

PERMANENT UNDER SECRETARY OF STATE

7E1051/388 P.W.
CONFIDENTIAL

FROM CAIRO TO FOREIGN OFFICE

Mr. T. Barker
DEPARTMENT

Cypher/OTP

TO SEE SECRETARY OF STATE'S MINUTE
FOREIGN OFFICE AND
WHITEHALL DISTRIBUTION

Sir R. Stevenson
No. 520
19th March, 1953.

D. 6.15 p.m. 19th March, 1953.
R. 6.49 p.m. 19th March, 1953.

PRIORITY
CONFIDENTIAL

*any objection to
being to
discuss of his State
but...*

Addressed to Foreign Office telegram No. 520 of 19th March,
Repeated for information to: Khartoum Washington.

Your telegram No. 392 to Khartoum: Minister of State's
Visit.

I told Egyptian Minister for Foreign Affairs informally
and as a matter of courtesy of this visit, describing it in
accordance with paragraph 2 of your telegram under reference.

2. A little later Foreign Minister telephoned to me and
said that General Neguib much appreciated the fact that he had
been thus informed, and expressed the hope that the Minister of
State would find time while in Khartoum to see Major Salah Salem
who went there today (my telegram No. 183 to Khartoum) and
Lieutenant-Colonel Abdul Fattah Hassan, Egyptian representative
on the Electoral Commission. They would be instructed to get
into touch with the Minister of State. I think it would be a good
idea if he could spare the time to see them.

3. Egyptian Foreign Minister also returned to the subject
of Salah el Din, prefacing his remarks by saying that if Salah
el Din indulged in any public utterances while in the Sudan,
which were not in accord with the determined policy of the
Egyptian Government to refrain from propaganda and to make the
Sudan Agreement work, the Egyptian Government would sincerely
deprecate it. I replied that I had already heard from
Khartoum that Salah el Din had made some extremely undesirable
speeches. Foreign Minister urged, nevertheless, that he should
be allowed to proceed to the Southern Sudan even on a limited
itinerary, pointing out that General Neguib was personally
involved, as all Egypt knew that he had pressed the Governor-
General to agree. If this could be done a "minor irritant"

/would be

CONFIDENTIAL

Cairo Telegram No. 520 to Foreign Office

- 2 -

CS
would be removed from the situation. My comment was that in removing a minor irritant the Governor-General would be risking a major explosion in the South, and I was sure there was no possibility of Salah el Din being allowed to go there in present circumstances.

Foreign Office please pass Khartoum (Priority) and Washington as my telegrams Nos. 188 and 176.

[Repeated to Khartoum and Washington].

ADVANCE COPIES:

Sir W. Strang
Private Secretary
Sir J. Bowker
Head of African Department
Head of News Department
Resident Clerk.

CCC

R.371/102750

91522

CONFIDENTIAL

FROM CAIRO TO FOREIGN OFFICE

Cypher/OTP

INDEXED

FOREIGN OFFICE AND
WHITEHALL DISTRIBUTION

Sir R. Stevens
No. 510

J E 1051/383

18th March, 1953.

D. 5.12 p.m. 18th March, 1953.

R. 5.20 p.m. 18th March, 1953.

IMMEDIATE
CONFIDENTIAL

JE

Addressed to Foreign Office telegram No. 510 of 18th March
Repeated for information to:- Khartoum

Your telegram No. 599: Salah El Din.

As the Egyptian Prime Minister was heavily engaged this morning I spoke as directed to the Foreign Minister and asked him to pass it on directly to General Neguib himself. He took careful note of the various points which I made. I laid particular stress on the Egyptian state broadcasts which have lately been directed to exhorting the Sudanese to disregard the administration. In this connexion the Foreign Minister asked for further particulars which I am sending to him.

2. In reply the Foreign Minister asked me to assure Her Majesty's Government that the Egyptian Government had no intention of attacking the Sudan administration or of making their task more difficult. He told me that a definite decision had been taken by the Egyptian Cabinet to make it clear that they did not intend to make any kind of political propaganda in the Sudan. As regards the question which I put to him on whether the Egyptian Prime Minister wants to make the Sudan agreement work, he asked me to tell you that he took grave exception to this question, more particularly as he had already given me an assurance on this subject at our meeting on the 12th March (my telegram No. 461, paragraph 2). Nevertheless he was ready to repeat that assurance with all the sincerity and solemnity at his command.

3. During the course of our discussion the question of instructions by either of the Co-Demini to the Governor-General arose. I had said that Her Majesty's Government considered that the Governor-General was the sole judge in deciding matters such as the visit of these Egyptian lawyers to the Southern provinces and that they supported him in this decision. I pointed out that while it was possible for either of the two Co-Demini to express their views to the Governor-General it was impossible for directions to be given to him in matters of internal administration unless the two Co-Demini were in agreement to do so. The Foreign Minister did not dissent from this statement of the position.

Foreign Office please pass Khartoum (immediate) as my telegram No. 182.

[Repeated to Khartoum].

ADVANCE COPIES:

Sir V. Strang
Private Secretary

Sir J. Bowker
Head of African Dept.

Head of News Department
Resident Clerk

ASNOG
Centro

reference:-

371/10750 9/522

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CONFIDENTIAL

FROM FOREIGN OFFICE TO KHARTOUM

En Clair

DEPARTMENTAL
DISTRIBUTION

No. 391
17th March, 1953

D. 8.34 p.m. 17th March, 1953

IMMEDIATE

Addressed to Khartoum telegram No. 391 of 17th
March

Repeated for information to Cairo [Priority]

Cairo telegram No. 495 [of 16th March -
Preamble to Sudan Statute]

I agree.

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African Department
News Department
Middle East Secretariat

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CONFIDENTIAL

FROM FOREIGN OFFICE TO KHARTOUM

Cypher/OTP

FOREIGN OFFICE AND
WHITEHALL DISTRIBUTION

No. 387

17th March, 1953.

D. 6.20 p.m. 17th March, 1953.

IMMEDIATE

CONFIDENTIAL

Addressed to Khartoum telegram No. 387 of 17th March

Repeated for information to:- Cairo

Washington

Your telegram No. 180 [16th March: Sudan: Governor-General's Commission].

You should do your best, without giving the appearance of official intervention, to induce the Sudanese parties to stick to Diab. If the Sudanese are going to run away from the Egyptians at every challenge, how can Her Majesty's Government fight their battles for them?

2. If they are not prepared to maintain their support of Diab, could they not find a candidate other than Diab or Dardiri and definitely recommend him?

3. There can be no question of our accepting Dardiri, unless the parties will go on record as having definitely selected him, which we would deplore.

4. In all this please be guided by Minister of State's statement in the House of Commons on 11th March that "we held the view that, unless the representatives of the political parties inform us that they have altered their decision of 25th February, the candidates who then received most votes should be nominated".

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FROM CAIRO TO FOREIGN OFFICE

Cypher/OTP

FOREIGN OFFICE AND
WHITEHALL DISTRIBUTION

Sir R. Stevenson
No. 509
18th March, 1953.

D. 12.19 p.m. 18th March, 1953.
R. 1.02 p.m. 18th March, 1953.

IMMEDIATE
CONFIDENTIAL

Addressed to Foreign Office telegram No. 509 of 18th March.

