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20th June, 1963

CABINET

KENYA

Memorandum by the Secretary of State for Commonwealth
Relations and Secretary of State for the Colonies

Subject to the approval of the Cabinet, I propose to agree the attached statement with Mr. Mboya on behalf of the Kenya Government.

It will be seen that this provides for independence for Kenya on 12th December, and for the run-down of the British military base by December 1964.

This proposal is approved by the Minister of Defence.

D. S.

Commonwealth Relations Office, S. W. 1.

20th June, 1963

DRAFT COMMUNIQUEKENYA: FUTURE CONSTITUTIONAL DEVELOPMENT

Mr. T.J. Mboya (Kenya Minister for Justice and Constitutional Affairs) has had talks with Mr. Duncan Sandys (the Colonial Secretary) about future constitutional development in Kenya. Mr. Mboya has been accompanied by Mr. J. Murumbi, Mr. M.P. Koinange and Mr. C. Njonjo.

2. In the course of the discussions the Kenya Ministers outlined the progress made in working out the constitution for the proposed East African Federation, which would comprise Kenya, Tanganyika and Uganda, and possibly also Zanzibar if it so wished.

3. Mr. Sandys once again assured the Kenya Ministers that the British Government, which has long believed in the idea of an East African Federation, supports fully the initiative taken by the East African Governments and will do all it can to facilitate the early implementation of this aim.

4. It was agreed that it was desirable that Kenya should become independent shortly before the inauguration of the Federation, which it was hoped would take place before the end of the year. In this connection, the Kenya Ministers pointed out that, if the Federal Government wished to apply for membership of the United Nations during the next session of the General Assembly, their application would have to be submitted by the third week in December.

5. In the light of these considerations Mr. Sandys agreed to convene a Conference towards the end of September, the purpose of which would be to settle the final form of Kenya's constitution. Having regard to the date envisaged for the inauguration of the Federation, and subject to the necessary steps being completed in time, Kenya would become independent on 12th December.

6. Representatives of the Government and Opposition parties in the Legislature and of the European community will be invited to attend the Conference. In order to facilitate the work of the Conference, preparatory discussions will be held in Nairobi.

7. It was agreed that the retention of a British military base in Kenya after independence was not desired by either the British Government or the Kenya Government. It was recognised, however, that the orderly rundown of British forces after independence would inevitably take time. It was agreed that the withdrawal of these forces should be effected over a period of up to twelve months from the date of Kenya's independence. The question of the defence facilities which Britain and Kenya might be able to offer each other after independence would be a matter for further discussion between the two Governments. Kenya Ministers undertook that, in the event of responsibility for defence matters being transferred to the Federation, such transfer would take place without prejudice to this agreement between the British and Kenya Governments.

8. It was recognised that, before the date of Kenya's independence, there would have to be discussions between the British Government and the Government of Zanzibar about the future of the Coastal Strip. These discussions will be arranged as soon as practicable and, as previously agreed, the people of this area will be given the opportunity to make such representations as they may think fit through the Governor of Kenya.

9. Kenya Ministers informed Mr. Sandys of talks which had taken place in Nairobi with the Foreign Minister of the Somali Republic and of the intention of the Kenya Government to have further discussions.

on behalf of the Kenya Government

on behalf of the British Government