

# **The Nile River: Least developed of all major international rivers**

## **Mubarak era power play on the Nile must give way to genuine Basin-wide cooperation**

**By Keffyalew Gebremedhin\*, 2 March 2011<sup>\*1</sup>**

In “*Aida*” versus the Nile dilemma” ([http://www.ethioquestnews.com/The\\_Africans/Nile\\_Politics/2011\\_01\\_10](http://www.ethioquestnews.com/The_Africans/Nile_Politics/2011_01_10), 12 January 2011), I promised to be back with a follow-up in this second part. That article discussed how Khedive Ismail’s expansionism into Ethiopia was portrayed in Giuseppe Verdi’s opera as Egypt’s exercise of its right of self-defence against an alleged Ethiopian invasion. On the eve of one of the darkest periods of human history—the European scramble for Africa—Egypt tried to get its share of ‘piece of the action.’

Consequently, in the mid-1870s, believing it could occupy Ethiopia before the others, Egypt launched two major offensives. Historical records show that, had it succeeded in that venture Egypt would have extended its control up to Lake Victoria in East Africa, where the purported British explorer Samuel Baker had already undertaken reconnaissance mission at the service of the khedive in Uganda. Fortunately, Ethiopia heroically booted out the invading Egyptian forces and held onto its own, most importantly safeguarding its independence.

During that period, aggressors against Ethiopian national sovereignty were repulsed one by one, beginning with Egypt itself in two separate occasions, at the famous Battles of Gura and Gundet (1874-1876). Incidentally, the semi-state owned *Al Ahram* was established in the middle of that war, perhaps because of that, has today become primary proponent of Egypt’s suzerainty over the Nile. Secondly, King Umberto’s invading Italian forces also suffered similar fate in 1896 at the Battle of Adwa. Historically, that became the narrative of Ethiopia’s successful resistance against colonialism.

These brilliant victories have shaped Ethiopia’s personality, as nation of a proud people, despite a few constraining chapters in our history, with which the nation continues to agonize and grapple to this day. In addition, these victories had served as beacon for those under colonial occupation. Today, they hold pride of place as one of the proudest chapters in African history. Nevertheless, there is now need to go beyond past laurels and, instead build new ones with equity and fairness, human security and justice, sustained development and effective utilization of our national endowments as the new foundation.

### **When battlefield victories seldom bear fruits worthy of the sacrifices**

Evident is fact that few are the signs and fruits of progress in terms of modernizing Ethiopia’s old state machinery, its governance system and ensuring better quality of life and freedoms of its people, commensurate with those sacrifices. Repeated failures have sucked out confidence in the ability of the state to live up to the great aspirations of its people. Foreign power(s) should not be allowed to exploit the fact that our country’s institutional fabrics and political economy are inexorably sprained. At the same time, these past struggles at the centre of which is Nile River keep on buffeting the relations between Ethiopia and Egypt. To the dismay of its students, there are real testimonies affirming

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that the Middle East real politic, internal political expediencies on both sides and indifference by some other actors have allowed solutions to the Nile Question to remain illusive for this long.

Who has thought Egypt would be the first to transfix the world for 18 suspenseful days, leading to the ignominious exit of what the protestors at Cairo's Tharir Square called the "modern pharaoh"? Recall that, one of Egypt's excuses and stubborn blocking of agreement on the Nile has been its charge against upper riparian states that they are unstable, and could not afford to put control over the Nile into their hands. However, the on-going change in Egypt cannot be seen in isolation from the present and future of the Nile Basin.

### **New & better approach needed with Egypt**

As a desert country, Egypt has voracious appetite for water, for which the Nile has to continue to cater. Human ingenuity has shown elsewhere that this is possible through cooperation between water source and water recipient countries. For this, the first measure is not the usual endless false starts in the form of new meetings and new organisations. To start with, Egypt should subject its unyielding ambitions to take control of the Nile River for its own singular use. Its recent attempt through its envoy in Addis Ababa who dared to aim at Ethiopia's "jugular vein" has become a new source of worry.

