29 October 1974

CABINET

THE SIMONSTOWN AGREEMENT

Memorandum by the Secretary of State for Foreign and Commonwealth Affairs

THE SIMONSTOWN AGREEMENT

1. We have recognised and stated publicly that the Defence Review might have implications for the Simonstown Agreement. In my speech at Cardiff at the weekend I said that if there were an important British security interest in maintaining the Agreement then we must do so but that if we were maintaining an Agreement that was politically damaging (as it is) but only militarily marginally useful it should be brought to an end or allowed to wither. I added specifically that we would be looking at the Agreement.

2. We are about to make decisions on the Defence Review affecting deployment East of Suez which will mean that the Simonstown facilities are much less important to us, certainly in peace time, than they have been hitherto. On the assumption that we do so decide, the way is open for us to make an early decision about the future of the Simonstown Agreement.

THE PRESENT POSITION

3. The Simonstown Agreement, which consists of letters and memoranda exchanged between the British and South African Governments in 1955, remains in force "until such time as the two Governments decide otherwise by mutual agreement". Relevant extracts bearing on our obligations to undertake joint training and to provide courses and certain other facilities are attached at Annex. We have said in Parliament that the South Africans would be consulted if the Agreement were to be affected by the Defence Review.
4. The issue is I think now fairly straightforward. Our Party programme in 1973 said we should "withdraw from all relationships resulting from the Simonstown "Agreements" and all military exchanges, visits and technical arrangements will be terminated". We did not enter into any specific commitments in our manifestos of February and September this year but in the February manifesto we undertook "a disengagement from Britain's unhealthy involvement with apartheid". Reaction to the recent visits and the measure of naval co-operation that went with them, however explicable on grounds of operational necessity, merely stressed the trouble this Agreement has caused us for what looks like being a marginal benefit.

ALTERNATIVE COURSES

5. One course of action would be to make an announcement as soon as possible that we intend to abrogate the Agreement. The Agreement itself however does not provide for unilateral abrogation and, as supporters of the rule of law and of respect for treaties, we do not want to appear to act illegally. A unilateral gesture would also add to the antagonism of the South Africans and we would risk jeopardising our trade and other material interests. We know from their aide memoire earlier this summer the importance that South Africa attaches to the Agreement. It was at that time that we had evidence that any failure to continue to meet our obligations under Simonstown could affect the prospects for British firms competing in the public sector.

6. The alternative is to enter into negotiations with the South Africans with a view to ending the Agreement in an orderly way. That of course would minimise the risk to our relations but there is no guarantee that the South Africans would agree and at the end of the day we might face the prospect of having to announce that having attempted in good faith but unsuccessfully to negotiate the termination of the Agreement we felt bound to regard the Agreement as at an end. This would lead to acrimony and disadvantage in the commercial and other fields, but may be unavoidable.

7. A possible further course if the Agreement is still thought to have some military value for us, eg. in wartime, would be simply to allow the Agreement to wither by reducing, in consultation and agreement with the South African Government, the extent to which we make use of the facilities. That in itself would bring us little political advantage but we could at least announce publicly that we should not allow any further extensive exercises though we might have to accept some degree of joint training on some occasions in order to keep within our legal obligations under the Agreement.
TIMING

8. In about ten days' time we shall be embarking upon consultations with the Americans about the Defence Review. We know they attach importance to our contribution to the Western presence in the Indian Ocean area, modest though it is, and to pre-empt our consultations by announcing shortly beforehand a decision to withdraw from the Simonstown Agreement would make the rest of our task more difficult.

CONCLUSION

9. I favour the course set out in paragraph 6, namely to end the Agreement in an orderly way. But we cannot reach a final conclusion until we have had a military assessment from the Secretary of State for Defence. I recommend we proceed as follows:-

a. Ask for the view of the Secretary of State for Defence on the military consequences of closing Simonstown and the alternative facilities that will be required.

b. Consider with the Ambassador at Capetown the best way of reducing the risk of South African retaliation.

c. Have talks with the United States.

d. Announce our conclusions in the context of the statement that will be made on the Defence Review, or when a statement on the completion of the Review of policy towards Southern Africa is made.

LJC

Foreign and Commonwealth Office

29 October 1974
Annex

THE SIMONSTOWN AGREEMENT

Extracts from letters and memoranda dated 30 June 1955 exchanged between the Governments of the United Kingdom and South Africa.

Agreement on Defence of the Sea Routes round Southern Africa.

4. After the control and administration of the Simonstown Naval Base are handed over to the Union Government in accordance with the provisions of the Agreement relating to that subject, the Royal Naval Commander-in-Chief, South Atlantic, will continue to fly the flag to which he is entitled by Royal Naval regulations in the Cape area outside Simonstown and to exercise command over any Royal Naval units in the Union. [Post is now that of CinC Fleet.]

5. He will also be designated for purposes of planning and operational command in war as Commander-in-Chief of a maritime strategic zone, the boundaries of which will approximate to those of the Royal Naval South Atlantic Station, and will include the Mozambique Channel.

9. In peacetime the Commander-in-Chief will be directly responsible only to the United Kingdom Government and will have no executive authority over South African forces, establishments, or services. He will, however, have as one of his primary functions the guiding of maritime war planning in the strategic zone, and will be free to confer on these matters, in consultation with the South African Naval Chief of Staff, with the Union Minister of Defence.

10. A joint maritime war planning committee will be set up, containing representatives of the Royal Navy and the South African Navy, one of whose functions will be to co-ordinate the use of all maritime facilities in British and South African territories in the strategic zone. [Replaced by periodic staff talks.]

12. Since on the transfer of the control of the Simonstown Naval Base in accordance with the provisions of the Agreement relating to that subject, Admiralty House and the adjacent offices and residences will be transferred to the Union Government, the Union Government will in agreement with the United Kingdom Government provide headquarters in the Cape area, but outside Simonstown, with requisite communications and operational facilities, for use by the Commander-in-Chief in peace and war.
14. It is agreed in principle that exchanges of officers and ratings between the two navies would be of advantage to both navies and should take place whenever practicable. Such exchanges will be effected by mutual agreement between the two Governments.

15. It is agreed that the South African Navy will introduce a definite programme for the recruitment, as well as the subsequent training in the United Kingdom, of Engineering and Electrical Officers in accordance with existing practice.

Annex to the same letter.

In Peace.

2. The Commander-in-Chief will be responsible for:—

(a) the development of plans and the necessary preparations for the execution of his wartime tasks

(b) the organisation for and conduct of combined training of such national units as are assigned or earmarked for assignment to his command in war - and which can be made available - so as to ensure that they can operate as an effective and integrated force

(c) the establishment of an efficient organisation which will be the nucleus for expansion in war for the control of the strategic zone.

3. To fulfil his peacetime functions the Commander-in-Chief will be authorised:—

(a) to co-ordinate combined training of national maritime forces of the United Kingdom and of the Union earmarked for assignment to the zone in war

(b) to call for reports based on inspections, carried out by national authorities, concerned with the state of readiness and efficiency of forces earmarked for his command, but not under his control in peacetime.

Agreement Relating to the Transfer of the Simonstown Naval Base

ANNEX A

Replacement of United Kingdom Personnel

by South African Personnel

1. The replacement of personnel from the United Kingdom employed in the base by South African personnel must, it is agreed, be governed by the need to ensure that the efficiency of the base is maintained. Initially, and until South African personnel have acquired sufficient knowledge and experience, most of the posts at present filled by United Kingdom non-industrial or industrial staff will have to continue to be so filled.