

No. 2293

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**UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND  
and  
PORTUGAL**

**Exchange of notes constituting an agreement providing for  
Portuguese participation in the Shiré Valley Project.  
Lisbon, 21 January 1953**

*Official texts: English and Portuguese.*

*Registered by the United Kingdom of Great Britain and Northern Ireland on 13  
October 1953.*

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**ROYAUME-UNI DE GRANDE-BRETAGNE  
ET D'IRLANDE DU NORD  
et  
PORTUGAL**

**Échange de notes constituant un accord relatif à la parti-  
cipation du Portugal à l'exécution du projet concernant  
la vallée du Chiré. Lisbonne, 21 janvier 1953**

*Textes officiels anglais et portugais.*

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 13  
octobre 1953.*

No. 2293. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN HER MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE PORTUGUESE GOVERNMENT PROVIDING FOR PORTUGUESE PARTICIPATION IN THE SHIRÉ VALLEY PROJECT. LISBON, 21 JANUARY 1953

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I

*Her Majesty's Ambassador at Lisbon to the Portuguese Minister for Foreign Affairs*

BRITISH EMBASSY

Lisbon, January 21, 1953.

Your Excellency,

I have the honour to state that Her Majesty's Government in the United Kingdom have given the most careful attention to the views expressed by the Portuguese representatives when in July 1951 they received the Governor of Nyasaland and were informed by him what his Government and the Government of the United Kingdom proposed to do with a view to regulating the level of the waters of Lake Nyasa and the flow of the River Shiré.

2. In these conversations the Portuguese delegation expressed the hope that the United Kingdom Government, in consequence of the Portuguese proposal and in harmony with the point previously mentioned in the Embassy's Note of June 27, 1951, would be prepared to consider recognising the frontier of Mozambique and Nyasaland in Lake Nyasa as running along the Median Line of its waters. The Portuguese representative stressed that on this condition the Portuguese Government, who would thus acquire a most profound interest in the problems of the Lake, would find themselves prepared to take part in the studies and execution of the technical projects devoted to the regularisation of that Lake and of the River Shiré, it being suggested that their share should in principle be fixed at the proportion of one-third.

3. I now have the honour to inform you that Her Majesty's Government in the United Kingdom are prepared to recognise in principle the Median Line of the waters of Lake Nyasa as the frontier between Mozambique and Nyasaland, it being understood that effect will be given to such recognition in an agreement

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<sup>1</sup> Came into force on 21 January 1953 by the exchange of the said notes.

concluded between the two Governments to define the line of the new frontier and to resolve the problems arising from the demarcation of the frontier in the Lake area. The United Kingdom Government wish to emphasize that this undertaking rests on the assumption that the Portuguese Government will, for their part, assume the responsibility of taking part in the studies and work in progress with the object of controlling and utilising the waters of the Lake and of the River Shiré. As to the method of determining the proportion of Portuguese co-operation in the studies and technical projects and in their execution by the means judged most convenient by the two Governments, Her Majesty's Government willingly accept the suggestion that the Portuguese share should in principle be fixed at one-third.

4. As the Portuguese Government are aware, Messrs. Sir William Halcrow and Partners have been engaged by the Governments of Nyasaland and the United Kingdom to undertake a preliminary survey of the nature and probable cost of the works entailed. It is estimated that this survey will cost £ 300,000 (three hundred thousand pounds). Her Majesty's Government have the honour to enquire whether the Portuguese Government are disposed to accept liability for one-third of the cost of this survey. If they are, the reports so far made by the surveyors and all subsequent reports will be made available to the Portuguese Government.

5. If, in the view of the Governments concerned, the results of this survey are such as to make it seem advantageous to proceed with the scheme, Her Majesty's Government are of opinion that a joint corporation should thereafter be established which would be responsible for (a) the construction of the dam and the stabilisation of the lake and river and (b) the production of hydro-electric energy.

6. The establishment of such a joint corporation, its constitution and articles of association, would necessarily be a matter for negotiation at a later stage. Nevertheless, Her Majesty's Government feel that it may be helpful to the Portuguese Government if they indicate forthwith, in broad outline, the main principles upon which, as at present advised, they contemplate that the corporation might rest. Those principles are :—

- (i) That the corporation should be established in the Nyasaland Protectorate, its Government holding the majority of the shares.
- (ii) That the corporation should be concerned not with the distribution of power, but only with its production and sale, in bulk at the power station, to the Portuguese and Nyasaland Electricity Authorities. The capacity available to the Portuguese Government would then pass to their frontier by the transmission lines of the Nyasaland Electricity Authority, who would levy an agreed charge for this service, and the subsequent distribution of power within the Portuguese East Africa border would be the concern of the Portuguese Electricity Authority. In the same way, the Nyasaland Electricity Authority would be solely responsible for distribution of its share of the capacity within the Protectorate.