Ambassador Tarek Ghoneim, Egypt's envoy to Ethiopia, made it clear on *Capital*, (4 November), "Ethiopia has many sources of water; it has good rainfall, while Egypt depends entirely on the Nile. That is 95 percent of our water sources. As you know, apart from the Nile, we only have desert." Clearly, he was engaged in the business of arrogating the resources of a sovereign country for Egypt. It surely was over the top. As a matter of diplomatic etiquette, his remark was inappropriate for a sitting ambassador to hit his hosts in the eye. Rightly, Nabil Abdel Fatah, Director of *Al Ahram's Centre for Historical Studies*, remarked about his preoccupation with Egyptian political and diplomatic corps' "archaic perspective of the colonial era [of] air of superiority" (AFP, *New Nile River treaty comes as wake-up call for Egypt*, 22 May 2010).

A little over a decade ago, an expert issued his sternest caution regarding the future of water, as "a scarce resource for which there is no substitute, over which there is poorly-developed international law, and the need for which is overwhelming, constant, and immediate" (Aaron Wolf, 2008). Accordingly, the quest now is after a shrinking resource, as a priority demand of all nations, including in the Nile Basin. In spite of our scientific advances, no one can create water in sufficient quantities to meet the demands for agriculture, municipal and industrial uses across countries. What is worrisome is that this demand would grow substantially more than existing sources can possibly supply. This trend is extrapolated from current trends in population growths, water consumption, wastage and destruction—including by droughts and other human actions.

Historically societies grew around water sources. That is the story of the Euphrates and Tigris, Ganges, the Nile, etc. To the extent possible, informed societies protected them from use or misuse by irresponsible members or uninvited guests. In that respect, history has consistently shown that a country's natural resource endowments and its strategic locations are a part of its riches, much as they are its dilemmas too, especially in the modern world. Such fortunes and misfortunes have clashed throughout the histories of nations, thereby determining their policies and defining priorities.

Misfortune in the form of lack of resources also shapes the survival strategies of countries least blessed with resources they need for survival. Their aggressive policies become the grits of history that shape the modes of interactions between states, dictating how each one of them must negotiate its path to a future it aspires.

In the Nile Basin, Egypt has been 'physically water scarce'; the rest of the Nile Basin has also been suffering from 'economic water scarcity', according to a study by the International Water Management Institute ([www.iwmi.cgiar.org/](http://www.iwmi.cgiar.org/)). Clearly, the common denominator now is scarcity across countries, which make speedy actions in the political, economic, security and development area, entailing some forms of engagements — dialogues and negotiations to ease rising tensions. In other instances, the dangers of future wars lurking behind no-war-no-peace situations easily explode. Both situations have co-existed in the Nile Basin.

For one, "The Nile south of the Aswan" is best described by Whittington et.al (*Water resources management in the Nile Basin: the economic value of cooperation*, 2005), "as one of the least developed of the major international rivers of the world." The Nile Basin Initiative (NBI) confirms this conclusion with greater detail, adding:

Compared to many other large transboundary river basins, the Nile Basin is a water scarce region. Most of the water is generated from less than one-third of the total geographic area. While water availability is already scarce it must be further noted that possible climate change impact may increase the variability of supply and possibly even reduce it. National development activities in the Nile basin are often planned in isolation from other countries' plans risking sub-optimal use of resources, negative social and environmental impacts and delays in implementation resulting from clear measures and agreement on transboundary implications. Given the finite availability of water and the increasing demand for it, the need for a coordinated development and management of the water resources of the basin has become a necessity rather than a choice. Coordination is required not only nationally between water dependent sectors such as agriculture and power but also among the countries that share these transboundary water resources (*Water Resource Management*, [www.nilebasin.org/](http://www.nilebasin.org/)).