Repeated for information to Khartoum,
Washington.

Your telegram No. 387 to Khartoum: Governor-General's
Commission.

At our conversation this morning the Egyptian Foreign
Minister raised the question of Dardiri Mohamed Osman's appoint-
ment to the Governor-General's Commission. I said that I had
as yet received no instructions on this subject but drew the
Foreign Minister's attention to the statement made in the House
of Commons on 11th March by the Minister of State. I said, that
unless and until the parties informed us officially that they had
changed their minds in regard to the persons whom they recommended
for inclusion in the Commission, Her Majesty's Government would
regard the letter addressed to them by Nur ed Din (Khartoum
telegram No. 135 to Foreign Office) as representing their
combined views.

2. Foreign Minister said that in these circumstances he would
see what could be done about getting the parties to give formal
expression to what he understood to be their present views on
the matter i.e. that Ibrahim Ahmed and Dardiri should be appointed.
I agreed that if we received a formal communication in that
sense the situation would be changed.

Foreign Office please pass Khartoum (Immediate) and
Washington as my telegrams 181 and 173.

[Repeated to Khartoum and Washington.]

ADVANCE COPIES:

- Private Secretary.
- Sir W. Strang.
- Sir J. Bowker,
Head of African Department.
- Head of News Department.

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*Shaker
W. Strang
Head of African Department
Head of News Department*

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NOTHING TO BE WRITTEN IN THIS MARGIN.

Registry No.

1051/382

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Draft.

CAIRO

Telegram.

No. 631

(Date) 19/3/53

Repeat to :-

KHARTOUM 400

WASHINGTON 1289

19/3
 RECEIVED IN C.S.
 13 MAR 1953

Rep *all* 9/3

~~Extel~~

~~Extel~~

Cypher.

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F.O. & Whitehall

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CYPHER

Emergency
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(Date) 19/3 1953

Despatched 1.30 P M.

[Security classification] CONFIDENTIAL
-if any

Addressed to CAIRO

telegram No. 631 (date) 19th March

repeated for information to KHARTOUM, WASHINGTON.

[Flag A]

Your telegram No. 509 [of 18th March: Governor-General's Commission].

I do not repeat not wish the Sudanese parties to select Dardiri, and I hope you have not given the Egyptians the impression that we should welcome this as a way of escape from the impasse.

[Flag B]

2. I hoped that my telegram No. 387 to Khartoum had made it clear that every effort should be made to get Diab appointed. In any case we should avoid any action leading to the appointment of Dardiri until after the Minister of State has had the opportunity to consider the position on the spot.

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FROM CAIRO TO FOREIGN OFFICE

Cypher/OTF

DEPARTMENTAL

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J

Sir, R. Stevenson

No. 495

16th March, 1953

RECEIVED. 8.15 p.m. 16th March, 1953
R. 9.08 p.m. 16th March, 1953

PRIORITY
CONFIDENTIAL

E 1051/375

JE 1051/344

Addressed to Foreign Office telegram No. 495 of 16th March
Repeated for information to Khartoum.

Your telegram No. 551: Preamble to Sudan Statute.

I suggest that the Governor General should now proceed to promulgate the Statute with the abbreviated preamble contained in your telegram under reference without our seeking Egyptian concurrence.

2. In this case I would simply notify the Egyptian Government that this is being done.

3. Do you agree?

Foreign Office please pass Khartoum (priority) as my telegram 177.

[Repeated to Khartoum].

DISTRIBUTED TO

African Department
Middle East Secretariat
News Department



BY PRIVATE NOTICE

*African Dept
? PW*

Mr. Hector McNeil: To ask the Secretary of State for Foreign Affairs, if he has considered reports alleging that General Neguib has complained of breaches of the Anglo-Egyptian Agreement on the Sudan and if he has any statement to make.

Wednesday 11th March

Mr. Selwyn Lloyd

131051/376

Yes, Sir.

I understand that General Neguib held a press conference yesterday, in which he is reported to have made a number of allegations about breaches of the Anglo-Egyptian Agreement on the Sudan. I have asked for full information from the Governor-General on all these allegations. *I have little doubt that they will have to be quite important* There is, however, one with which I wish to deal today.

It has been said that we are delaying the elections in the Sudan by refusing to accept the two Sudanese members of the Governor-General's Commission nominated by the Sudanese and approved by the Egyptian Government. The facts are as follows.

/On the

231/10750 91577



On the 25th February a meeting of representatives of all four Sudanese Northern political parties, voted upon the names of five candidates for the two places to be filled by Sudanese on the Governor-General's Commission. Of these five candidates, Mohammed el Hassan Diab received three votes, Ibrahim Ahmed two votes, and the remainder one vote each. The parties sent the Governor-General and the Egyptian Staff Officer in the Sudan a formal letter informing them of this. On the 2nd March Her Majesty's Ambassador at Cairo formally proposed to the Egyptian Government the nomination of the candidates who had received three votes and two votes respectively.

/So far as



~~XXXXXXXXXXXXXX~~

So far as I am aware the Egyptian Government have not formally nominated any candidates. Meanwhile, however, ^{they} ~~the Egyptian Government~~ have been seeking to promote the candidature of a new candidate, Dardiri Mohammed Osman, who I understand supports a closer association between Egypt and the Sudan, ~~and~~ one of the ^{original} candidates who had received only one vote ^{has} stood down in his favour. No votes have yet been cast for ^{Dardiri Osman} him by any of the Sudanese political parties.

It will thus be seen that Her Majesty's Government have throughout supported the wishes of the Sudanese themselves and we hold the view that, unless the representatives of the political parties inform us that they have altered their decision of the 25th February, the candidates who then received most votes should be nominated.

/Far from



Far from any delay having been caused by Her Majesty's Government, the delay over the appointment of the Sudanese members of the Governor-General's Commission appears now clearly to be due to Egyptian unwillingness to accept the candidates proposed by the Sudanese themselves.

I would like to add that Her Majesty's Government strongly deprecate this attempt to conduct diplomacy by means of [inflammatory] statements to the press. If the Egyptian Government have complaints to make, they should be made either to the Governor-General of the Sudan direct or to Her Majesty's Government through normal diplomatic channels. I have this morning made strong representations to this effect to the Egyptian Ambassador in London, and Her Majesty's Ambassador ⁱⁿ ~~at~~ Cairo has ~~also~~ been instructed to do the same to the Egyptian Government.

/I would recall

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FLAC G

also
 I would recall the statement of my right honourable Friend on the 12th February to the effect that it is the resolve of Her Majesty's Government that the Sudanese shall freely decide their own future. That statement stands and we are determined to ensure that the Sudanese shall have the right to express their views free from interference or unfair pressure from any quarter.

It is absolutely untrue that we are failing to carry out the Anglo-Egyptian agreement on the Sudan in good faith.



Notes for Supplementaries (P.N.Q.)

Q. Will you give an assurance that the Governor-General will not be in any way deterred from making such appointments in the Sudan as he thinks fit?

A. I have no doubt that the Governor-General will exercise his powers properly and in accordance with the terms of the Anglo-Egyptian Agreement.

Q. Does the Anglo-Egyptian Agreement give the Governor-General's Commission power to intervene in the appointment of resident magistrates?