(iii) That the size of the Portuguese Government share-holding should be determined according to the basis of the contribution to be negotiated.

7. As for the secondary aspects of the scheme, such as the reclamation of lands in the Lower Shiré area and irrigation works, these it is suggested, always of course with due regard for the scheme as a whole, should be undertaken by the Governments of each territory in accordance with their own requirements and at their own expense.

8. Her Majesty's Government agree to enter into negotiations with the Portuguese Government in respect of the agreements outlined above, and would ask whether the Portuguese Government are disposed to accept forthwith the liability for one-third of the cost of the preliminary survey of the lake which is now in progress.

9. If the Portuguese Government are disposed to accept the arrangements set out above, I have the honour to suggest that your Excellency's affirmative reply, together with this Note, should constitute the preliminary accord in the matter between our two Governments.

I avail, &c.

N. RONALD

## II

*The Portuguese Minister for Foreign Affairs to Her Majesty's  
Ambassador at Lisbon*

[PORTUGUESE TEXT — TEXTE PORTUGAIS]

MINISTÉRIO DOS NEGÓCIOS ESTRANGEIROS

Lisboa, 21 de Janeiro de 1953

Senhor Embaixador,

Tenho a honra de acusar a recepção da Nota de V. Ex<sup>a</sup>, datada de hoje, do teor seguinte :

“Tenho a honra de comunicar que o Governo de Sua Majestade no Reino Unido prestou a mais cuidadosa atenção aos pontos de vista expressos pelos delegados portugueses quando, em Julho de 1951, receberam o Governador da Niassalândia e por este foram informados do que o seu Governo e o Governo de Reino Unido se propõem fazer com vista à regularização do nível das águas do Lago Niassa e do caudal do rio Chire.

2. Naquelas conversações a delegação portuguesa exprimiu a esperança de que o Governo do Reino Unido, em consequência da proposta portuguesa e de harmonia com o pensamento já expresso na Nota da Embaixada de 27 de Junho

II—Que a empresa seja responsável não pela distribuição de energia, mas somente pela sua produção e venda por grosso, na central geradora, às entidades competentes de Portugal e da Niassalândia. A quota-parte atribuída ao Governo Português será conduzida à fronteira por meio de cabos de transmissão da entidade que superintender em matéria de electricidade na Niassalândia, que cobrará uma quantia combinada por este serviço, sendo a subsequente distribuição de energia dentro do território da África Oriental Portuguesa da responsabilidade da entidade portuguesa que superintender em matéria de electricidade. Da mesma maneira, as entidades que superintenderem em matéria de electricidade na Niassalândia serão as únicas responsáveis pela distribuição da sua quota-parte dentro do Protectorado;

III—Que o quantitativo das acções do Governo Português seja determinado de acordo com a base da contribuição a ser acordada.

7. No que diz respeito aos aspectos secundários do projecto, tais como o aproveitamento de terras na área do Baixo Chire e trabalhos de irrigação, sugere-se que os mesmos, tendo sempre na devida atenção o projecto no seu conjunto, sejam empreendidos pelos Governos de cada território, de acordo com as suas necessidades e por sua própria conta.

8. O Governo de Sua Majestade concorda em encetar com o Governo Português as negociações relativas aos acordos acima previstos e apreciaria ser informado sobre se o Governo Português está disposto a aceitar desde já a responsabilidade por um terço do custo do estudo preliminar do lago, que está agora em curso.

9. Se o Governo Português aceitar os arranjos acima descritos, tenho a honra de propôr que a resposta afirmativa de V. Ex<sup>a</sup> constitua, com a presente Nota, o Acordo preliminar nesta matéria entre os dois Governos."

10. O Governo Português concorda com o conteúdo da Nota acima transcrita e considera esse documento e esta resposta como constituindo o acordo preliminar entre o Governo Português e o Governo de Sua Majestade Britânica no Reino Unido.

Aproveito, &c.

Paulo CUNHA

## II

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

Lisbon, January 21, 1953

Your Excellency,

I have the honour to acknowledge the reception of your Excellency's Note of to-day's date, of which the text is as follows:—

[See note I]

<sup>1</sup> Translation by the Government of the United Kingdom.

<sup>2</sup> Traduction du Gouvernement du Royaume-Uni.

10. The Portuguese Government is in agreement with the proposals contained in the above Note and considers the document and the present reply as constituting the preliminary accord between the Portuguese Government and Her Majesty's Government in the United Kingdom.

I take, &c.

Paulo CUNHA