

DEF 1-5 Indian Ocean

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NEGOTIATING RECORD

11/16/66

At talks held in London on 15/16 November between Mr. Jeffrey C. Kitchen, Deputy Assistant Secretary of State for Politico-Military Affairs in the State Department, and Mr. Geoffrey Arthur, Head of Defence Department, Foreign Office, and their respective delegations about draft Agreements relating to the British Indian Ocean Territory (including financial arrangements) and the United States Tracking and Telemetry Facility at Mahe, Seychelles, the two sides agreed on the drafts of the agreements concerned and related agreed minutes subject to reference by both sides to Governments.

In addition, the following matters were discussed:

B.I.O.T.

- (a) With reference to partial defence use of islands Mr. Arthur reaffirmed that there was no British intention to deviate from the original concept under which the islands would be available, free of inhabitants, for U.S.-U.K. defence needs. He pointed out, however, that a situation might arise in which it might be found feasible for either the United States or the United Kingdom to make use of islands without either partial or total removal of inhabitants. Equally, he noted, in some instances involving even a minor installation or small numbers of men it might nevertheless be necessary, for security or other reasons, to remove the

/inhabitants

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DEPARTMENT OF STATE
Retain class'n ☐ Change/classify to _____
With concurrence of UK
Declassify ☐ in part and excise as shown
EO 12356, Sec. 1.2 (a) (1)
PPC/HDR by 2/2/95
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inhabitants. The point was, he concluded, that this was not a matter which should be prejudged categorically in advance, but decided on its merits at the time.

Mr. Kitchen responded that he agreed with Mr. Arthur's exposition which clarified the British position, thereby disposing of U.S. preliminary reservations. He suggested additionally that decisions in questionable cases could be resolved, when required, through Service to Service consultations. Mr. Arthur agreed.

- (b) In connection with Paragraph 1 of Annex II of the B.I.O.T. Agreement, the U.K. Delegation indicated that they would confirm to the Commissioner for the Territory that this paragraph is intended to bind all governmental organs of the Territory, including its court, in order that the appropriate legislation may be enacted.
- (c) Mr. Arthur drew attention to the considerable interest in the United Kingdom in studying and preserving the natural wild-life of the British Indian Ocean Territory. He suggested, and Mr. Kitchen agreed, that both Governments should bear this interest in mind in developing facilities in the British

/Indian

Indian Ocean Territory for defence purposes.

Tracking Facility

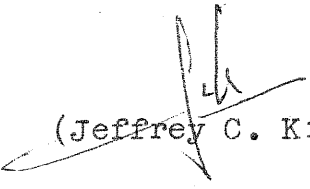
- (d) In connection with Paragraph 3(10) of the Agreement, the U.K. Delegation indicated that they would confirm to the Seychelles Government that this paragraph is intended to bind all organs of the Government of Seychelles, including its courts, in order that legislation may be enacted.
- (e) With reference to Paragraph 2 of the unclassified Agreed Minute concerning that Agreement, it was understood by both sides that, unless otherwise agreed by the Seychelles Government, the requirement for a sub-contractor's operations in Seychelles to be confined solely to performing work for the purposes of the Agreement would not be satisfied by the establishment of a wholly-owned or controlled subsidiary or an independent entity by a parent organisation having substantial interests in Seychelles.
- (f) In order to achieve the programme of payments envisaged in the Exchange of Notes on the financial aspects of detachment, with minimum risk of having to resort to the last clause of that Exchange, the two sides agreed


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that it was desirable to sign both the
B.I.O.T. Agreement and the Seychelles
Tracking Facility Agreement not later
than 15 December, 1966.


(Jeffrey C. Kitchen)


(Geoffrey Arthur)

FOREIGN OFFICE, S.W.1.

16 November, 1966.

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