



Treaty Series No. 68 (1965)

Agreement

between Her Majesty's Government in the
United Kingdom of Great Britain and
Northern Ireland and the Government
of the Maldive Islands

(with Exchanges of Letters)

Colombo, 26th July 1965

[The Agreement entered into force on 26th July 1965]

*Presented to Parliament by the Secretary of State for Commonwealth Relations
by Command of Her Majesty
August 1965*

LONDON

HER MAJESTY'S STATIONERY OFFICE

NINEPENCE NET

Cmd. 2749

**AGREEMENT BETWEEN
HER MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND AND
THE GOVERNMENT OF THE MALDIVE ISLANDS**

Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland and the Government of the Maldive Islands;

Desiring to consolidate the friendship and close association between their two countries and desiring for this purpose to revise the Agreement concluded between them on 14th February 1960⁽¹⁾ agree as follows:

ARTICLE 1

The provisions of the aforesaid Agreement of 1960 shall cease to have effect and they shall be replaced by the provisions of this present Agreement.

ARTICLE 2

The United Kingdom Government confirm their recognition of the State of the Maldive Islands as a composite sovereign and fully independent State possessing all rights to have direct relations politically and otherwise with all countries and international organisations.

ARTICLE 3

The Maldivian Government confirm the grant made by them to the United Kingdom Government by the Agreement of 14th February 1960, of the unrestricted and exclusive use of the whole area of the island of Gan in Addu Atoll and a demarcated area of 110 acres on the island of Hithadoo (Maamendu) of the same atoll, until the 15th day of December 1986 as a free gift. The said areas are hereafter referred to as "the Agreed Areas".

The Maldivian Government undertake that during the period until 15th December 1986 they will not permit the entry into or use of the territory, territorial waters or air space of the Maldive Islands for any purpose by any of the armed forces of any other State or the establishment by any other State of rights or facilities of a military character, unless the United Kingdom Government has consented thereto. This undertaking shall not apply to courtesy visits by aircraft and by vessels of war in accordance with normal international practice.

(1) Cmnd. 948.

The United Kingdom Government may establish, operate and maintain an Airfield on Gan Island, and a Radio Station on Hithadoo Island, and shall have unrestricted access by sea and air to the Agreed Areas, and the unrestricted use of the lagoon of Addu Atoll and the territorial waters adjacent to the Agreed Areas for Her Majesty's ships as may be required. The United Kingdom Government may further utilise the lagoon of Addu Atoll and the territorial waters adjacent to the Agreed Areas for recreational purposes for the British Forces and for the maintenance of such facilities as are specified and agreed in this Agreement and Annexure.

Until the 15th day of December, 1986, the United Kingdom Government may maintain within the Agreed Areas such Armed Forces as they may think fit for the exercise and use of the rights and facilities accorded to them under this Agreement. Nothing herein or hereafter contained in this Agreement shall impair the Sovereign Status of the Agreed Areas as part of the State of the Maldives.

ARTICLE 4

The United Kingdom Government undertake to utilise the facilities granted to them by the Maldivian Government in the Agreed Areas only for Commonwealth defence.

ARTICLE 5

The Annexure which contains provisions relating to the implementation and interpretation of this Agreement shall form part of this Agreement.

ARTICLE 6

This Agreement shall come into force on the Twenty-sixth day of July 1965, from which date all previous agreements and understandings shall cease to be effective.

IN WITNESS whereof the undersigned, being duly authorised by their respective Governments, have signed this Agreement.

Done in duplicate at Colombo this Twenty-sixth day of July 1965 in the English language.

For Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland:

MICHAEL WALKER

For the Government of the Maldives Islands:

IBRAHIM NASIR

ANNEXURE

CLAUSE A

During the period until the 15th day of December 1986 the Maldivian Government will, if the United Kingdom Government so request, receive a Representative of the United Kingdom Government.

CLAUSE B

For the purpose of the exercise of the rights of the United Kingdom Government under this Agreement the Maldivian Government will afford all reasonable assistance.

