

No. 6519

**UNITED ARAB REPUBLIC
and
SUDAN**

**Agreement (with annexes) for the full utilization of the Nile
waters. Signed at Cairo, on 8 November 1959**

Official text: Arabic.

Registered by the United Arab Republic on 7 February 1963.

**RÉPUBLIQUE ARABE UNIE
et
SOUDAN**

**Accord (avec annexes) relatif à la pleine utilisation des eaux
du Nil. Signé au Caire, le 8 novembre 1959**

Texte officiel arabe.

Enregistré par la République arabe unie le 7 février 1963.

[TRANSLATION¹ — TRADUCTION²]

No. 6519. AGREEMENT³ BETWEEN THE REPUBLIC OF THE SUDAN AND THE UNITED ARAB REPUBLIC FOR THE FULL UTILIZATION OF THE NILE WATERS. SIGNED AT CAIRO, ON 8 NOVEMBER 1959

As the River Nile needs projects, for its full control and for increasing its yield for the full utilization of its waters by the Republic of the Sudan and the United Arab Republic on technical working arrangements other than those now applied :

And as these works require for their execution and administration, full agreement and co-operation between the two Republics in order to regulate their benefits and utilize the Nile waters in a manner which secures the present and future requirements of the two countries :

And as the Nile waters Agreement concluded in 1929⁴ provided only for the partial use of the Nile waters and did not extend to include a complete control of the River waters, the two Republics have agreed on the following :

First

THE PRESENT ACQUIRED RIGHTS

1. That the amount of the Nile waters used by the United Arab Republic until this Agreement is signed shall be her acquired right before obtaining the benefits of the Nile Control Projects and the projects which will increase its yield and which projects are referred to in this Agreement ; The total of this acquired right is 48 Millions of cubic meters per year as measured at Aswan.

2. That the amount of the waters used at present by the Republic of Sudan shall be her acquired right before obtaining the benefits of the projects referred to above. The total amount of this acquired right is 4 Millions of cubic meters per year as measured at Aswan.

¹ Translation by the Government of the United Arab Republic.

² Traduction du Gouvernement de la République arabe unie.

³ Came into force on 12 December 1959, in accordance with article 7.

⁴ League of Nations, *Treaty Series*, Vol. XCIII, p. 43.

*Second*THE NILE CONTROL PROJECTS AND THE DIVISION
OF THEIR BENEFITS BETWEEN THE TWO REPUBLICS

1. In order to regulate the River waters and control their flow into the sea, the two Republics agree that the United Arab Republic constructs the Sudd el Aali at Aswan as the first link of a series of projects on the Nile for over-year storage.

2. In order to enable the Sudan to utilize its share of the water, the two Republics agree that the Republic of Sudan shall construct the Roseires Dam on the Blue Nile and any other works which the Republic of the Sudan considers essential for the utilization of its share.

3. The net benefit from the Sudd el Aali Reservoir shall be calculated on the basis of the average natural River yield of water at Aswan in the years of this century, which is estimated at about 84 Billiards of cubic meters per year. The acquired rights of the two Republics referred to in Article "First" as measured at Aswan, and the average of losses of over-year storage of the Sudd El Aali Reservoir shall be deducted from this yield, and the balance shall be the net benefit which shall be divided between the two Republics.

4. The net benefit from the Sudd el Aali Reservoir mentioned in the previous item, shall be divided between the two Republics at the ratio of $14\frac{1}{2}$ for the Sudan and $7\frac{1}{2}$ for the United Arab Republic so long as the average river yield remains in future within the limits of the average yield referred to in the previous paragraph. This means that, if the average yield remains the same as the average of the previous years of this century which is estimated at 84 Billiards, and if the losses of over-year storage remain equal to the present estimate of 10 Billiards, the net benefit of the Sudd el Aali Reservoir shall be 22 Billiards of which the share of the Republic of the Sudan shall be $14\frac{1}{2}$ Billiards and the share of the United Arab Republic shall be $7\frac{1}{2}$ Billiards. By adding these shares to their acquired rights, the total share from the net yield of the Nile after the full operation of the Sudd el Aali Reservoir shall be $18\frac{1}{2}$ Billiards for the Republic of the Sudan and $55\frac{1}{2}$ Billiards for the United Arab Republic.

But if the average yield increases, the resulting net benefit from this increase shall be divided between the two Republics, in equal shares.

5. As the net benefit from the Sudd el Aali (referred to in item 3 Article Second) is calculated on the basis of the average natural yield of the river at Aswan in the years of this century after the deduction therefrom of the acquired rights of the two Republics and the average losses of over-year storage at the Sudd el Aali Reservoir, it is agreed that this net benefit shall be the subject of revision by the two parties

at reasonable intervals to be agreed upon after starting the full operation of the Sudd el Aali Reservoir.

6. The United Arab Republic agrees to pay to the Sudan Republic 15 Million Egyptian Pounds as full compensation for the damage resulting to the Sudanese existing properties as a result of the storage in the Sudd el Aali Reservoir up to a reduced level of 182 meters (survey datum). The payment of this compensation shall be affected in accordance with the annexed agreement between the two parties.

7. The Republic of the Sudan undertakes to arrange before July 1963, the final transfer of the population of Halfa and all other Sudanese inhabitants whose lands shall be submerged by the stored water.

8. It is understood that when the Sudd el Aali is fully operated for over-year storage, the United Arab Republic will not require storing any water at Gebel Aulia Dam. And the two contracting parties will in due course, discuss all matters related to this renunciation.

Third

PROJECTS FOR THE UTILIZATION OF LOST WATERS IN THE NILE BASIN

In view of the fact that at present, considerable volumes of the Nile Basin Waters are lost in the swamps of Bahr El Jebel, Bahr El Zeraf, Bahr el Ghazal and the Sobat River, and as it is essential that efforts should be exerted in order to prevent these losses and to increase the yield of the River for use in agricultural expansion in the two Republics, the two Republics agree to the following :

1. The Republic of the Sudan in agreement with the United Arab Republic shall construct projects for the increase of the River yield by preventing losses of waters of the Nile Basin in the swamps of Bahr El Jebel, Bahr el Zeraf, Bahr el Ghazal and its tributaries, the Sobat River and its tributaries and the White Nile Basin. The net yield of these projects shall be divided equally between the two Republics and each of them shall also contribute equally to the costs.

The Republic of the Sudan shall finance the above-mentioned projects out of its own funds and the United Arab Republic shall pay its share in the costs in the same ratio of 50% allotted for her in the yield of these projects.

2. If the United Arab Republic, on account of the progress in its planned agricultural expansion should find it necessary to start on any of the increase of the Nile yield projects, referred to in the previous paragraph, after its approval by the two Governments and at a time when the Sudan Republic does not need such project,