A. In making appointments to the Judiciary, the Governor-General exercises his discretion with the approval of his Commission.

Q. Will you prevent the Egyptians from bringing undue pressure to bear upon the Sudanese and will you instruct British officials in the Sudan to take steps to this end?

A. Any evidence of undue pressure will, of course, be carefully considered and appropriate action taken.

Q./



2.

Q. Can you give an assurance that the wishes of the Sudanese, as to the appointment of Sudanese members to the Governor-General's Commission will not be overridden?

A. The Anglo-Egyptian Agreement provides that the two Sudanese members of the Governor-General's Commission shall be proposed by the British and Egyptian Governments in agreement. It is the policy of Her Majesty's Government to give full weight in this matter to the wishes of the Sudanese, and I have already made it clear that we are following this policy. Moreover, the Agreement also provides that the appointment of the Sudanese members shall be subject to the subsequent approval of the Sudanese Parliament when it is elected, and the Parliament shall be entitled to nominate alternative candidates in case of disapproval. I think therefore that the wishes of the Sudanese are fully safeguarded. It is certainly not our intention to allow those wishes to be arbitrarily disregarded.

CONFIDENTIAL

FROM FOREIGN OFFICE TO NEW YORK
(United Kingdom Delegation to United Nations)

Cypher/OTP

DEPARTMENTAL DISTRIBUTION

No. 193
12th March, 1953.

D. 2.15 p.m. 12th March, 1953.

IMMEDIATE
CONFIDENTIAL

Following personal for Secretary of State from Minister of State.

I felt obliged to make statement on the Sudan yesterday because -

- (a) The Private Notice question was put down.
- (b) We had just received two telegrams from Stevenson recommending that Neguib's remarks be taken up strongly with the Egyptians.
- (c) We should have had serious trouble in Parliament (as the supplementary questions showed) if we had not come out with a forthright statement.
- (d) Our information shows that something had to be done if the position in the Sudan is to be held.

2. The statement has been well received in the press here this morning and Attlee told me afterwards that he thought its tone was exactly right. The Prime Minister was away so I was unable to consult him.

3. I hope you will agree that we were right to make this statement and I trust that it will not prejudice the approach by our Ambassadors in Cairo on the other problem.

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African Department
Middle East Secretariat

CONFIDENTIAL

FROM NEW YORK TO FOREIGN OFFICE

(United Kingdom Delegation to the United Nations)

Cypher/OTP

DEPARTMENTAL DISTRIBUTION

Sir G. Jebb
No. 170
12th March, 1953

D. 11.42 p.m. 12th March, 1953
R. 12.47 a.m. 13th March, 1953

PRIORITY
CONFIDENTIAL

INDEXED
J F 1051/360 A

Your telegram No. 193.

Following personal from Secretary of State for Minister of State.

I was delighted to see your statement and am sure that you were absolutely right.

DISTRIBUTED TO:

African Department
Middle East Secretariat

ADVANCE COPIES:

Minister of State
Head of African Department

K K K K

18 MAR 1953

FROM KHARTOUM TO FOREIGN OFFICE

En Clair

FOREIGN OFFICE AND WHITEHALL

Sir R. Howe

No. 163

12th March, 1953.

D. 8.30 p.m. 12th March, 1953.

R.11.32 p.m. 12th March, 1953.

Addressed to Foreign Office telegram No. 163 of 12th March.

Repeated for information to Cairo.

[Begins]

As an example of the sort of rumour that is being put about by irresponsible journalists and others, and which is apparently believed by the Prime Minister of Egypt, the following is typical.

2. A story appeared in certain of the Khartoum papers between 5th March and 9th, that a son of Chief Jambo of the Meru tribe of Equatoria Province had been arrested. No charge was stated.

3. On 11th March a party of 3 lawyers, including Doctor Mohd Salah ed Din, arrived in Khartoum from Cairo having been delegated by the Egyptian Lawyers Association to defend Zakaria Jaabo who was, apparently, believed to have been charged by the administrative authorities with an offence relating to political activities.

4. The true facts are as follows:-

Zakaria Jaabo is not (repeat not) accused of any offence. His brother Samson, who is employed by the Public Works Department as a road foreman in Equatoria Province, was recently arrested on a charge of forging a pay sheet. He is now on bail and a police investigation is in train. He will probably be brought to trial on this charge at the end of the month.

[Ends]

LLLL.



Copy of telegram from Khartoum
dated 12th March, 1955.

URGENT

Foreign Secretary,
British Government,
Whitehall, London.

We have to inform you that the statement made yesterday in House of Commons by Mr. Selwyn Lloyd regarding nomination of Sayed Dardiri Mohamed Osman is incorrect. Sayed Dardiri has in fact not only been nominated by Egyptian Government but originally nominated by National Unionist Party and submitted by all parties jointly amongst other four nominees to Governor General to be communicated to Egyptian and British

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- 2 -

Governments.

We challenge all who doubt public support of his nomination to put up the question as an issue for decision by all nations in any feasible way despite official bias against him.

Ismail Elzhary,
President,
National Unionist Party.

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FROM KHARTOUM TO FOREIGN OFFICE

En Clair

FOREIGN OFFICE AND
WHITEHALL DISTRIBUTION

Sir R. Howe
No. 166

1051/564

INDEXED

13th March, 1953

D. L.O p.m. 13th March, 1953
R. 8.7 p.m. 13th March, 1953

D.R. Serpell, Treasury.
C.E. Loochs, Bank of England.
R.C. Couldrey, Board of Trade
R.J.W. Stacey, Board of Trade

A.P.H. Dickinson,
Ministry of Transport.
D.H. Crofton,
Ministry of Fuel & Power.

J.G. Davies, Sudan Agency.
A.M. West, Colonial Office,
Commonwealth
Relations Office.

Addressed to Foreign Office telegram No. 166 of 13th March
Repeated for information to: Cairo
Washington

I have telegraphed the following in clear to General Neguib
today. [Begins.]

The reports of Your Excellency's statement to journalists
on March 10th suggests that Your Excellency has been misled by
messages from irresponsible persons. All members of the Sudan
Government, whatever their nationality, are faithfully performing
their normal duties and reports to the contrary which may have
reached you are, in fact, entirely unfounded. I am most anxious
that the various commissions should be appointed at once so that
the elections can be held as soon as possible and that the new
Sudanese Government can be founded. In the meantime, I must
request that Your Excellency should not give credence to complaints
which have not been confirmed, for to do so increases the
difficulties of my subordinates in preparing the Sudanese people
to register their votes in a normal atmosphere. I hope,
therefore, that before making charges publicly against Sudan
Government officials, Your Excellency will refer to me the
complaints upon which they are based. [Ends.]

vvvvv



*Spencer
C. Cole*

COPILE

13th March, 1953

You sent me on the 9th March an extract from a letter which the Prime Minister had received from Captain Charles Waterhouse M.P.

The Minister of State and Sir William Strang suggest that the Prime Minister's reply to Captain Waterhouse should be on the following lines:-

"The officials of the Sudan Political Service have never been in any way inhibited from fighting bribery and corruption by every means in their power. On the contrary they have been encouraged to do so. If the Egyptians try to take advantage of the new Anglo-Egyptian Agreement on the Sudan to pursue their intrigues by their usual methods, we have every intention of combatting these to the best of our ability.