For the other, poverty in the Nile Basin has been deeply entrenched. The Basin comprises of five of the world's 15 poorest countries, according to the World Bank. It also reflects the highest variability and climate change and landscape vulnerability (NBI). Moreover, the Basin has far limited infrastructures, with only 15 percent of the population having access to electricity and less than 10 percent irrigable land irrigated (except Egypt and the Sudan). In an area of the world, where today an estimated 424.2 million people consider home, and whose size by 2050 is expected to reach 860.6 million (UNFPA, 2010), the question of food production can no longer be put in the backburner. Further, for several years eight of the 11 (Southern Sudan included) Nile Basin states have experienced conflicts, in some places still smouldering and recovery in progress in others.

In the absence of international river basin agreement and the necessary organization, for ages each state has gone its way to meet its development objectives. This has led to unsustainable practices leading "to sub-optimal water resources development, incompatible with the development agenda of riparian countries, inequitable sharing of benefits, and escalation of tension in the region" (NBI). There is no better example than Ethiopia itself where the seams of future dangers have clearly formed in the Abbay Basin (Blue Nile), the country's high population density and agricultural area.

The Abbay Basin has suffered the severest form of environmental degradation within the Nile Basin. Studies indicate "The general poverty of the majority of the population requires satisfaction of immediate food needs, minimization of risk (including the risk of new techniques), allows no capital for land improvements, and doesn't provide an environment for long term thinking and management" (NBI, *Watershed Erosion & Sediment Transport*, 2005). The Abbay Basin covers about 32 percent of the national land area and accounts for a higher proportion of the total water resources of the country (NBI).

The mighty Abbay is transregional and transboundary, combined with Baro-Akobo and Tekezze forming the Blue Nile Basin (BNB). Needless to state, the BNB has the largest irrigation potentials of the twelve river basins of Ethiopia. It constitutes 20 percent of Ethiopia's land area and 12 percent of the Nile Basin. It is a great presence within Ethiopia and is indispensably linked to its development, both as a source of power and its ability to feed itself, although the current denial that Ethiopia has no sufficient agricultural area in the Basin is music to ears of Egypt, but not to Ethiopia itself.

The Abbay River, according to the National Master Plan Study, has around 3.7 million hectares irrigable land. It encompasses three regions—Amhara, Oromiya and Benshangul-Gumuz. It accounts for about 50 percent of the country's total average annual runoff...25 percent of its population and for over 40 percent of its agricultural production (Awlachev et.al, *Water Resources and Irrigation Development in Ethiopia*, IWMI, 2007). Neglect of this area, is the beginning of the end and care needs to be made when deal is negotiated with Egypt, which I suspect already was made on 7 July! Ethiopia has remained guarded, although Egypt has flashed some details of the deals, to which I would return in another piece.

This article is intended to provoke some serious thinking—to induce discussion within states of the Nile Basin, especially in Ethiopia, the largest of the upper riparian states and 86 percent contributor to the Nile River at Aswan. The timing is deliberate, with Egypt struggling to determine its future direction. This opportunity should be utilized by upstream states to examine different possibilities for future engagement with the new Egypt, possibly democratic. Better preparation for future talks and negotiations on the Nile Question should bear in mind how the present asymmetric control of the natural resources of the Nile came into being.

### **Asymmetric control of the natural resources of the Nile River cannot continue**

Among the primary factors for Egypt's invasion of Ethiopia was its thirst for an assured source of water from the Nile River and the fertile lands of the region for its fast growing population. Since the early 19<sup>th</sup> century, Egypt used to settle its surplus population in northern Sudan. By default, Egypt is 95 percent desert, where human settlement has been restricted to the remaining narrow strip of real state along the banks of the Nile, in an otherwise 30<sup>th</sup> largest country in the world.

