

No. 5572

**UNION OF SOUTH AFRICA
and
UNITED STATES OF AMERICA**

**Exchange of notes constituting an agreement for the
erection of space tracking stations in South Africa.
Pretoria, 13 September 1960**

Official text: English.

Registered by the Union of South Africa on 9 February 1961.

**UNION SUD-AFRICAINE
et
ÉTATS-UNIS D'AMÉRIQUE**

**Échange de notes constituant un accord relatif à la cons-
truction de stations de repérage des engins spatiaux en
Afrique du Sud. Prétoira, 13 septembre 1960**

Texte officiel anglais.

Enregistré par l'Union sud-africaine le 9 février 1961.

No. 5572. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNION OF SOUTH AFRICA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA FOR THE ERECTION OF SPACE TRACKING STATIONS IN SOUTH AFRICA. PRETORIA, 13 SEPTEMBER 1960

I

No. 89

September 13, 1960

Sir,

I have the honour to refer to the cooperative program initiated during the International Geophysical Year between our two countries under which certain facilities for space vehicles tracking and communications were jointly established and operated in the Union of South Africa for scientific purposes. In view of the resulting mutual benefits, the Government of the United States of America proposes that this cooperative program be continued and extended.

The object of such further and extended cooperation would be to facilitate space operations contributing to the advancement of our mutual scientific knowledge of man's spatial environment and its effects; the application of this knowledge to the direct benefit of man; and the development of space vehicles of advanced capabilities, including manned space vehicles.

It is proposed that the program be carried out in accordance with the following principles and procedures :

1. The program shall be conducted by Cooperating Agencies of each Government. On the part of the Government of the United States, the Cooperating Agency will be the National Aeronautics and Space Administration. On the part of the Government of the Union of South Africa, the Cooperating Agency will be the Council for Scientific and Industrial Research.

2. *a.* The nature and location of facilities required in the Union of South Africa for the program are as follows :

- (1) Minitrack radio tracking station presently located at Esselen Park (originally established under an arrangement of October 11, 1957, between the United States Naval Research Laboratory and the Government of the Union of South Africa).
- (2) Baker-Nunn camera optical tracking station presently located at Olifantsfontein (originally established in February 1958 under an arrangement between the United

¹ Came into force on 13 September 1960 by the exchange of the said notes.

States National Committee for the International Geophysical Year and the South African National Committee).

- (3) Deep space probe radio tracking station (85 foot diameter antenna) in the vicinity of Johannesburg.

The foregoing list of facilities and locations may be amended from time to time by agreement of our two Governments.

b. The Government of the Union of South Africa will provide sites for each facility at the agreed locations at no cost to the Government of the United States; these sites to remain the property of the Government of the Union of South Africa.

3. The Government of the Union of South Africa will, in so far as practicable, prohibit the operation of radio interference-producing devices (such as power lines, industrial facilities, electric trains, primary highways, etc.) within the vicinity of sensitive radio receiving equipment.

4. In connection with each facility to be operated under the program, the Cooperating Agencies will agree upon arrangements with respect to the duration of use of the facility, the responsibility for and financing of the construction, installation, and equipping of the facility, and other details relating to the establishment and operation of the facility.

5. Each facility established may, unless otherwise agreed, be used for independent scientific activities of the Government of the Union of South Africa, it being understood that such activities would be conducted so as not to conflict with the agreed schedules of operations and that any additional operating costs resulting from such independent activities would be borne by the Government of the Union of South Africa.

6. The Government of the Union of South Africa will, upon request, take the necessary steps to facilitate the admission into the territory of the Union of South Africa of materials, equipment, supplies, goods or other items of property provided by the Government of the United States in connection with activities under this Agreement.

7. *a.* Title to all the aforementioned property provided by the Government of the United States for use in connection with each facility will remain in the Government of the United States.

b. If, upon terminating its use of a facility, the Government of the United States should desire to dispose of all or part of the property to which it holds title within the territory of the Union of South Africa, the two Governments will consult beforehand on arrangements therefor.

8. Such personal and household effects as shall have been brought into the Union of South Africa free of all taxes and duties by United States personnel, including contractor personnel, assigned to the Union of South Africa under the program, shall not be sold or otherwise disposed of within the territory of the Union of South Africa except under conditions approved by the Government of the Union of South Africa.

With reference to paragraphs 6, 7 and 8, the matter of exemption from duties, taxes and other charges will be the subject of subsequent discussion and agreement between the two Governments as to the specific categories of personnel, goods and materials to which such exemptions will apply, and the degree of exemption, if any, which will be applicable.

9. The Government of the Union of South Africa will, subject to its immigration laws and regulations, take the necessary steps to facilitate the admission into the territory of the Union of South Africa of such United States personnel, including contractor personnel, as may be assigned by the National Aeronautics and Space Administration to visit or participate in the cooperative activities provided for under this Agreement.

10. The resident directors of the facilities will be officials of the Government of the United States, and they will relay the operational directions of NASA to the South African Station Managers who will be in control of the Stations.

11. This Agreement relates to co-operation between the signatories for the peaceful uses of outer space and the facilities established shall not be used for purposes of a military nature.

12. The program of cooperation set forth in this Agreement shall, subject to the availability of funds, remain in effect for a period of fifteen years, and may be extended as mutually agreed by the two Governments. This Agreement is subject to review and possible termination in the event of either party failing to comply with the provisions of the Agreement, or in the event that either party is involved in hostilities.

If the foregoing principles and procedures are acceptable to the Government of the Union of South Africa, I have the honor to propose that this note and your note in reply shall constitute an Agreement between our two Governments to enter into force on the date of your reply.

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

P. K. CROWE

Mr. G. P. Jooste
Secretary for External Affairs
Pretoria

II

102/1/2

Pretoria, 13 September 1960

Your Excellency,

I have the honour to acknowledge receipt of your Note of today's date which reads as follows :

[*See note I*]

In reply thereto, I have the honour to inform you that the Government of the Union of South Africa are in agreement with the foregoing and that your

Note and the present reply shall be regarded as constituting an Agreement between our two Governments, such Agreement to enter into force and effect on today's date.

I have the honour to be,
Your Excellency's obedient Servant,

G. P. JOOSTE
Secretary for External Affairs

His Excellency Mr. P. K. Crowe
Ambassador Extraordinary and Plenipotentiary
of the United States of America
Pretoria