"It is clear, however, that to try to deal with these activities officially is not the best way of doing so. The servants of the co-dominion cannot take an official attitude opposed to one of the co-dominions. The Egyptians' unofficial

activities/

J.R. Colville, Esq., C.V.O.,
10, Downing St.,
S.W. 1

- 2 -

activities, such as bribery and corruption, can only be dealt with officially where adequate proof against individuals exists. Otherwise these things must be dealt with unofficially, which is what we have every intention of doing.

"As regards 'things moving down hill', our reports indicate that the Egyptians are now worried that they have been losing ground in the Sudan, particularly since the Agreement was signed. It seems probable that they are overplaying their hand.

"Naturally all the above is for your own confidential information."

CONFIDENTIAL

FROM KHARTOUM TO FOREIGN OFFICE

Cypher/OTP

FOREIGN OFFICE AND
WHITEHALL DISTRIBUTION

Sir R. Howe

No. 170

14th March, 1953

D. 1.0 a.m. 15th March, 1953

R. 7.50 a.m. 15th March, 1953

IMMEDIATE
CONFIDENTIAL

E1051/367

Addressed to Foreign Office telegram No. 170 of 14th March
 Repeated for information to: Cairo

Cairo telegram No. 461.

The implication in the Egyptian Foreign Minister's suggestion that some machinery shall be established to make enquiries, and clear up small difficulties on the spot, is that I and my Administrative officers are not to be trusted to deal fairly with the matters arising in the ordinary course of day-to-day administration, or to render factual reports on the incidents.

Although I am in duty bound to investigate the complaints made against the members of the Administrative Service, I cannot in justice to my staff agree to the setting up of an extra legal body to institute any enquiries, and must myself remain sole arbiter of the need for, and nature of, any investigations to be made.

Foreign Office please pass Immediate to Cairo as my telegram No. 128.

[Repeated to Cairo].

ADVANCE COPIES:

- Sir W. Strang
- Private Secretary
- Sir J. Bowker
- Head of African Department
- Head of News Department
- Resident Clerk

VVVVV

6 MAR 1953

Registry No. *U/E/105/1867*

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(Date) *16/3* 19
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Draft.

CAIRO

[Security classification] CONFIDENTIAL
-if any

Addressed to CAIRO

Telegram.

No. *599*

telegram No. *599* (date) *16/3*

(Date) *March 16*

repeated for information to KHARTOUM

Repeat to:
Khartoum
KHARTOUM

378

[Flag A]

Your telegram No. 483 and Khartoum
[Flags B, C, D and E]
telegrams Nos. 169, 170, 172 and 173 [of 15th,
14th, 14th, 15th and 15th March respectively].

I feel strongly that the Governor-General should not give way over the visit of these Egyptians to the South.

2. You should take the matter up *firmly* with General Neguib. You might point out that the visit of Major Saleh Salem and Sheikh Baquri to the South stirred up conflicting political passions there; that the signature of the Anglo-Egyptian Agreement itself was unwelcome to a large section of Southern Sudanese opinion, particularly in relation to the question of Sudanisation; and that the recent Egyptian press campaign has served still further to stimulate uneasiness among these backward people, who resent not only the Egyptian attitude towards them but also that of the Northern Sudanese. At the present moment we are straining every nerve to get the elections held before the rainy season; once those elections have been held, and the Sudanese Parliament is in being, the Southerners will have representatives in Khartoum who can make their views known.

/Our

NOTHING TO BE WRITTEN IN THIS COLUMN

RECEIVED IN C.E.
1 MAR 1953
PT.

~~CONFIDENTIAL~~
~~CONFIDENTIAL~~
Cypher.

Distribution:—
F.O. & Whitehall

1209
6/3/53

Roger Allen
16/3

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16/3

W.D.
16/3

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R 371/102750 91522
Our object must be to try to ensure that the elections in the South, as elsewhere, are properly conducted.

3. You could go on to say that as regards the Egyptian lawyers at present in Khartoum there can be no doubt that the alleged purpose of their visit, namely to defend Zakaria Jumbo, was nothing but a pretext, and the fact that they still persist with their intention to visit the South, despite the fact that there is no criminal charge against this man, confirms this. It is indeed perfectly obvious that the purpose of their visit is to make political propaganda. The Governor-General regards this as dangerous and inadmissible, given the state of Southern feeling at present, and in my view he must be the judge of this. As regards the holding of elections, any fears which General Neguib may have should be allayed by the appointment of the Electoral Commission whose specific task it will be to supervise the conduct of these elections.

4. You might conclude by asking General Neguib bluntly whether he wants to make the Anglo-Egyptian Agreement work. If he does, he must give the Sudan a chance to settle down and go through the difficult political operations before it without being agitated and excited from outside. I am of course well aware of Egyptian suspicions about the good faith of the British members of the Administration, but I believe they are doing their best in difficult circumstances. The kind of propaganda campaign to which they are at present subject

/will

will simply make their task quite impossible and, if it is persisted in, will make the Agreement between us and Egypt, which depends in the last resort on some degree of confidence between us, unworkable.

ABZ

NOTHING TO BE WRITTEN IN THE MARGINS

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FROM KHARTOUM TO FOREIGN OFFICE

Cypher/OTP

FOREIGN OFFICE AND
WHITEHALL DISTRIBUTION

Sir R. Howe

No. 171

14th March, 1953

D. 1.0 a.m. 15th March, 1953

R. 7.45 a.m. 15th March, 1953

IMMEDIATE
CONFIDENTIAL

E1051/370 INDEXED

Addressed to Foreign Office telegram No. 171 of 14th March
Repeated for information to: Cairo

Your telegram No. 364

One difficult factor in the local situation is the demand from the Southern provinces for representation on the Governor General's Commission and the threat of boycott if this is not granted. I have silenced the threat of boycott by pointing out that various names, including a Southerner, have been suggested to the two co-dominii, (see my telegram No. 108), and that it now remains for Her Majesty's Government and the Egyptian Government to agree. If the matter is to be re-opened publicly, and the local parties in Khartoum are to meet again and vote again, I see a renewed demand from the South for consultation and voting powers on this issue, involving delay in any case, and considerable resentment and trouble there if this is refused.

I suggest, therefore, that Egyptian Government be asked to agree that the three foreign members of the commission should discharge its duties of appointing the Electoral Commission, and that the Sudanese Parliament be left to select two Sudanese later. Failing agreement on this point, we will have to refer back to the parties and risk an outcry in the South.

2. It is quite inaccurate to suggest that any responsible Southern Sudanese leaders, have been consulted by General Neguib on the appointment of an international commission to investigate complaints. I agree that it is most undesirable and, in fact, the negation of all administration if a roving commission is to visit the South and, on the basis of lying reports, begin investigating complaints about British administrators there. The Statute gives no such powers to the Governor General's Commission, and I consider it would be a great mistake to set up any precedent for departure from its strictly legal terms of reference.

Foreign
18 MAR 1953
X H X I
A B M

1037/102750

CONFIDENTIAL 9/522
FROM CAIRO TO FOREIGN OFFICE

J

Cypher/OTP

DEPARTMENTAL
DISTRIBUTION

Sir R. Stevenson
No. 481
15th March, 1953.