CLAUSE C

The United Kingdom Government shall have the right to lay and maintain submarine cables between Gan Island and the Radio Station on Hithadoo Island in the intervening and adjacent waters.

CLAUSE D

The activities of Her Majesty's Forces in the Agreed Areas shall in no way interfere with any legitimate rights of the people of Addu Atoll outside the Agreed Areas except for such precautions as may be necessary for the safety and security of life and property.

CLAUSE E

During the continuance of this Agreement, the Maldivian Government undertake not to grant any private rights to any person or persons in the Agreed Areas, without securing the prior agreement of the United Kingdom Government in writing. Similarly, the United Kingdom Government undertake not to grant any such rights without securing the prior agreement of the Maldivian Government in writing.

CLAUSE F

If, on the expiry of the period stipulated in this Agreement, further provision by the agreement of both Governments has not been made and signed to extend the period of this Agreement, the United Kingdom Government shall at their discretion be free to remove from the Agreed Areas all the equipment and supplies of the United Kingdom Government, within a period of one year. The United Kingdom Government will ensure that in removing the equipment and supplies no avoidable damage shall be done to any buildings or constructions. All that remains behind at the end of the said one year shall be the property of the Maldivian Government.

CLAUSE G

The Maldivian Government agree that they will not interfere in any way with the exercise by the United Kingdom Government of their rights under this Agreement. Further, the Maldivian Government shall take all reasonable steps to preserve and uphold the rights, powers and authority accorded to the United Kingdom under this Agreement.

CLAUSE H

The United Kingdom Government may establish in the Agreed Areas, directly or through authorised Service Organisations, the institutions necessary to provide canteens, messes and facilities for social, recreational and cultural activities, exclusively for members of the British Forces. These institutions and any authorised Service Organisation through which they may be established, their equipment, the services they provide and the goods and commodities they sell, will not be subject to any taxes, duties or other imposts or to any legislative requirements as to the constitution or activities of the institutions or organisation.

CLAUSE I

The United Kingdom Government and their contractors and authorised Service Organisations may import into the Agreed Areas of Addu Atoll, free of any taxes, duties or other imposts, goods and commodities required exclusively for the purpose of the construction or operation of the Airfield on Gan Island and Radio Station on Hithadoo Island and for the exclusive use or consumption of members of the British Forces.

CLAUSE J

A member of the British Forces in the Maldivian Islands in pursuance of this Agreement shall not be subject to any tax, duty or other impost by the Maldivian Government, either on himself, his income or on his moveable property.

CLAUSE K

Members of the British Forces shall not be subject to the jurisdiction of the Courts of the Maldivian Islands, and the duly authorised Authorities of the United Kingdom shall be entitled to exercise full jurisdiction within the Agreed Areas, over members of the British Forces.

CLAUSE L

The United Kingdom Government shall have the right to establish and maintain Postal Services for the exclusive use of the members of the British Forces.

CLAUSE M

The United Kingdom Government agree that the use of the Radio Station on Hithadoo shall be restricted to the reception and transmission of messages, signals and communications only.

CLAUSE N

The United Kingdom Government undertake not to allow in any way, any item or items of goods, provisions or equipment, all types of arms and ammunition or all types of military equipment which have been imported by the United Kingdom Government to be taken or moved to Maldivian soil outside the Agreed Areas without the prior consent of the Maldivian Government. The United Kingdom Government further agree that all movements of Members of the British Forces (as defined in Clause O of the Annexure of this Agreement) shall be fully restricted to the Agreed Areas, the territorial waters adjacent to the Agreed Areas and the lagoon of Addu Atoll, unless otherwise agreed to by the Maldivian Government. This clause shall not affect any right of passage of vessels in accordance with normal international practice.