Although we have witnessed one of the longest periods without confrontation between Ethiopia and Egypt, relations between the two countries suffer immense distrust and an undercurrent of hostility, linked to past history and relations with Israel that, of all Arab states, Egypt enjoys closeness, but resents Israel's with Ethiopia. In the past three decades, Mubarak's Egypt has endeavoured to consolidate its asymmetric control over the Nile River. This has made efforts to improve relations a not-so rewarding experience for a long time, also against the backdrop of the Cold War.

Astounding as it is, the question that Egypt has not been willing to answer to this day is how it could justify to itself its denial of Ethiopia access to the Nile, a country that provides 86 percent of its water to the Nile at Aswan. Not that all the fault is Egypt's, but since 1967 along with other upstream states, Ethiopia has engaged Egypt in unfruitful and continuously interrupted diplomatic struggles to get its legitimate share of the Nile water and access to its other resources. For the first time, power infrastructures are being constructed, although I worry on EPRDF's exclusivity of commitment, unlinked to other aspects of the issue. Even on that, Egypt wants to extort concessions aware that they would become the facts on the ground.

Egypt keeps on contradicting itself on that. Former Water and Irrigation Minister Mohammed Allam mostly opposed

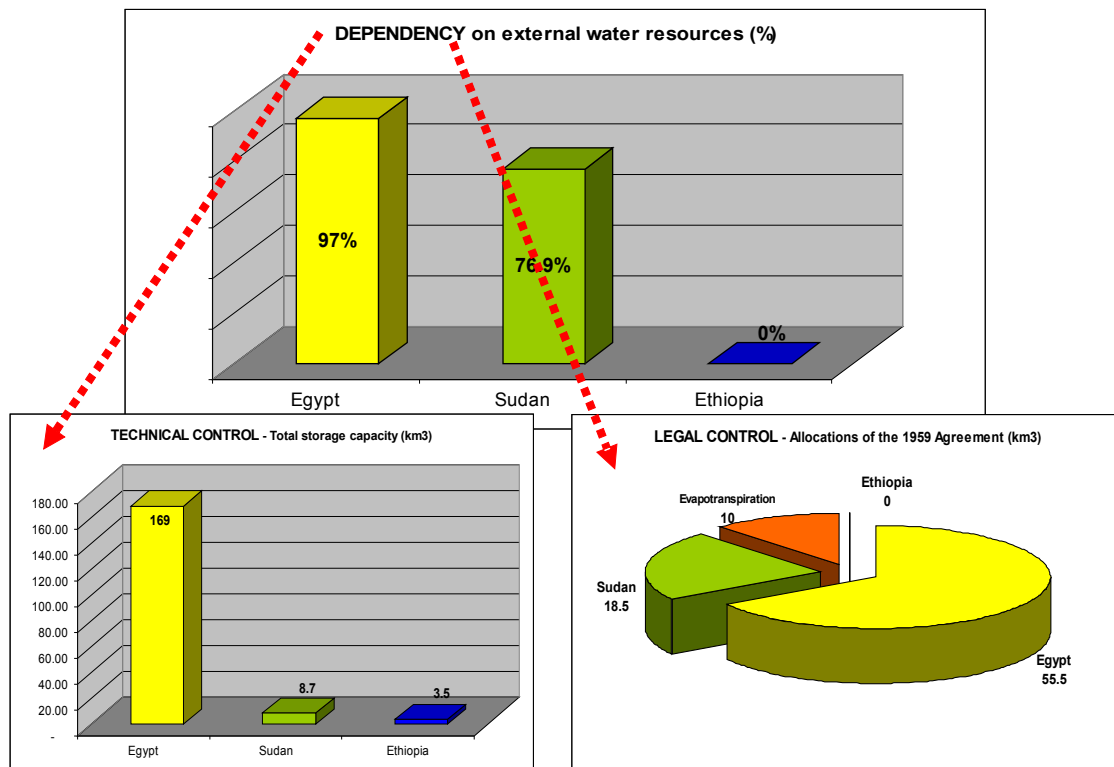
the building of dams. Foreign Minister Ahmed Gheit has publicly held a position that power development would not affect Egypt's interests in the water. Mr Mubarak has played the game on both sides of the equation.