D. 3.35 p.m. 15th March, 1953.
R. 3.58 p.m. 15th March, 1953.

IMMEDIATE
CONFIDENTIAL

1051/369 INDEXED

Addressed to Foreign Office telegram No. 481 of 15th March
Repeated for information to:- Khartoum, 1051/353
Khartoum, telegram No. 160: Governor-General's Commission.

The Egyptian Prime Minister raised with me this morning the question of the appointment of Dardiri Mohamed Osman to the Governor-General's Commission and urged that Her Majesty's Government should agree to it. I pointed out that Hassan Diab appeared to be the choice of the Sudanese parties themselves and we wanted to avoid a situation in which the Parliament would disapprove of one of the Sudanese members. I went on to say that we had tried to get an expression of opinion out of Sayed Ali Mirghani but had failed to do so.

2. General Neguib said that S.A.M. had sent a messenger to him (a man called Bimbashi Khalafallah Khalid) who had arrived in Cairo this morning with a message to the effect that S.A.M. had not (repeat not) been consulted about the appointment of Hassan Diab and that he insisted on the appointment of Dardiri Mohamed Osman. My comment was that General Neguib had evidently been more successful in getting an expression of S.A.M.'s views than we had. I promised to inform you immediately.

3. In all the circumstances I think that we should accept the suggestion contained in paragraph 4 of Khartoum telegram under reference and agree to the appointment of Dardiri.

Foreign Office pass immediate to Khartoum as my telegram No. 174.

[Repeated to Khartoum]. [Copies sent to Prime Minister's Office]

DISTRIBUTED TO:
African Department
Middle East Secretariat
News Department

ADVANCE COPIES:
Sir W. Strang
Private Secretary
Sir J. Bowker
Head of African Department
Head of News Department
Resident Clerk

16 MAR 1953
11 11 AM
11 11 AM

No. J12/1051/360

OUTFILE B371/102750

TOP SECRET
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EMERGENCY
IMMEDIATE
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11 MAR 1953

91522

Despatched 4.25 P.M.

Draft
CAIRO

[Security classification] En Clair.
-if any

Addressed to CAIRO

Telegram

No. 535

Telegram No. 535 (date) 11/3

(Date) 11-3-53

repeated for information to KHARTOUM, WASHINGTON,
MEMIN (DAVID). BMED

Repeat to:
KHARTOUM 353
WASHINGTON 1154
MEMIN (DAVID) 419
BMED
[all Immediate]

NOTHING TO BE WRITTEN IN THIS MARGIN.

Following is text of Minister of State's statement in the House of Commons to-day:
"Mr. Hector McNeill: To ask the Secretary of State for Foreign Affairs if he has considered reports alleging that General Neguib has complained of breaches of the Anglo-Egyptian Agreement on the Sudan and if he has any statement to make.

"Mr. Selwyn Lloyd:

"Yes, Sir.

"I understand that General Neguib held a press conference yesterday, in which he is reported to have made a number of allegations about breaches of the Anglo-Egyptian Agreement on the Sudan. I have asked for full information from the Governor-General on all these allegations. I have little doubt that they will prove to be quite unfounded. There is, however, one with which I wish to deal to-day.

"It has been said that we are delaying the elections in the Sudan by refusing to accept the two Sudanese members of the Governor-General's Commission nominated by the Sudanese and approved by the Egyptian Government. The facts are as

/follows.

En Clair.
Code.
Cipher.

Distribution:—

For and Whitelath

No copies

Copies to:—

12 MAR 1953

W. A. B. W. L. T. B. 6855

follows.

Po 37/102750 9/522

"On the 25th February a meeting of representatives of all four Sudanese Northern political parties voted upon the names of five candidates for the two places to be filled by Sudanese on the Governor-General's Commission. Of these five candidates, Mohammed el Hassan el Diab received three votes, Ibrahim Ahmed two votes, and the remainder one vote each. The parties sent the Governor-General and the Egyptian Staff Officer in the Sudan a letter informing them of this. On the 2nd March Her Majesty's Ambassador at Cairo formally proposed to the Egyptian Government the nomination of the candidates who had received three votes and two votes respectively. So far as I am aware the Egyptian Government have not formally nominated any candidates. Meanwhile, however, they have been seeking to promote the candidature of a new candidate, Dardiri Mohammed Osman, who I understand supports a closer association between Egypt and the Sudan, and one of the original candidates who had received only one vote has stood down in his favour. No votes have yet been cast for Dardiri Osman by any of the Sudanese political parties.

"It will thus be seen that Her Majesty's Government have throughout supported the wishes of the Sudanese themselves and we hold the view that, unless the representatives of the political parties inform us that they have altered their decision of the 25th February, the candidates who then received most votes should be nominated. Far from any delay having been caused by Her Majesty's Government, the delay over the appointment of the Sudanese members of the Governor-General's Commission appears now clearly to be due to Egyptian unwillingness to

/accept

NOTHING TO BE WRITTEN IN THIS MARGIN.

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accept the candidates proposed by the Sudanese themselves.

"I would like to add that Her Majesty's Government strongly deprecate this attempt to conduct diplomacy by means of statements to the press. If the Egyptian Government have complaints to make, they should be made either to the Governor-General of the Sudan direct or to Her Majesty's Government through normal diplomatic channels. I have this morning made strong representations to this effect to the Egyptian Ambassador in London, and Her Majesty's Ambassador in Cairo has been instructed to do the same to the Egyptian Government.

"It is absolutely untrue that H.M. Government are failing to carry out the Anglo-Egyptian Agreement on the Sudan in good faith.

"I would also recall the statement of my right honourable Friend on the 12th February to the effect that it is the resolve of Her Majesty's Government that the Sudanese shall freely decide their own future. That statement stands and we are determined to ensure that the Sudanese shall have the right to express their views free from interference or unfair pressure from any quarter."

2. Mr. Hector McNeil then asked H.M. Government to bring it home to ^{General} Neguib that, as regards the Commission and anything else appropriate, the wishes of the Sudanese are paramount and not to be set aside on account of Egyptian prejudices or wishes or, for that matter, the wishes of H.M. Government; and that no progress could be made by partisan and ambiguous public statements.

3. Text of Minister of State's supplementary reply is as follows:

"In

SUDAN GOVERNMENT

Telegraphic Address:
"HAKIMAN"

THE SECRETARIAT
KHARTOUM

371/102950 9/522

Rain/B

J

1st March, 1953.

GG/69.2.7.

INDEXED

~~SECRET~~

JE 1051/573

JE 1051/245

Dear Allen,

Will you please refer to a letter written by Stevenson to Bowyer on February 11th and numbered 1041/269/53.

I agree that it will be advisable to let this matter drop, but as the Egyptian Foreign Minister's complaint is founded on a misrepresentation of the circumstances it is important for record purposes that the true facts should be made quite clear.

JE 1051/415

The Salah Salim party returned from their Southern tour on January 6th. Sheikh el Baghouri's speech made some days before at Juba was reported to you in my en clair telegram No. 19. My telegram No. 30 also reported an equally provocative and irresponsible statement made by this man.

