

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

**Exchange of notes constituting an agreement regarding the  
construction of the Owen Falls Dam, Uganda. Cairo,  
30 and 31 May 1949**

**Exchange of notes constituting an agreement regarding the  
construction of the Owen Falls Dam, Uganda. Cairo,  
5 December 1949**

*Official texts: English and French.*

*Registered by the United Kingdom of Great Britain and Northern Ireland on  
13 January 1956.*

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

**Échange de notes constituant un accord relatif à la cons-  
truction du barrage des chutes d'Owen, en Ouganda.  
Le Caire, 30 et 31 mai 1949**

**Échange de notes constituant un accord relatif à la cons-  
truction du barrage des chutes d'Owen, en Ouganda.  
Le Caire, 5 décembre 1949**

*Textes officiels anglais et français.*

*Enregistrés par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le  
13 janvier 1956.*

No. 3122. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF EGYPT REGARDING THE CONSTRUCTION OF THE OWEN FALLS DAM, UGANDA. CAIRO, 30 AND 31 MAY 1949

I

*His Majesty's Ambassador at Cairo to the Egyptian Minister for Foreign Affairs  
ad interim*

BRITISH EMBASSY

Cairo, 30th May, 1949

Monsieur le Président du Conseil,

I have the honour to recapitulate below the points on which His Majesty's Government in the United Kingdom and the Royal Egyptian Government have reached agreement concerning the construction and administration of the dam to be erected at Owen Falls in Uganda :

“The Royal Egyptian Government and His Britannic Majesty's Government in accordance with the spirit of the Nile Waters Agreement of 1929,<sup>2</sup> have agreed to the construction of a dam at Owen Falls in Uganda for the production of hydro-electric power and for the control of the waters of the Nile.

“2. Plans and specifications for this work have been prepared in full consultation between and approved by the Egyptian Ministry of Public Works and Uganda authorities. The Royal Egyptian Government and His Britannic Majesty's Government have accordingly agreed to entrust to the Uganda Electricity Board the issue of an invitation for tenders and the placing of contracts in agreement with these plans and specifications.

“3. The contracts will be submitted to the two Governments who will examine them promptly and indicate their joint approval of them by formal Notes exchanged between each other and notify at once the Government of Uganda.

<sup>1</sup> Came into force on 31 May 1949 by the exchange of the said notes.

<sup>2</sup> Exchange of notes in regard to the use of the waters of the River Nile for irrigation purposes; Cairo, 7 May 1929. League of Nations, *Treaty Series*, Vol. XCIII, p. 43. See also United Nations, *Treaty Series*, Vol. 207, p. 277.

“4. The two Governments have also agreed that though the construction of the dam will be the responsibility of the Uganda Electricity Board, the interests of Egypt will, during the period of construction, be represented at the site by an Egyptian resident engineer of suitable rank and his staff stationed there for the purpose by the Royal Egyptian Government, to whom all facilities will be given for the accomplishment of their duties. Furthermore, the two Governments have agreed that although the dam when constructed will be administered and maintained by the Uganda Electricity Board, the latter will regulate the discharges to be passed through the dam on the instructions of the Egyptian resident engineer to be stationed with his staff at the dam by the Royal Egyptian Government for this purpose in accordance with arrangements to be agreed between the Egyptian Ministry of Public Works and the Uganda authorities pursuant to the provisions of agreements to be concluded between the two Governments.

“5. The two Governments also recognise that during and after the construction of the dam, the Uganda Electricity Board may take any action at Owen Falls which it may consider desirable provided that this action does not entail any prejudice to the interests of Egypt in accordance with the Nile Waters Agreement of 1929 and does not adversely affect the discharges of water to be passed through the dam in accordance with the arrangements to be agreed between the two Governments. The Egyptian Ministry of Public Works and the Uganda Electricity Board will consult together on matters of mutual interest. Any difference of opinion which may arise, however, in connexion with the control of the water or with the generation of hydro-electric power will be a matter for discussion and settlement in a spirit of friendly co-operation between them. If these authorities find themselves unable to settle it, the matter will be referred to arbitration in accordance with arrangements to be agreed between the two Governments.”

I have the honour to propose that if the Royal Egyptian Government agrees, this Note and your Excellency's reply should constitute a formal agreement between our two Governments, regarding the dam at Owen Falls and the works connected therewith.

I have, &c.

Ronald CAMPBELL

## II

*The Egyptian Minister for Foreign Affairs ad interim to His Majesty's Ambassador  
at Cairo*[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

MINISTRY OF FOREIGN AFFAIRS

Cairo, 31st May, 1949

Your Excellency,

I have the honour to acknowledge receipt of your Excellency's letter of the 30th of May, 1949, which recapitulates the points on which the Royal Egyptian Government and His Britannic Majesty's Government have agreed on the subject of the construction and administration of the dam to be built at the Owen Falls in Uganda. These points, in the English text, are as follows :

[See note I]

In reply, I have the honour to inform your Excellency that the Royal Egyptian Government agrees that the exchange of the two Notes, that under reference and the present one, constitute a formal agreement between our two Governments on the subject of the Owen Falls dam.