In their insightful study *Hydro-hegemony – a framework for analysis of trans-boundary water conflicts* –2005, Mark Zeitoun and Jeroen Warner decode the essence of asymmetric control by a hegemon, such as Egypt, over resources of a transboundary river. Their explanation has confirmed, what many researchers, including this writer, have learned from the behaviour of Egypt over the years. They write:

Faced with the demands of a competitor and aware of customary law concerning the sharing of trans boundary resources, the hydro-hegemon may find it more efficient to co-opt its weaker competitors, rather than trying to ignore or discredit their claims...This containment strategy requires engagement with competitors. Any such bilateral or multi-lateral strategy may seek either to integrate the competitors or to contain them in as asymmetric a position as possible, through the use of coercive, utilitarian, normative or hegemonic compliance-producing mechanisms. In following a containment strategy, the stronger state would seek to influence the weaker riparian(s) towards compliance with its preferred order of affairs through a variety of 'Type III' normative ['institutionalization of the status quo may be a tool used to the hydro-hegemon's advantage'] or 'Type IV' hegemonic mechanisms [Hegemonic compliance-producing mechanisms] and applications of the three dimensions power [power as might, 'control of the rule of the game' and 'power over ideas'].

In further breaking down the mechanics of asymmetric control into its elemental pieces in the context of the Nile Basin, Ana Elisa Cascão, a researcher on transboundary rivers at Kings College, London, with expertise on the Nile Basin, discusses three dimensions of power (*Changing Power Relations in the Nile River Basin: Unilateralism vs. Cooperation?* 2009). The first is *material power* and relates to the levels of economic development, military might, political stability, and access to external political and financial support. The second one deals with *bargaining power*, determined by the ability of the state to control and influence the agenda. For instance, for the Nile River Dr Cascão sees it as defining the 'red lines' of negotiations. It should be recalled that this was a phrase directly employed by Mubarak's and now the Supreme Military Council's Foreign Minister Aboul Gheit in May 2010, when upper riparian states decided to sign the CFA. The third is *ideational power* and is determined by the ability of the state to influence knowledge and construct discourse. On these three criteria, Egypt has distinguished itself as the only one and most powerful riparian in the Nile Basin.

## DEPENDENCY AND CONTROL



(Adapted from Ana Cascão, Power relations, conflict and cooperation in the Nile Basin, 2008)

### Problems and prospects of upper riparian states

The first problem of upper riparian states, as mentioned above, is the lack of capacity in water usage and storage, which Egypt has repeatedly used to dismiss the principle of equal access to the Nile River. For these states, this is further compounded by the absence of informed ideas, well-developed objectives and good strategies, backed by economic and military strengths. For a long time, these countries, although they do not fully trust each other, they have relied on group strength that has now led to the signing of the Cooperative Framework Agreement (CFA), most likely to be ratified with Burundi at last signing as the sixth member. The sum of these inadequacies, accompanied by distractions of internal conflicts, upper riparian states have been deprived of the ability to secure claim to their share of the Nile on the basis of facts on the ground.

In contrast, if one examines the complex Nile Question with a clear-mind, it is there for everyone to see that at different times Egypt has systematically established its claim on the Nile with facts on the ground. This began with its smart move to induce Britain as its colonial master to sign with it the 1929 agreement on the Nile, in addition to others, which made Cairo successor to legacies of its colonial master. Further, in 1959 Egypt signed an agreement with the Sudan by which it apportioned the entire Nile waters between the two.

