

No. 20186

AUSTRALIA
and
UNITED STATES OF AMERICA

Exchange of notes constituting an agreement for the staging of United States Air Force B-52 aircraft and associated KC-135 tanker aircraft through Royal Australian Air Force Base Darwin. Canberra, 11 March 1981

Authentic text: English.

Registered by Australia on 24 July 1981.

AUSTRALIE
et
ÉTATS-UNIS D'AMÉRIQUE

Échange de notes constituant un accord relatif au stationnement d'avions B-52 et d'avions ravitailleurs en vol KC-135 de l'armée de l'air américaine à la base de l'armée de l'air australienne à Darwin. Canberra, 11 mars 1981

Texte authentique : anglais.

Enregistré par l'Australie le 24 juillet 1981.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA FOR THE STAGING OF UNITED STATES AIR FORCE B-52 AIRCRAFT AND ASSOCIATED KC-135 TANKER AIRCRAFT THROUGH ROYAL AUSTRALIAN AIR FORCE BASE DARWIN

I

CH099032
694/1/2

The Department of Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honour to refer to recent discussions between representatives of the two Governments concerning the proposal by the United States for the staging of United States Air Force B-52 aircraft and associated KC-135 tanker aircraft through Royal Australian Air Force Base Darwin, and the terms under which the proposed operations might proceed.

Subject to the terms and conditions specified below, the Government of Australia agrees to USAF use of RAAF Base Darwin for these staging operations:

(I) The B-52 staging operations shall be for sea surveillance in the Indian Ocean area and for navigation training purposes. The agreement of the Government of Australia shall be obtained before the facilities are used in support of any other category of operations.

(II) The operations shall consist of periodic deployments through Darwin of up to three B-52 and six KC-135 aircraft, supported by about 100 USAF personnel and associated equipment. En route to or from Darwin the B-52s may conduct low-level navigation training over Australia on the basis of the arrangements announced by the Australian Minister for Defence on 3 February 1980.

(III) Staging may include the stationing at RAAF Base Darwin of some US support personnel and equipment if requested. The support personnel would remain under US command and the RAAF would provide mutually agreed levels of logistic and administrative support.

(IV) The Status of Forces Agreement of 9 May 1963 would apply.

(V) Irrespective of financial arrangements agreed between the two Governments, RAAF Base Darwin shall remain an Australian facility under Australian control.

(VI) No circumstances arising from this Agreement shall affect the title of the Government of Australia to the relevant land, or the pre-existing authority of the Government of Australia in the use of RAAF Base Darwin.

(VII) Arrangements shall be made for consultations to ensure that the Government of Australia has full and timely information about strategic and operational developments relevant to B-52 staging operations through Australia.

(VIII) In considering whether to agree to any request for alteration of the terms of this Agreement the Government of Australia shall give weight to its international commitments and

¹ Came into force on 11 March 1981, the date of the note in reply, in accordance with the provisions of the said notes.

policies relating *inter alia* to the Treaty on the Non-Proliferation of Nuclear Weapons,¹ to Australia's commitments under the Security Treaty between Australia, New Zealand and the United States of America signed at San Francisco on 1 September 1951,² to the common objective of deterrence of Soviet military expansion and to its understanding of US strategic and operational policies and activities as derived from the consultations under sub-paragraph VII above.

The Department of Foreign Affairs has the honour to propose that, if these terms and conditions are acceptable to the Government of the United States of America, this Note, together with the Embassy's reply, shall constitute an agreement between the two Governments. The Department further proposes that the agreement shall enter into force on the date of the Embassy's reply and that it shall continue in force until terminated on one year's notice in writing by either Government.

The Department of Foreign Affairs takes this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Canberra, A.C.T., 11 March 1981

II

EMBASSY OF THE UNITED STATES OF AMERICA

No. 38

The Embassy of the United States of America presents its compliments to the Department of Foreign Affairs and has the honor to acknowledge receipt of the Department's Note Number CH099032, dated March 11, 1981, concerning the proposal for the staging of United States Air Force B-52 aircraft and associated KC-135 tanker aircraft through Royal Australian Air Force Base Darwin and the terms under which the proposed operations might proceed.

The Government of the United States of America accepts the terms and conditions for the use of Royal Australian Air Force Base Darwin specified in the Department's Note and concurs that the Department's Note, together with the Embassy's reply, shall constitute an agreement between the two Governments effective as of the date of this Note.

The Embassy of the United States of America avails itself of this opportunity to renew to the Department of Foreign Affairs the assurances of its highest consideration.

Embassy of the United States of America

Canberra, March 11, 1981

¹ United Nations, *Treaty Series*, vol. 729, p. 161.

² *Ibid.*, vol. 131, p. 84.