



COLONIAL OFFICE

Nigeria Constitutional Discussions, May 1960

Held in London

*Presented to Parliament by the Secretary of State for the Colonies
by Command of Her Majesty
June 1960*

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Annex I—List of Delegates and Advisers.

NIGERIA CONSTITUTIONAL DISCUSSIONS, MAY 1960

I. INTRODUCTION

1. At the invitation of the Secretary of State for the Colonies the Prime Minister of the Federation, the Regional Premiers, the President of the Senate, and other Federal and Regional representatives met in London from May 10 to May 19 for talks with United Kingdom Ministers on outstanding matters connected with the advent of Nigerian independence on October 1, 1960. A list of those attending is at Annex I. The talks covered points arising on the drafting of the independence constitution and other subjects referred to below.

II. MEMBERSHIP OF THE COMMONWEALTH

2. The Secretary of State for the Colonies informed the Nigerian Ministers that the Commonwealth Prime Ministers had, on May 9, agreed that, when Nigeria became independent, she would become a full member of the Commonwealth. The Nigerian delegations expressed their warm appreciation of this decision.

III. CONSTITUTIONAL MATTERS

3. The meeting considered a draft of the Independence Constitution for the Federation. In so doing they also considered several points of principle relating to the constitution of the individual Regions. Agreement was reached on the way in which decisions of the various Constitutional Conferences would be incorporated in the Constitutions for independence. It was agreed that, as regards the provisions relating to the appointment of the Governor-General and the Regional Governors, and the powers previously exercised by the Governor-General and the Governors in discretion, it would be appropriate in the conditions of independence for the relevant powers to be exercised on the advice of Ministers. It was also agreed that the right of appeal to the Privy Council would be retained after independence, except in the case of election petitions, and that the Federal Legislature of independent Nigeria would be known as Parliament. It was further agreed that, where it was not appropriate for previous decisions of the Constitutional Conferences to be incorporated in the Constitution, the understandings recorded in the Reports of the Conferences would be recognised as a statement of intent.

4. Further drafting work remains to be done and arrangements were agreed for further consultations in Nigeria as necessary.

5. The meeting was also advised of the provisions proposed to be incorporated in the United Kingdom Bill conferring independence on Nigeria.

IV. DEFENCE

6. The Secretary of State for the Colonies and the United Kingdom Minister of Defence had discussions with Nigerian Federal Ministers, the Regional Premiers and the President of the Senate regarding the proposed Defence Agreement which had been first discussed in 1958. The results of these

discussions were reported to a plenary meeting. In so doing, the Secretary of State for the Colonies spoke as follows:—

“ In paragraph 84 of the Report of the 1958 Conference one condition, and only one, was specified for the grant of independence to Nigeria and that was that the newly elected Federal Parliament early in 1960 should pass a resolution asking for independence. That resolution was duly passed.

“ As was recorded in paragraph 83 of the Report of the 1958 Conference, the Federal Prime Minister and the Premiers were then at one with Her Majesty's Government in believing that there would be mutual advantage to Britain and Nigeria in co-operating in the field of defence. We have now discussed this question in more detail and have reached complete understanding. Each country will afford the other assistance in mutual defence. The United Kingdom will give Nigeria help in training, equipment and supplies. The United Kingdom and Nigerian Governments will give each other staging facilities for aircraft in their respective territories. The two countries do not seek for this purpose any concession of land but are perfectly content to rely on each other's goodwill. I would emphasize that there is no intention of establishing a British base in Nigeria or for that matter in the Cameroons.

“ There remain a number of technical details which require further discussion between officials. It is hoped that this will take place within the next few weeks. The proposed Agreement will then be published and we have agreed that after independence it should be laid before the Federal Parliament. It will not be signed until after independence and will not come into force until ratified by both Governments. In the case of Nigeria this will involve a resolution being passed in both Federal Houses approving its terms.”

7. The Prime Minister of the Federation of Nigeria endorsed this Statement.

V. THE CAMEROONS

8. There was an exchange of views on the Cameroons under British Trusteeship which, in accordance with the Resolutions of the United Nations, would be separated from Nigeria when Nigeria became independent. It was noted that the questions in the plebiscites to be held early in 1961 posed a choice between joining Nigeria or joining the Republic of Cameroun. It was agreed that, if the Southern Cameroons joined Nigeria it would, as stated in paragraph 70 of the 1958 Conference Report, be with the status of a fully self-governing Region equal in all respects with the other Regions. If the Northern Cameroons joined Nigeria it would form part of the Northern Region with the new Divisions and local Government arrangements introduced on April 1, 1960. It was hoped to ascertain from the Government of the Republic of the Cameroun the terms on which the Northern or Southern Cameroons would enter the Republic.

