



Treaty Series No. 90 (1955)

Supplementary Agreement between the Government of the  
United Kingdom of Great Britain and Northern Ireland  
and the Egyptian Government for the

**Establishment of an International  
Commission to Supervise the Process of  
Self-Determination in the Sudan**

and Exchange of Notes modifying the Anglo-Egyptian  
Agreement of the 12th of February, 1953 concerning  
Self-Government and Self-Determination for the Sudan

[together with further Exchange of Notes]

Cairo, December 3, 1955

*Presented by the Secretary of State for Foreign Affairs to Parliament  
by Command of Her Majesty  
December 1955*

LONDON  
HER MAJESTY'S STATIONERY OFFICE

SIXPENCE NET

Cmd. 9661

**SUPPLEMENTARY AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE EGYPTIAN GOVERNMENT FOR THE ESTABLISHMENT OF AN INTERNATIONAL COMMISSION TO SUPERVISE THE PROCESS OF SELF-DETERMINATION IN THE SUDAN AND EXCHANGE OF NOTES MODIFYING THE ANGLO-EGYPTIAN AGREEMENT OF THE 12th OF FEBRUARY, 1953 CONCERNING SELF-GOVERNMENT AND SELF-DETERMINATION FOR THE SUDAN (TOGETHER WITH FURTHER EXCHANGE OF NOTES)**

*Cairo, December 3, 1955*

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EXCHANGE OF NOTES

No. 1 (a)

The Egyptian Minister for Foreign Affairs to Her Majesty's Ambassador at Cairo

Ministère des Affaires Étrangères,  
Cairo, December 3rd, 1953.

Excellency,

I have the honour to refer to the recent agreement between our two Governments that, in accordance with the wish of the Sudanese Parliament as expressed in a resolution adopted by the House of Representatives on the 29th of August, the future of the Sudan shall be decided by a plebiscite. It is my understanding that this agreement will entail modification of Articles 10, 12 and 13 of the Anglo-Egyptian Agreement of the 12th of February, 1953,<sup>(1)</sup> concerning Self-Government and Self-Determination for the Sudan. Accordingly I propose that the following texts be substituted for those articles:—

ARTICLE 10

When the two Contracting Governments have been formally notified of this resolution, the Sudanese Government, then existing, shall draw up a draft law for the election of the Constituent Assembly which it shall submit to Parliament for approval. The Sudanese Government shall also draw up a draft law for a plebiscite to decide the future of the Sudan which it shall submit to Parliament for approval. The Governor-General shall give his consent to these laws with the agreement of his Commission.

Detailed preparations for the process of Self-Determination, including safeguards assuring the impartiality of the elections and the plebiscite, which shall be held simultaneously, and any other arrangements designed to secure a free and neutral atmosphere shall be subject to international supervision. The two Contracting Governments will accept the recommendations of any international body which may be set up to this end.

ARTICLE 12

The future of the Sudan as one integral whole shall be decided by a plebiscite. The choice shall be between either: —

- (a) linking the Sudan with Egypt in any form;
- (b) complete independence.

The duty of the Constituent Assembly will be to draw up a constitution for the Sudan compatible with the result of the plebiscite, as well as an electoral law for a permanent Sudanese Parliament.

ARTICLE 13

The two Contracting Governments undertake to respect the decision of the Sudanese people concerning the future status of the Sudan as expressed by the plebiscite and each Government will take all the measures which may be necessary to give effect to this decision.

I have the honour to suggest that this Note and your Excellency's reply accepting the above-mentioned amendments shall be regarded as an integral part of the Anglo-Egyptian Agreement of the 12th of February, 1953.

I avail, &c.  
M. FAWZI.

(1) "Treaty Series No. 47 (1953)," Cmd. 8904.

No. 1 (b)

*Her Majesty's Ambassador at Cairo to the Egyptian Minister  
for Foreign Affairs*

*British Embassy,*

*Cairo, December 3, 1955.*

Excellency,

I have the honour to acknowledge receipt of your Excellency's Note of to-day's date which reads as follows:—

[As in No. 1 (a).]

