

No. 5269

UNITED STATES OF AMERICA
and
UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND

Exchange of notes (with memorandum) constituting an agreement relating to a ballistic missile early warning station at Fylingdales Moor, Yorkshire. London, 15 February 1960

Official text: English.

Registered by the United States of America on 29 July 1960.

ÉTATS-UNIS D'AMÉRIQUE
et
ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD

Échange de notes (avec mémorandum) constituant un accord relatif à une station de préalerte contre les engins balistiques à Fylingdales Moor (Yorkshire). Londres, 15 février 1960

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 29 juillet 1960.

No. 5269. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND RELATING TO A BALLISTIC MISSILE EARLY WARNING STATION AT FYLINGDALES MOOR, YORKSHIRE. LONDON, 15 FEBRUARY 1960

I

The American Ambassador to the British Secretary of State for Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA

LONDON

Nº 1208

February 15, 1960

Sir :

I have the honor to refer to discussions which have taken place between representatives of the Government of the United Kingdom of Great Britain and Northern Ireland and of the Government of the United States of America on the subject of co-operation between the two Governments in setting up and operating a ballistic missile early warning station at Fylingdales Moor, Yorkshire.

I also have the honor to record that, in support of the purposes of the North Atlantic Treaty² and of the obligations of the parties thereto, the representatives of the two Governments have agreed to the terms set out in the memorandum³ annexed hereto regarding the proposed co-operation in setting up and operating a ballistic missile early warning station.

¹ Came into force on 15 February 1960 by the exchange of the said notes.

² United Nations, *Treaty Series*, Vol. 34, p. 243 ; Vol. 126, p. 350, and Vol. 243, p. 308.

³ See p. 48 of this volume.

Accordingly, I have the honor to propose that this Note and your reply to that effect shall be regarded as constituting an Agreement between the two Governments in the terms set out in the annexed memorandum and that such Agreement shall have effect from the date of your reply.

Accept, Sir, the renewed assurances of my highest consideration.

John Hay WHITNEY

Enclosure :
Memorandum.

The Right Honorable Selwyn Lloyd, C.B.E., T.D., Q.C., M.P.
Secretary of State for Foreign Affairs
Foreign Office
S.W. 1

MEMORANDUM

1. The Government of the United States and the Government of the United Kingdom shall co-operate in setting up and operating a ballistic missile early warning (BMEW) station at Fylingdales Moor, Yorkshire.
2. The station shall be commanded by the Royal Air Force. The technical facilities shall be operated by the Royal Air Force in accordance with a joint plan which will be developed and agreed by the Royal Air Force and the United States Air Force.
3. The Government of the United States shall at their expense make available for the station the following types of special equipment :
 - (a) long range radar equipment ;
 - (b) data processing equipment ;
 - (c) electronic, internal communications and other related specialised equipment peculiar to (a) and (b) ;
 - (d) spare parts peculiar to (a), (b) and (c) in amounts and kinds appropriate to the first five years of operation ; responsibility for the cost of the subsequent provision of such spare parts shall be the subject of further agreement between the Government of the United States and the Government of the United Kingdom.
4. The Government of the United States shall at their expense be responsible for the installation of the special equipment described in paragraph 3 above and for preparing this equipment for operation as an integral part of both the United Kingdom and United States BMEW Systems.

5. The Government of the United Kingdom shall at their expense make available for the station :

- (a) land, appropriately prepared sites, buildings, utilities including power plant, and other fixed installations ;
- (b) all supporting equipment, except as provided in paragraph 3 above ;
- (c) domestic accommodation (including the necessary equipment, utilities and services) for the United Kingdom and United States personnel concerned to Royal Air Force scales and standards ;
- (d) support services.

6. The Government of the United Kingdom shall at their expense be responsible for providing communications facilities (including terminal facilities) and services required :

- (a) for use within the station, other than communications equipment supplied under paragraph 3 (c) ;
- (b) to connect the station with commercial communications circuits ;
- (c) to provide links between the station and the appropriate authorities in the United Kingdom.

The Government of the United States shall at their expense be responsible for procuring such further communications services as may be necessary for their own purposes and to meet the requirements of the Government of the United Kingdom for information obtained from other stations of the BMEW System.

7. The cost of operation and maintenance of the special equipment at the station shall be borne by the Government of the United Kingdom for the first five years of operation. Responsibility for this cost thereafter shall be the subject of further agreement between the Government of the United States and the Government of the United Kingdom.

8. Except as otherwise provided in this Agreement, the cost of operation and maintenance of the station shall be borne by the Government of the United Kingdom.

9. The Government of the United States and the Government of the United Kingdom, as appropriate, shall take such measures relating to the establishment and operation of the station as are required to ensure the safety of persons and property.

10. Ownership of all movable property furnished by the Government of the United States for use in the station shall remain with the Government of the United States. The Government of the United States may remove or dispose of this property following the termination of this Agreement.

11. This Agreement shall be subject to revision by agreement between the two Governments and shall, unless previously terminated by agreement between the two Governments, remain in force while the North Atlantic Treaty remains in force.

London, February 15, 1960

II

The British Secretary of State for Foreign Affairs to the American Ambassador

FOREIGN OFFICE

S.W. 1

No. Z5/10/G.

February 15, 1960

Your Excellency,

I have the honour to acknowledge receipt of your Note of to-day's date with reference to discussions which have taken place between representatives of the Government of the United States of America and of the Government of the United Kingdom of Great Britain and Northern Ireland on the subject of co-operation in setting up and operating a ballistic missile early warning station at Fylingdales Moor, Yorkshire, which Note reads as follows :

[See note I]

I have the honour to inform you that the proposal made in your Note is acceptable to the Government of the United Kingdom and to confirm that your Note, together with this reply, shall constitute an Agreement between the two Governments in the terms set out in the memorandum annexed to your Note, a copy of which memorandum is enclosed,¹ such Agreement to have effect from the date of this Note.

I have the honour to be, with the highest consideration,

Your Excellency's obedient Servant,

Selwyn LLOYD

His Excellency the Honourable John Hay Whitney
etc., etc., etc.

W. 1

¹ See p. 48 of this volume.