour to refer to the Department of State's note of 17 September 1996 which reads as follows:

[For text of U.S. note, see pp. 2-3.]

Having received the Department of State's note of 29 July and certificate No. 9715832 signed by Acting Secretary of State Thomas R. Pickering on 17 July 1997,¹ I would like to confirm that the proposal set out in the Department of State's note of 17 September 1996 is acceptable to my Government and that said note and this reply accepting the proposal shall constitute an Agreement between the Government of Ireland and the Government of the United States which shall enter into force on the date of this Note, namely on 1 August 1997.

Please accept, Excellency, the renewed assurances of my highest consideration.

Yours sincerely,

Dermot Gallagher
Ambassador

The Honourable Madeleine Albright
Secretary of State
Department of State
Washington DC 20520

¹ Not printed.