On the afternoon of January 10th it was reported here both on good information and in the press that Sheikh El Baghouri intended to lead a delegation on the following morning consisting of himself, Sheikh Jamal ed Din El Sanhoury a local firebrand, and a number of the Salah Salim party to Darfur and the Western Sudan. It was believed that they intended to travel in an Egyptian Air-force Aircraft. To have permitted this party to go without a warning would have involved a grave risk to public security. You will remember the circumstances of the Fasher riots organised by three young Azhar students. It was essential in my view to warn El Baghouri that speeches of the tone and intention of his Juba speech would not be tolerated. In the time available it would have been impossible for me to have communicated this to the Egyptian Government through the Embassy in Cairo. Bell was therefore instructed to write to Lt. Col. Abdul Fattah to warn Baghouri. It may well be that it was this warning which caused him to think better of his proposed trip for, as you know, he and the rest of the party returned direct to Cairo on January 12th.

There is of course the further point that as a Government the Sudan Government is surely entitled to deal direct with both codomini and I think it would have been wrong to have taken up this matter through the British Embassy unless direct representations to the Egyptians had proved unavailing.

COPY

House of Commons.

March 2, 1953

Dear Prime Minister,

.....

During the last eighteen months, the Egyptians have spared no effort to square the Sudanese. Twelve months ago, one of their agents searched on the airfield was found to have a list of those to whom bribes had already been given. Bribes were distributed to influence the recent Municipal Elections in Khartoum, members of the Ashigga Party are receiving salaries from Egypt; these facts are known to the Foreign Office. I now hear that large numbers of Egyptians, both soldiers and civilians, have been sent into the Sudan within the last three weeks, and that an attempt has been made to enveigle a party of Southern Sudanese Chiefs to Cairo, presumably for a course of anti-British indoctrination.

Had Anthony Eden been here, I would not have troubled you with this letter, but things have moved so far and so fast downhill since November that every week now is of real - and possibly vital - importance, since the Sudanese are about to elect a Parliament which must have a decisive influence during the months or years before the act of self-determination.

May not our men on the spot be given permission to fight these rascals officially and be accorded such unofficial aid as they in their experience may think desirable?

Yours sincerely,

(SGD.) CHARLES WATERHOUSE

The Rt. Hon. Winston S. Churchill, O.M., C.H., M.P.

FO 371/102750 91572

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4



10, Downing Street,
Whitehall.

RECEIVED

March 9, 1953

ENCLOSURE

Dear Sir

I enclose herewith an extract from a letter which the Prime Minister has received from Captain Charles Waterhouse, M.P.

The Prime Minister wanted this brought to the attention of the Minister of State and Sir William Strang, who may have views on the reply he should send to Waterhouse. When Mr. Selwyn Lloyd has seen it would you pass it on to Strang.

Ack'd

- ① 17/5/53
- ② See W. Strang 19/3
- ③ See J. B. ... 20/3
- ④ African Dept. for ...

A.A. Duff, Esq., D.S.O., D.S.C.
Foreign Office.

Po 371/102750

9/5/27

Parliamentary Question

*The Lord Killearn — To enquire whether Her Majesty's Government are satisfied that, with his now restricted authority, the Governor-General of the Sudan still retains sufficient powers in the interim period to safeguard the Sudanese people against any overt or covert attempt to impair their genuine independence.

INDEXED J E 1051/38 51 MAR 1953

ANSWERED 11 MAR 1953
REPLY ATTACHED.

The Governor-General's powers under the Anglo-Egyptian Agreement of February 12th are fully described in the attached background notes. In practice we consider them adequate. Indeed, if they had not been so considered, H.M. Government would hardly have concluded the Agreement of February 12th.

2. A draft reply is submitted.

Rennell

9th March, 1953.

I think we shd. if possible avoid a discussion on the Governor-General's powers, and if Lord Killearn presses the matter simply refer him to the text of the agreement and of the Statute.

The Egyp are particularly anxious now that nothing controversial shd. be said, & they are behaving quite well themselves in this respect at the moment. It was they who told Lord Stansgate that his questions wd. be embarrassing & got him to withdraw them.

Roger Allen 9/3

The question is not very clearly expressed because, of course, the Sudanese are not at present independent, nor will they be

/ unless

1291

19 MAR 1953

P371/102750

91522

unless and until at the end of the interim period they choose to be so. What Lord Killearn really means to ask presumably ~~is whether~~ the Governor-General's powers are sufficient to ensure that during the interim period nothing should be done to impair the liberty of the Sudanese to choose independence at the end of the period should they wish to do so.

I agree with Mr. Allen that it is important to avoid a discussion on the Governor-General's powers and that if Lord Killearn presses the point he should be referred to the text of the Agreement and of the Statute. In the last resort it might be best to say that the Agreement sets up a certain balance in regard to the exercise of the Governor General's reserved powers and that it must be assumed that it will be the object of both parties to the Agreement to see that that balance is maintained and achieves its purpose.

R. G. Bowker

9th March, 1953.

R

THE SUDAN: THE GOVERNOR-GENERAL'S POWERS

3.3 p.m.

LORD KILLEARN: My Lords, I beg to ask the Question which stands in my name on the Order Paper.

[The Question was as follows:

To inquire whether Her Majesty's Government are satisfied that, with his now restricted authority, the Governor-General of the Sudan still retains sufficient powers in the interim period to safeguard the Sudanese people against any overt or covert attempt to impair their genuine independence.]

VISCOUNT SWINTON: My right honourable friend is satisfied that the powers retained by the Governor-General are adequate for the purposes which the noble Lord has in mind.

LORD KILLEARN: In thanking the noble Viscount for that statement of satisfaction, which I am sure many people will receive with relief—it will, of course, be noted in the columns of *Hansard*—may I ask him whether his attention has been called to the report in to-day's *Times* in a telegram from Cairo, dated March 10, of a rather startling character. The first point is to the effect that the Agreement "is already in a fragile condition." That is the view of the *Times* correspondent. A little later on in the same message there comes what is apparently an expression of opinion by Neguib, that certain action—rather complicated according to the report—alleged to have been taken by us, shows lack of good will on the part of the British.

VISCOUNT SWINTON: I have noticed that report. I understand that my noble friend the Minister of State hopes to be in a position to make a statement, in answer to a private notice Question in another place, in about half an hour's time. It will probably be of sufficient interest to the House that I should get a copy of that statement, if the Minister is able to make it this afternoon, and make a similar statement here.

LORD KILLEARN: I shall be very grateful.

11 MAR 1953

P 371/102750 91222

R

My Right Honourable friend is satisfied that the powers retained by the Governor-General are adequate for the purposes the Noble Lord has in mind.

DRAFT REPLY TO
PARLIAMENTARY QUESTION

BACKGROUND MATERIAL WHICH MAY BE USED IN REPLY TO
SUPPLEMENTARY QUESTIONS

A. Reserve powers of the Governor-General

The following are the reserve powers retained by the Governor-General under the new Statute, concerning which he is obliged, except as shown below, to consult his Commission, under the terms of the Anglo-Egyptian Agreement of 12th February:

Nomination of two-fifths of members of Senate (Article 31).

Prorogation of House of Representatives (Article 40(i)).

Approval of Speaker elected by House of Representatives (Article 45(iv)).

Appointment of Clerk of the Parliament (Article 46).

