



**COUNCIL OF  
THE EUROPEAN UNION**

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The President

Brussels, 20 January 2010

ADDRESSEE:

Mr BUZEK Jerzy M.  
President of the European Parliament  
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Belgique

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Mr. SPERONI Francesco Enrico M.  
Mr. FARAGE Migel, M.

Sir,

Following today's debate on Swift I promised to submit in writing certain clarifications concerning the text of the Swift agreement published in the OJ of 13.01.2010.

That OJ contains the Council Decision 2010/16 of 30 November 2009 on the signing of the Swift agreement on behalf of the European Union and not the draft Council decision on the conclusion of this agreement. This draft Council decision has not been published in the Official Journal and it cannot be until the European Parliament has given its consent.

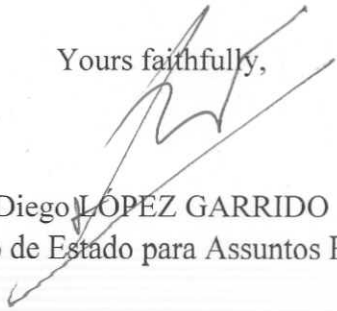
The problem of translation I referred to in my intervention did not relate to the Decision on signing of the Agreement but to the draft Council Decision on the conclusion of the Agreement.

The draft Council Decision for conclusion, on the basis of which the European Parliament has to give its consent, was submitted to the Council by the Commission, in all linguistic versions, on 15 January 2010. According to Article 218 § 6 of the TFEU Council can only adopt this Decision once it has obtained the consent of the European Parliament. As the text to be submitted to the European Parliament for consent cannot be amended once consent has been given, the draft decision has undergone legal-linguist scrutiny before being submitted to the European Parliament. That scrutiny was only concluded today.

Therefore, the European Parliament will receive the draft Council decision for conclusion at the beginning of next week.

I hope these clarifications are helpful.

Yours faithfully,

  
Diego LÓPEZ GARRIDO  
Secretario de Estado para Assuntos Europeos