This was then followed on two different occasions by building tangible facts on the ground. The first is the Aswan Dam, built without any consultations with upper riparian states as required by international law. Secondly, again without consultations with upper riparian states, since the last decade Egypt has been building mega projects in the Nile Valley. At their possible completion by 2017, these would:

- increase Egypt's agricultural area by 35 percent by reclaiming the desert, i.e., an additional 1.3 million hectares of irrigated land in the Sinai and parts of western and south-western Egypt;
- expand the country's habitable areas from 5 percent now to 25 percent. This is expected to attract over 16 million people to new towns on reclaimed lands (Toshka and the Southern Egypt Development Project); and,
- doubles access to safe sanitation to 60 percent of the population by the end of the plan period.

With these projects, Egypt's total water requirements would reach 97.8  $\text{bm}^3$ , far higher than Egypt's self-allotted water quota of 55  $\text{bm}^3$  under the 1959 agreement with Sudan, according to Egyptian experts and as indicated in the Allam Plan, named after the former Minister of Irrigation and Water Resources Mohammed Allam, when he worked as a consultant prior to joining Hosni Mubarak's government (Egyptian Ministry of Water Resources; Mohamed Nasr Allam, "*Water Resources: Utilization and Management*"; mimeo 2001, cited in Caulley et.al, *Economic instruments for improved water resources management in Egypt*, 2002; Hamza & Mason, *Water availability and food security challenges in Egypt*, 2004). Egypt says water saving is one of the sources to meet the added demand for water, although extremely unlikely. In the circumstances, the key concern now for upstream states should be whether Egypt is to turn around and play an obstructionist role to gain the added higher water quota.

In a world without universally applicable international water law, the status quo, i.e., the politics of international law seems to favour downstream Egypt. For instance, aware of this, when the then Egyptian Prime Minister Ahmed Nazif was told about some upper riparian countries signing the CFA, his response to tell his colleagues was, "Egypt's rights to Nile water are protected, legally and practically, and we will defend these rights...There is appreciation of Egypt's position in the wider international community. We are not in a weak position," (*Al Ahram*, 20-26 May 2010).

Thus, Egypt proceeded to building its 'facts on the ground' that are costing billions of dollars as evidences of its expanding claim over the Nile River. This new strategy, a large part of which is financed by Middle Eastern equity investors, such as Saudi Prince Al-Walid, the Abu Dhabi Fund and some other Middle East sources believe that the Nile is Arab water.

Writing about this *Al Ahram* (15-21 July 2010) stressed the challenges of water scarcity to Arabs that have:

Proved all the more demanding in view of the fact that a large percentage of the populace of the Arab world depends on river systems shared with non-Arab countries. The problems created by shared international rivers have, so far, compounded other problems that plague the international relations of the region. The strategic challenge, therefore, is how these countries can secure their water rights and maintain peaceful and cooperative relations. The task is not as easy as it may appear, given that water is not the only issue of contention between nations; relations are frequently complicated are other political, economic and social problems of a cumulative historic depth.

Moreover, international political, diplomatic, financial and legal support for Egypt has continuously tipped the equation in favour of Egypt, at the background of which is the country's economic and military powers and its successful political and diplomatic calculation. In that sense, Egypt is in league with China, India and Turkey, the three countries that have asserted their rights over their water resources, despite disagreements by their neighbours that invoke international law. Bear in mind that, international law too often is influenced by real politics, although it is consistent with its demand for rigorous adherence on smaller and weaker countries.

For instance at the adoption in 1997 of the Convention on the law of the non-navigational uses of international watercourses, China voted against the convention stressing “territorial sovereignty is a basic principle of international law. A watercourse State enjoys indisputable territorial sovereignty over those parts of international watercourses that flow through its territory. It is incomprehensible and regrettable that the draft Convention does not affirm this principle.” As to any problems its co-riparian neighbours would have with this position, China stated, it “reserves the right to address the question... with its neighbours in a fair and reasonable manner and in accordance with relevant international practice and with bilateral watercourse agreements” (UNGA, A/51/PV.99, 21 May 1997). Similarly, Turkey told the Assembly, “Turkey does not intend to sign the Convention on the Non-Navigational Uses of International Watercourses and that this Convention does not and shall not have any legal effect for Turkey in terms of general and customary international law.” Burundi, China and Turkey were the ones that opposed adoption of the convention, whereas Burundi has not explained its position.