9. It was also noted that the Nigerian military forces at present in the Southern Cameroons would be withdrawn by October 1, 1960, and the Secretary of State for the Colonies informed the Conference that, should it be necessary for the defence and internal security of the territory, they would be replaced by United Kingdom forces.

VI. OTHER MATTERS

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10. On May 16, Nigerian Ministers also met the Secretary of State for Commonwealth Relations for a discussion on the arrangements for technical assistance after independence. The Nigerian Ministers welcomed the intention of the United Kingdom to provide technical assistance and it was agreed that officials should discuss detailed questions.

11. On May 17, Nigeria and United Kingdom Ministers signed an agreement for a Commonwealth Assistance loan of £12m. by the United Kingdom to Nigeria. The agreement will operate from October 1, 1960.

VII. CONCLUSION

12. The talks concluded on May 19, 1960, with complete agreement on all points.

May 19, 1960.

ANNEX I

Sir James Robertson, G.C.M.G., G.C.V.O., K.B.E.: Governor-General.
Sir John Rankine, K.C.M.G., K.C.V.O.: Governor, Western Region.
Sir Robert Stapledon, K.C.M.G., C.B.E.: Governor, Eastern Region.
Sir Gawain Bell, K.C.M.G., C.B.E.: Governor, Northern Region.

FEDERAL GOVERNMENT

Delegates:

Alhaji the Hon. Sir Abubakar Tafawa Balewa, K.B.E., Prime Minister of the Federation of Nigeria.
Alhaji the Hon. Muhammadu Ribadu, M.B.E., Minister of Lagos Affairs and Land.
Hon. Chief F. S. Okotie-Eboh, C.M.G., Minister of Finance.
Hon. R. A. Njoku, Minister of Transport and Aviation.

Advisers:

Mr. E. I. G. Unsworth, C.M.G., Q.C., Attorney-General.
Hon. Zanna Bukar Dipcharima, Minister of Commerce and Industry.
Hon. T. O. S. Benson, Minister of Information.

Officials:

Mr. P. H. G. Stallard, C.V.O., M.B.E., Secretary to the Prime Minister.
Mr. R. A. Clarke, D.F.C., Permanent Secretary, Ministry of Finance.
Mr. S. D. Adebisi, Legal Adviser.
Mr. S. A. Odukale, Private Secretary to the Prime Minister.

PRESIDENT OF THE SENATE, FEDERATION OF NIGERIA.

Hon. Dr. Nnamdi Azikiwe.

NORTHERN REGION

Delegates:

Alhaji the Hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto, Premier.
Alhaji the Hon. Aliyu, C.B.E., Makama of Bida, Minister of Finance.
Hon. G. U. Ohikere, Minister of Works.
Mallam Abdul Razaq, Barrister at Law.

Officials:

Mr. I. M. Lewis, Solicitor-General.
Mr. B. Greatbatch, C.V.O., M.B.E., Secretary to the Premier.
Alhaji Isa Dutse, Private Secretary to the Premier.

EASTERN REGION

Delegates:

Hon. Dr. M. I. Okpara, Premier.
Hon. Dr. S. E. Imoke, Minister of Finance.
Hon. M. O. Ajegbo, Attorney-General and Minister of Justice.

Officials:

Mr. J. O. Udoji, Chief Secretary to the Premier.
Mr. C. A. Brown-Marke, Private Secretary to the Premier.

WESTERN REGION

Delegates:

Hon. Chief S. L. Akintola, Premier.
Hon. Chief J. A. O. Odebiyi, Minister of Finance.
Hon. S. O. Ighodaro, Attorney-General and Minister of Justice and Mid-West Affairs.

Legal Adviser:

Chief F. R. A. Williams, Q.C.

Officials:

Chief S. O. Adebó, C.M.G., Permanent Secretary to the Treasury and Head of the Civil Service.

Dr. F. A. Ajayi, Deputy Commissioner for Law Revision.

Mr. I. A. Adebayo, Private Secretary to the Premier.

UNITED KINGDOM

The Rt. Hon. Iain Macleod, M.P., Secretary of State for the Colonies.

The Rt. Hon. the Earl of Perth, Minister of State for Colonial Affairs.

Sir John Martin, K.C.M.G., C.B., C.V.O., Colonial Office.

Sir Kenneth Roberts-Wray, K.C.M.G., Q.C., Colonial Office.

Mr. C. G. Eastwood, C.M.G., Colonial Office.

Mr. A. Emanuel, C.M.G., Colonial Office.

Mr. J. C. McPetrie, O.B.E., Colonial Office.

Mr. A. R. Rushford, Colonial Office.

Mr. E. C. Burr, Colonial Office.

Sir Charles Dixon, K.C.M.G., O.B.E., Commonwealth Relations Office.

Mr. B. J. Greenhill, Commonwealth Relations Office.

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