Right of Governor-General to address either or both Houses of Parliament (Article 54).

Right to summon both Houses to a general sitting to consider legislation in certain circumstances (Article 57(i)).

Withholding of assent to legislation passed by the Council when Parliament is not sitting (Article 58(viii)).

Various powers of the Governor-General over the Judiciary (Chapter IX).

Special responsibility for the Public Service (the Governor-General is not obliged to consult his Commission about this). (See (i) below)

Special responsibility for the Southern Provinces. (See (ii) below)

Ability of the Governor-General to make amendments to the Constitution (Article 101).

Governor-General's emergency powers (Article 102(1)). (See (iii) below)

The Governor-General's legal powers (Second Schedule, Part II).

Of the above the most important are:

(iii) Governor-General's powers in an emergency.

The Governor-General has power, with the approval of his Commission, to proclaim a constitutional emergency; if he is satisfied that "imminent financial collapse or breakdown of law and order necessitates his immediate intervention" he may proclaim a constitutional emergency even if his Commission disagrees. If so, the Commission shall submit the matter to the British and Egyptian Governments, and if either of them considers the continuance of the constitutional emergency unjustified, the Governor-General shall terminate it within thirty days from the date of the Commission's reference to the two Governments.

(ii) Special responsibility for the Southern Provinces.

The new Constitution provides that a quarter of the members of the Parliament and two of the Cabinet Ministers shall be Southerners. In addition the Governor-General shall have a special responsibility under Article 100 of the Constitution to ensure fair and equitable treatment to all the inhabitants of the different Provinces of the Sudan. This wording has been adopted instead of the original explicit reference to the Southern Provinces. The exercise of the Governor-General's responsibility is made subject to the approval of his Commission.

(i) Special responsibility for the Public Service.

The Governor-General's responsibilities for the Public Service are unfettered by the Commission.

B. Arrangements for self-determination.

Self-determination

Pending self-determination there is to be a

/transitional

transitional period in which the Sudanese shall have self-government. This period is not to exceed three years, and shall in any case be terminated when the Sudanese Parliament pass a resolution expressing a desire for self-determination. Thereupon the Sudanese Government shall draw up a draft law for the election of a Constituent Assembly.

Sudanisation

Meanwhile, the process of "Sudanisation" (i.e. replacement of British and Egyptian by Sudanese officers) is also to be completed within three years. A "Sudanisation Committee" is to be set up to supervise this. The Committee will report to the Sudanese Cabinet. The Governor-General may, if he does not agree with the decisions of the Committee or with the views of the Cabinet, withhold his assent, provided his Commission approve. If the Commission do not approve, the matter shall be referred to the British and Egyptian Governments. If the Egyptian Government support a decision which is repugnant to us or to the Governor-General, we could then set up the international body referred to below. This is our protection against too rapid or too extensive replacement of British officials, though it does not alter the fact that we have agreed that in principle Sudanisation should be completed within three years.

International body.

The two Governments have agreed that arrangements to secure the free and neutral atmosphere for self-determination shall be subject to international supervision, and they agreed to bind themselves to accept the recommendation of any international body set up for this purpose.

/C. Composition

C. Composition and functions of the Governor-General's Commission.

The Commission is to have five members, as follows:

- One Pakistani (Chairman)
- One U.K. citizen . . (Sir L. Grafftey-Smith,
now in Khartoum)
- One Egyptian citizen (Lt.Cdr. Zulficar,
also in Khartoum)
- Two Sudanese (not yet nominated)

When all nominations are complete, the Commission will be appointed by Egyptian Government decree.

The appointment of the two Sudanese will be subject to the subsequent approval of the Sudanese Parliament, who can nominate alternatives.

The decisions of the Commission shall be taken by majority vote.

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PARLIAMENTARY QUESTION

HOUSE OF LORDS

11th March, 1953

The Lord Killearn - To enquire whether Her Majesty's Government are satisfied that, with his now restricted authority, the Governor-General of the Sudan still retains sufficient powers in the interim period to safeguard the Sudanese people against any overt or covert attempt to impair their genuine independence.

Viscount Swinton replied -

My Right Honourable friend is satisfied that the powers retained by the Governor-General are adequate for the purposes the Noble Lord has in mind.

ry:
11
he
(11).

Minutes

J.
Captain Waterhouse seems to be labouring under a delusion. The men on the spot - they are not "ours" incidentally - have never been in any way inhibited from fighting bribery and corruption by every means in their power; on the contrary they have been encouraged to do so. Whether they have been very successful is a matter of opinion. Anyway, we have sent out Sir L. Grafftey-Smith and Mr. Morris of African Department to discuss the position on the spot with the Sudan Government, and to report to us on the best means of fighting the Egyptian activities which so much alarm Captain Waterhouse.

2. Subject to their report however, it would seem pretty obvious that the best means of combating these activities are not to fight the rascals officially. Not only would the servants of the co-domini put themselves in an utterly false position if they took an official attitude opposed to one of the co-domini (which is what Captain Waterhouse really wants), but also such an attitude would probably prove quite ineffective. If Captain Waterhouse were prepared to distinguish between the rôle played by Egypt officially and unofficial activities such as bribery and intimidation, that would be alright; the latter can obviously be attacked officially where, but only where, adequate proof exists. Otherwise these things must be dealt with unofficially, which is what we have every intention of doing.

3. Incidentally Captain Waterhouse is, as usual, a bit behind the times. Our latest reports indicate that things have not been going downhill in the Sudan lately; on the contrary, the Egyptians are worried that they have been losing ground since 10th January, and in particular since the Agreement was signed.

/4. I suggest

... .. ST. CUNNINGHAM, O.M., C.H., M.P.

Nothing to be written in this Margin.

Reference:-

FO 371/10750 91522

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Minutes.

4. I suggest that as much of the above as possible should be passed on to Captain Waterhouse.

RA.

(R. Allen)

10th March, 1953.

Nothing to be Written in this Margin.

PO 371/102750 91522
F-1051/374
INDEXED

CONFIDENTIAL

PREAMBLE TO SUDAN SELF-GOVERNMENT
STATUTE

As originally drafted, the preamble to the Sudan Self-Government Statute contains no mention of the Anglo-Egyptian Agreement of 12th February, but refers to the Executive Council and Legislative Assembly Ordinance of 1948 as being the instrument in virtue of which the new Statute is brought into force.

2. When the Agreement of the 12th February was signed the Egyptians asked that the preamble to the Statute should be amended to include reference to the Agreement.

3. The Governor-General thereupon suggested a draft. This the Egyptians rejected, at the same time putting forward an alternative draft which made it clear that they wished to delete all reference to the 1948 Ordinance from the preamble. We could not accept a draft which omitted to mention the Ordinance, while at the same time including a reference to the Agreement of the 12th February, mainly because such an omission would imply that the 1948 Ordinance was invalid. This implication might be taken by some of our Parliamentary questioners on the Sudan to imply a slur both on Her Majesty's Government and the Sudan Government, who were in the first place responsible for the Ordinance. What is more serious, it might easily lead to serious administrative difficulties in the Sudan.