In sum, after viewing Egypt’s Nile policy from international law perspective and its implications, international law scholars Jutta Brunnée and Stephen J. Toope noted, “While it encapsulates [Egyptian Nile policy] Egypt’s dependence on the Nile and its aspirations for control over its waters, it fails to acknowledge the import of the Nile for other basin states” (*Harvard International Law Journal*, Vol. 43, No. 1, 2002). In his new book (*The River Nile in the Post-Colonial Age: Conflict and Cooperation among the Nile Basin Countries*, 2010), Terja Tvedt (ed), professor of geography and political science, respectively, at the universities of Bergen and Oslo, Norway, observes: “The Egyptian government has since then [Aswan Dam construction in 1971] determinedly pursued water control projects within Egypt’s borders, while at the same time recognising upstream countries’ development of the Nile’s waters as a potential national security threat”.

#### **Nile Basin states need to make themselves part of the evolving changes in global economic and financial trends**

The Nile Basin finds itself at the cusp of great realignments and global transformations. These would have great implications for the future of both individual upstream states and as a group at the human, political, institutional, economic, financial and technological and regional levels. For instance, the globally economy responds to changes, positive or negative, such as the one that is taking place in North Africa and the Middle East. These changes need to be systematically accommodated before they force themselves on the Nile Basin countries.

Success in future depends how much present opportunities are seized and internalized. The new wave of the future and the inherent difficulties going forward, according to some studies, require far-reaching reforms, anchored on the rule of law, press freedom and respect for fundamental human rights. This would enhance accountability in all its aspects and effectiveness in the fight against corruption—abuses of political power and economic crimes—disingenuous resources allocation and power serving the interests of its wielders, instead of society. If the past has any lessons, it certainly would be that the greater good is served better with greater accountability, transparency and responsibility of citizens well established.

Therefore, if the right and consistent political, security and economic policies and strategies are pursued, for instance, four of the 10 (11 with Southern Sudan) Nile Basin countries—Egypt, Ethiopia, Tanzania and Uganda—are deemed to have better opportunities to become the next growth centres far into 2030. These countries have the advantage of population size (future market with better purchasing power), resource endowments and young population. A significant proportion of the Ethiopian population is below the age of 15. Some of these countries are considered to be in a better position (because of their resources and proximity to more unexploited markets) and their ability to

“leverage off China’s and India’s success.” The report underlines the importance of north-south trade, and its expansion horizontally in the form of south-south trade (Standard Chartered Bank, *The Super-Cycle Report*, 2010). That is one of the stories that kept Davos-2011 abuzz with possibilities of generation-long growth, seen as another opportunity that should not be missed.

It should be clear that this scenario is likely to hold under conditions of improved political and economic policies, not vacuous promises of peace and growth. In countries such as Ethiopia, with the highest unemployment rate, it requires tangible and increased employment opportunities, greater human security, and overcoming the disconnect that exists between state power and the citizenry. Without such serious inadequacies to overcome in the individual Nile Basin states, there is the danger of these countries remaining closer to the doldrums than to the opportunities. Care should be taken not to lose the present and citizens should not allow that to happen again.

Special attention must be given to whether the multilateral negotiating mechanism in the Nile Basin is capable of delivering an outcome in the medium-term that can better serve the broader objectives of national and regional development. This must be determined by the size of the stakes and risks of each member in the outcome of negotiations on the Nile Question. The greater the stake and the risks, the more important it is to rely on bilateral negotiations. This would be dictated by the fact that since the last three years in particular investments, trade and commerce have taken centre-stage in the relations between individual upper stream states and Egypt. This could also become an avenue for multilateral cooperation on the Nile River at a later stage.

(To be continued)