CLAUSE O

In this Agreement and Annexure:

“British Forces” means the personnel of Her Majesty’s Sea, Land and Air Forces and accompanying civilian personnel who are employed by or serving with such Forces, directly or through their contractors or authorised Service organisations. This definition also includes the dependents of such military and civilian personnel but excludes all persons who are nationals of or ordinarily resident in the Maldivian Islands, or whose presence in the Maldivian Islands does not arise from the operation of this Agreement.

“Armed Forces” means any members of armed forces, warships and military aircraft.

“Authorised Service Organisations” means the organisations customarily accompanying the British Forces.

“Agreed Areas” means the whole area of Gan Island in Addu Atoll, and the demarcated 110 acres of Hithadoo Island of the same Atoll.

“Outside the Agreed Areas” means any Maldivian territory outside the Island of Gan in Addu Atoll and the demarcated area on the Island of Hithadoo of the same Atoll.

EXCHANGES OF LETTERS

No. 1

*From the High Commissioner for the United Kingdom in Colombo
to the Prime Minister of the Government of the Maldive Islands*

Colombo,

26th July, 1965.

Sir,

I refer to Clause N of the Agreement signed today between Her Majesty's Government in the United Kingdom and the Government of the Maldive Islands which restricts the movement of goods, provisions and equipment, arms and ammunition and all types of military equipment and the movement of British Forces in the Maldive Islands without the consent or agreement of the Maldivian Government.

2. The United Kingdom Government requests the Maldivian Government to agree that the presence of members of the British Forces on Maldivian soil outside the Agreed Areas due to accident or involuntary cause shall not be considered to be in breach of the provisions of the said Clause N.

I am, Sir,

Your obedient Servant,

MICHAEL WALKER.

No. 2

*From the Prime Minister of the Government of the Maldive Islands
to the High Commissioner for the United Kingdom in Colombo*

Sir,

26th July, 1965.

I have received your letter of today's date reading as follows:

[As in No. 1]

I am writing to inform you on behalf of the Government of the Maldive Islands that they give their consent to the request made therein.

I am, Sir,

Your obedient Servant,

IBRAHIM NASIR.

No. 3

*From the High Commissioner for the United Kingdom in Colombo
to the Prime Minister of the Government of the Maldive Islands*

Colombo,

26th July, 1965.

Sir,

I refer to Clause N of the Agreement signed today between Her Majesty's Government in the United Kingdom and the Government of the Maldive Islands which restricts the movement of goods, provisions and

equipment, arms and ammunition and all types of military equipment and the movement of British Forces in the Maldive Islands without the consent or agreement of the Maldivian Government.

2. On the understanding that the Maldivian Government agree that the United Kingdom authorities in the Agreed Areas may supply insecticides and medical goods to Maldivians in Addu Atoll and may sell to Maldivians employed in the Agreed Areas refreshments for consumption by them within the Agreed Areas and may sell goods for removal from the Agreed Areas only to Traders in Addu Atoll nominated from time to time by the Maldivian Government, the United Kingdom Government agree that they will, within one year from the signing of the said Agreement and thereafter, pay the Maldivians employed in the Agreed Areas in cash only.

3. The United Kingdom Government will supply to the Maldivian authorities a copy of an invoice of goods sold to the nominated Traders. They understand that goods so sold to the Traders will be subject to reasonable import duties at rates not in excess of those payable generally in the Maldive Islands. They further understand that the Maldivian Government will collect these duties from the said Traders.

4. I would be grateful if you would confirm that the Maldivian Government agree as mentioned in paragraph 2 above and would confirm the understandings referred to in paragraph 3 above.

I am, Sir,
Your obedient Servant,
MICHAEL WALKER.

No. 4

*From the Prime Minister of the Government of the Maldive Islands
to the High Commissioner for the United Kingdom in Colombo*

26th July, 1965.

Sir,

I have received your letter of today's date reading as follows:

[As in No. 3]

I am writing to inform you on behalf of the Government of the Maldive Islands that they give their agreement to the proposals in paragraph 2 of this letter and confirm the understandings in paragraph 3.

I am, Sir,
Your obedient Servant,
IBRAHIM NASIR.

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