4. We therefore suggested a third draft, consisting of the first two paragraphs of the Egyptian draft, and a new third paragraph which, while still mentioning the 1948 Ordinance, refers to the Statute as being promulgated "in accordance with Section 66 of the Ordinance" instead of "in the exercise of the powers conferred upon him by Section 66 of the Ordinance". The Governor-General has accepted this draft.

/5. Before

5. Before our draft reached Cairo, however, Her Majesty's Minister had handed to the Egyptian Government, as a purely personal suggestion, yet another draft, which sidesteps the difficulty by treating the 1948 Ordinance as the historical rather than the legal source of the new Statute. The Egyptians have now replied that this draft is unacceptable since they cannot agree to include in the preamble any reference to the 1948 Ordinance, and particularly to Article 66. They now propose that the Statute should be promulgated with virtually no preamble at all, except a bare reference to "the powers vested in the Governor-General by virtue of the Agreement of the 12th February".

6. This Egyptian suggestion is unacceptable as it stands, since there is no clause in the Agreement of the 12th February which vests any such powers in the Governor-General. We could, however, get round this difficulty, while retaining some reference to the Agreement of the 12th February, if the preamble ran as follows: "Whereas the British and Egyptian Governments concluded on the 12th February an agreement concerning Self-Government and Self-Determination for the Sudan, Now Therefore the Governor-General of the Sudan HEREBY MAKES THE FOLLOWING ORDER." This is not inaccurate, but merely a non-sequitur, since the Agreement does not empower the Governor-General to promulgate the Statute. It is also open to the objections mentioned in paragraph 3 above, but to a lesser degree, since, being a non-sequitur it could hardly carry the legal implication that the 1948 Ordinance is invalid. Nevertheless, it would be awkward, to say the least, for Her Majesty's Government to appear to have subscribed to a non-sequitur. (Though the Statute is,

/of course,

of course, promulgated by the Governor-General and not by H.M. Government.)

7. The Governor-General has stressed that it is urgent to promulgate the Statute at the earliest possible moment.

Three courses now lie open to us:-

- (a) to put forward to the Egyptians the formula suggested in paragraph 6 above;
- (b) to promulgate the Statute, if the Egyptians will agree, without any preamble at all;
- (c) to promulgate it with the formula suggested in paragraph 4 above, regardless of the Egyptians' views.

8. The department is advised that it is not legally necessary to have a preamble, although it is customary to do so. The kernel of the present dispute is, of course, a disagreement over the source from which the Governor-General derives his power to promulgate the Statute. We say it is the 1948 Ordinance, and the Egyptians say it is the Agreement of the 12th February. Course (b) sidesteps the difficulty by avoiding all mention of the source of the Governor-General's powers. This might be the best course, if the Egyptians agree.

9. If they reject this suggestion, we might meet them so far as to suggest Course (a), in spite of the disadvantages set forth in paragraph 6.

10. Failing this, we shall have to adopt Course (c). This would probably provoke a strong Egyptian reaction (though we have not yet tried this draft on them), but there is nothing they could do to prevent the Governor-General going ahead, and it is unlikely that they would want to jeopardise the whole Agreement for the sake of the preamble. This might therefore be our last resort (and our threat) in case the Egyptians show reluctance to agree to

/(b) or

(b) or (a).

11. As a first step, the Department recommends that we should instruct H.M. Ambassador, subject to his own and the Governor-General's views, to suggest to the Egyptians that the Statute be promulgated without any preamble. It would perhaps be better not to suggest the two alternative course until and unless this one is rejected by the Egyptians.

Roger Allen

(10th March, 1953.)

This seems the most sensible course.

Genl. Straup

Minister of State

R. J. Semmes
4/3

W. Straup
11/3

W
14/3

SECRET

J,
MINISTRY OF DEFENCE,
STOREY'S GATE,
S.W.1



Tel. No.: Whitehall 7000

10th March, 1953

REFERENCE: C.O.S. 532/10/3/53

Dear Ledward:

Handwritten: E1051/372

THE SUDAN

At their meeting⁺ on 9th March, 1953, at which you were present, the Chiefs of Staff considered a draft letter^b by the Foreign Office covering the present position about the Royal Air Force interest in the Sudan.

I enclose a copy of the relevant record of the meeting and would draw your attention to Conclusions (1), (2) and (3) thereof.

Handwritten signature: Yours Sincerely
D. G. H.

Secretary,
Chiefs of Staff Committee

R. T. D. Ledward, Esq.,
Foreign Office.

+ COS(53)33rd Meeting, Minute 3. *already sent*
b Annex to COS(53)122

SECRET

EXTRACT FROM C.O.S.(53) 33rd. MEETING HELD 9-3-53.

TOP SECRET
GUARD

121051/372

3. THE SUDAN

SECRET

(Previous Reference C.O.S.(53)8th Meeting, Minute 3)

C.O.S.(53)122

THE COMMITTEE had before them a letter from the Foreign Office covering a draft letter^o to the Civil Secretary of the Sudan Government, stating the present position about the Royal Air Force interest in the Sudan.

In a brief discussion THE COMMITTEE agreed:-

- (a) certain amendments⁺ to the draft letter^o, proposed by Sir John Baker;
- (b) that, although every effort should be made to ensure that naval facilities in the Sudan would be available to us in the future it would be preferable for the Foreign Office to take this up separately.

THE COMMITTEE:-

- (1) Endorsed the letter^o prepared by the Foreign Office, in consultation with the Air Ministry, subject to the amendments agreed in discussion.
- (2) Took note that the Foreign Office were taking all further action in connection with the despatch of the letter^o - as amended - to the appropriate authority.
- (3) Invited the Foreign Office, in consultation with the Admiralty, to go further into the naval facilities to be provided by the Sudan Government in the long term.

^o annex to COS(53)122
+ annex

SECRETANNEXLIST OF AMENDMENTS TO ANNEX TO
COS(53)1221. Paragraph 2(a) Line 4

After "staging" insert "and overnight stop"

Lines 7 and 8Delete all between "from" and "with" and insert
"all suitable airfields".2. Paragraph 3(a) Line 4After Africa delete the "full stop" and substitute
a "semi-colon."(b) Lines 4 and 5Delete all after "Africa" and insert,
"in addition, the alternative reinforcement route
across Central Africa would be denied to us"(c) Line 6The start of this sentence should read -
"as an example, should the use"

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FROM KHARPOUM TO FOREIGN OFFICE

Cypher/OTF

DEPARTMENTAL DISTRIBUTION

Sir R. Howe
No. 197
22nd March 1953

D: 10.35 a.m. 22nd March 1953
R: 1.23 p.m. 22nd March 1953

IMMEDIATE
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J E 1051/390

Addressed to Foreign Office telegram No. 197 of 22nd March

Repeated for information to : Cairo
Washington

The United States Liaison Officer recently called on a member of my staff to say how concerned his Government were at the prospects of delay caused by the present dispute over Dardiri. He foresaw that from now on the reasons and blame for this delay would be attributed entirely to British inflexibility. It was evident that this was a view which he himself held. It will be noted that there is no mention of Egyptian mischief making or Egyptian inflexibility. He felt certain that the party would not now come into the open and pronounce for or against any of the candidates.

Foreign Office pass Cairo immediate and Washington as my telegrams Nos. 147 and 101 respectively.

[Repeated to Cairo and Washington].

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