I have the honour to confirm that the proposals in your Excellency's Note are acceptable to Her Majesty's Government and that your Excellency's Note together with this reply shall be regarded as an integral part of the Anglo-Egyptian Agreement of the 12th of February, 1953.

I avail, &c.

HUMPHREY TREVELYAN.

**SUPPLEMENTARY AGREEMENT BETWEEN THE UNITED KINGDOM AND EGYPT CONCERNING THE ESTABLISHMENT OF AN INTERNATIONAL COMMISSION TO SUPERVISE THE PROCESS OF SELF-DETERMINATION IN THE SUDAN**

*Cairo, December 3, 1955*

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Egypt,

In pursuance of the provisions of Article 10 of the Anglo-Egyptian Agreement of February 12, 1953, as modified by the Exchange of Notes between the Minister for Foreign Affairs and Her Majesty's Ambassador of to-day's date concerning Self-Government and Self-Determination for the Sudan (hereinafter referred to as the Anglo-Egyptian Agreement),

Have agreed as follows:—

**ARTICLE 1**

There shall be established an International Commission to be known as the "Sudan International Commission" which shall supervise the process of Self-Determination including safeguards assuring the impartiality of the plebiscite and elections and any other arrangements designed to secure a free and neutral atmosphere. The Commission shall enter upon its functions if possible not later than three weeks after signature of this Supplementary Agreement.

**ARTICLE 2**

The Commission shall consist of seven members to be nominated from amongst their citizens by the Governments suggested by both Houses of the Sudanese Parliament in their resolutions of August 22, namely Czechoslovakia, India, Norway, Pakistan, Sweden, Switzerland and Yugoslavia. The chairman and vice-chairman of the Commission shall be elected by the members of the Commission from amongst their number.

**ARTICLE 3**

The duties of the Commission shall be as set out in the Terms of Reference annexed hereto which shall be an integral part of the present Agreement.

**ARTICLE 4**

The two Contracting Governments undertake to carry out any recommendations made to them by the Commission in pursuance of its duties.

**ARTICLE 5**

As soon as the Commission has reported to the two Contracting Governments through the Governor-General that the process of Self-Determination has been carried out in accordance with the provisions of the Anglo-Egyptian Agreement the Commission shall be dissolved.

**ARTICLE 6**

If the report of the Commission does not state that the process of Self-Determination has been carried out in accordance with the provisions of the Anglo-Egyptian Agreement the two Contracting Governments shall consult together about the means to give effect to the Agreement.

## ARTICLE 7

Salaries and allowances of the members of the Commission shall be assessed by agreement between the two Contracting Governments. The Sudan Government shall pay the expenses of the Commission including the expenses of its members travelling within the Sudan in the course of their duties. The Sudan Government shall supply, so far as possible in accordance with the wishes of the Commission, the necessary offices and staff.

## ARTICLE 8

The present Agreement shall come into force upon signature.

In witness whereof the undersigned duly authorised thereto have signed the present Agreement and have affixed thereto their Seals.

Done at Cairo this Third day of December, 1955.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

(L.S.) HUMPHREY TREVELYAN.

For the Egyptian Government:

(L.S.) M. FAWZI.

In two copies, one of which shall remain deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, and one of which shall remain deposited in the archives of the Egyptian Government.

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## TERMS OF REFERENCE OF THE SUDAN INTERNATIONAL COMMISSION

The duties of the Sudan International Commission shall be:—

- (a) To supervise all arrangements necessary to secure a free and neutral atmosphere for Self-Determination. In pursuance of this duty the Commission shall consider *inter alia* :—
- (i) The activities of any non-Sudanese officials and non-officials in the Sudan.
  - (ii) Any forms of pressure or inducement exerted within the Sudan or from without which are inimical to the prescribed free and neutral atmosphere.
  - (iii) The question of the Supreme Command of the Sudanese Armed Forces as from and after the completion of the withdrawal of the Egyptian and British Armed Forces from the Sudan.
- (b)—(i) To examine, and if necessary recommend revisions of the draft law for a plebiscite to decide the future of the Sudan before it is passed by Parliament and of rules proposed to be made under that law before they are made by the rule-making body. In

particular the Commission shall ensure that the choice placed before the Sudanese people is in accordance with Article 12 of the Agreement. The Commission shall report, to the Governor-General, its reasons for any revision which it has considered necessary.