Please accept, &amp;c.

IBRAHIM ABDEL HADI

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

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

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup>  
BETWEEN THE GOVERNMENT OF THE UNITED  
KINGDOM OF GREAT BRITAIN AND NORTHERN  
IRELAND AND THE GOVERNMENT OF EGYPT RE-  
GARDING THE CONSTRUCTION OF THE OWEN FALLS  
DAM, UGANDA. CAIRO, 5 DECEMBER 1949

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I

*His Majesty's Ambassador at Cairo to the Egyptian Minister for Foreign Affairs  
ad interim*

BRITISH EMBASSY

Cairo, 5th December, 1949

Monsieur le Ministre,

I have the honour to refer to my Note of the 30th May,<sup>2</sup> and to the reply of the then Minister for Foreign Affairs *ad interim* of the 31st May<sup>3</sup> which Notes constituted a formal agreement between our two Governments regarding the proposed dam at Owen Falls and the works connected therewith.

The third point of this agreement provided that the Royal Egyptian Government and His Majesty's Government in the United Kingdom would examine promptly contracts placed by the Uganda Electricity Board and would indicate their joint approval of them by formal Notes exchanged between each other.

As your Excellency is aware, the Uganda Electricity Board has now awarded the contract for the construction of the dam and hydro-electric power station at Owen Falls to a group headed by Christiani and Nielsen, Limited, comprising :

Dorman, Long and Company, Limited;  
Edmund Nuttall, Sons and Company (London), Limited;  
Hollandsche Beton Maatschappij, N/V;  
Internationale Gewapendbeton Bouw N/V;  
K. L. Kier and Company (London), Limited;  
Nederlandsche Aanneming Maatschappij, N/V, late firm, H. F. Boersma;  
Nederlandsche Beton Maatschappij, "Bato," N/V.

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<sup>1</sup> Came into force on 5 December 1949 by the exchange of the said notes.

<sup>2</sup> See p. 274 of this volume.

<sup>3</sup> See p. 278 of this volume.

The amount of the contract is £3,639,540 5s. 0d.

As your Excellency is also aware, the Uganda Electricity Board has further awarded a contract for ironwork to Messrs. Glenfield and Kennedy, to the amount of £124,866.

On instructions from His Majesty's Principal Secretary of State for Foreign Affairs, I now have the honour to inform your Excellency that His Majesty's Government in the United Kingdom approve these contracts. If the Royal Egyptian Government also approve them, your Excellency's reply in that sense and this Note will constitute the exchange of formal Notes referred to in paragraph 2 above. I should be happy to arrange for the Government of Uganda to be notified accordingly.

I have, &c.

Ronald CAMPBELL

## II

*The Egyptian Minister for Foreign Affairs ad interim to His Majesty's Ambassador at Cairo*

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

MINISTRY OF FOREIGN AFFAIRS

Cairo, 5th December, 1949

Your Excellency,

I have the honour to acknowledge receipt of your Excellency's Note of the 5th of December, in which you inform me that His Majesty's Government has approved the award of two contracts, viz :—

(1) The first concerns the building of the dam and the hydro-electric power station at the Owen Falls which the Uganda Electricity Board has awarded to the group led by Christiani & Nielsen, Limited, to the amount of £3,639,540 5s. 0d. This group comprises :

Dorman, Long and Company, Limited;  
Edmund Nuttall, Sons & Company (London), Limited;  
Hollandsche Beton Maatschappij, N/V;  
Internationale Gewapendbeton Bouw, N/V;  
K. L. Kier & Company (London), Limited;  
Nederlandsche Aanneming Maatschappij, N/V, late firm N. F. Boersma;  
Nederlandsche Beton Maatschappij, "Bato," N/V.

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

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

(2) The other concerns the iron-work for the sluices of the said dam awarded to Glenfield & Kennedy to the amount of £124,866.

In accordance with the terms of the third clause in the formal Agreement between our two Governments, constituted by the Exchange of Notes, that of your Excellency of the 30th of May, 1949, and that of his Excellency the Egyptian Minister for Foreign Affairs *ad interim* of the 31st May, 1949, I have the honour to inform your Excellency that the Royal Egyptian Government approve the above mentioned award of these two contracts and I therefore request you to be kind enough to consider the exchange of my present Note and yours under reference as constituting on the part of our two Governments the necessary formal approval. I also note that your Excellency will be good enough to notify the Government of Uganda of this agreement.

Please accept, &c.

H. SIRRI