- (ii) To examine, and if necessary recommend revisions of the draft electoral law for the election of the Constituent Assembly before it is passed by Parliament and of rules proposed to be made under that law before they are made by the rule-making body. The Commission shall report, to the Governor-General, its reasons for any revision which it has considered necessary.
- (iii) To supervise the preparations for, and the conduct of, the plebiscite and the elections for the Constituent Assembly.
- (iv) To annul the election of any candidate for the Constituent Assembly whose election, in the opinion of the Commission, has not been carried out in accordance with the provisions of the electoral law or rules made thereunder.

(c) If the Commission decided that conditions exist which make impossible the free expression of opinion by the electorate or the impartiality of the plebiscite or the elections, to postpone the whole process of Self-Determination. If the Commission postpones the process of Self-Determination it shall report its reasons to the Governor-General who shall refer the report to the two Contracting Governments.

2.—(a) The Commission may make recommendations to the two Contracting Governments on any matters within its duties.

- (b) Recommendations of the Commission shall be transmitted through the Governor-General to the two Contracting Governments.
- (c) The Governor-General shall, so far as possible within his constitutional powers, ensure that effect is given to the recommendations.
- (d) If the Governor-General is for any reason unable to ensure that effect is given to any recommendation he shall report to the two Contracting Governments who shall take all possible steps to ensure that effect is given to it.

3.—(a) When the Constituent Assembly has been elected and the plebiscite carried out the Commission shall submit a report on both the plebiscite and the election through the Governor-General to the two Contracting Governments.

(b) After the Constituent Assembly has drawn up a Constitution for the Sudan compatible with the result of the plebiscite, as well as an electoral law for a permanent Sudanese Parliament, the Commission shall submit a final report to the two Contracting Governments stating whether the process of Self-Determination has been carried out in accordance with the provisions of the Anglo-Egyptian Agreement.

4. Any four of the seven members of the Commission shall constitute a quorum. Decisions of the Commission shall be made by an affirmative vote of any four of the members. Otherwise the Commission may make its own rules of procedure.

No. 2 (a)

*The Egyptian Minister for Foreign Affairs to Her Majesty's Ambassador  
at Cairo*

*Ministère des Affaires Étrangères,  
Cairo, December 3rd, 1955.*

Excellency,

I have the honour, with reference to the Exchange of Notes between us of to-day's date amending the Anglo-Egyptian Agreement of the 12th of February, 1953, to propose that as soon as the results of the plebiscite and of the elections for the Constituent Assembly are declared, the two Governments will consult together and with the representatives of the Sudanese Parliament on the steps to be taken to bring the process of Self-Determination and the Condominium to an end.

Accordingly, I have the honour to suggest that if the above-mentioned proposal is acceptable to the Government of the United Kingdom, this Note, together with your Excellency's reply to that effect shall constitute an Agreement between our two Governments having the same validity as the Anglo-Egyptian Agreement of the 12th of February, 1953.

I avail, &c.

M. FAWZI.

No. 2 (b)

*Her Majesty's Ambassador at Cairo to the Egyptian Minister  
for Foreign Affairs*

*British Embassy,  
Cairo, December 3, 1955.*

Excellency,

I have the honour to acknowledge the receipt of your Excellency's Note of to-day's date proposing that as soon as the results of the plebiscite and of the elections for the Constituent Assembly are declared, the two Governments will consult together and with the representatives of the Sudanese Parliament on the steps to be taken to bring the process of Self-Determination and the Condominium to an end.

I have the honour in accepting this proposal to confirm that your Excellency's Note, together with this Note in reply, shall constitute an agreement between our two Governments having the same validity as the Anglo-Egyptian Agreement of the 12th of February, 1953.

I avail, &c.

HUMPHREY TREVELYAN.