

Water Cooperation in the Nile Basin Between Negative Recognition and Political Dimensions

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Reaching an institutional and a legal convention that regulates the administration of water cooperation among the Nile Basin Countries is a far-fetching dream that seems to be lost as a result of freezing negotiations and of trying to impose a de facto situation over Egypt. In this respect, building the Renaissance Dam in Ethiopia re-imposes the question over the future of water cooperation, within a framework of collective cooperation that started with the Hydro metrological Studies Project (1967), UNDUGU (1983) TECCONILE (1992) and finally the Nile Basin Initiative (NBI) (1999).

Losing this dream is neither related to the agreement of the Nile Basin Countries to sign the Entebbe Framework Agreement nor to the rejection of Egypt on such an Agreement. In this respect six Nile Basin countries; namely: Ethiopia, Rwanda, Uganda, Tanzania, and Kenya signed the Agreement on May 14, 2010 then Burundi followed in 2011.

However, the messages behind such an Agreement centered around imposing the countries' points of view and interests over Egypt, not putting into consideration the Egyptian rights and interests, not to mention the political, competitive or maybe the conflictive considerations that had predominated over the cooperative considerations for more than 10 years. This hindered creating a suitable environment for negotiations to overcome all sensitivities based upon a negative historical heritage and a lack of confidence. In this respect, the current developments related with the water cooperation did put the future of such cooperation among the basin countries on the verge.

Moreover, some viewpoints believe that cooperation with Egypt is not a necessity and that if it occurs, it should be based on certain conditions that serve the interests of these countries; the only means for putting their concept of managing the Nile water into effect. Thus, in this case, it might be inevitable to put into consideration a number of issues and problems related with the experience of cooperation so as to monitor and analyze the developments, especially those related with building the Renaissance Dam in Ethiopia and other dams in the Nile Basin Countries and their effect on Egypt's quota of water. Such issues have special

significances, salient of which are:

Signing the Agreement sought to end the paradox that lasted for more than 10 years. Such a paradox that was mainly based on political considerations that impose restrictions over reaching a collective agreement and artistic developmental requirements that necessitates cooperation. This paradox, in turn, explains the reasons behind the faltering of negotiations and the continuous water cooperation on the minimum level, not to mention presenting unjustified explanations for various basin countries to defend their viewpoint and to sign the agreement through talking about their national sovereignty and through rejecting the Egyptian custody and its historical rights and the relations between these rights and the old agreements and conventions.

Drafting the collective water cooperation agreement for the Nile Basin as a strategic vision and mechanisms that are confined to the different visions and internal objectives of the Basin countries on the one hand and the restrictions of the regional environment on the other hand, not to mention the effects of the international changes. This is obviously clear when considering the restrictions and hurdles on the disputing issues (agreeing on the concept of water security, determining the opinion over the concept of prior notification and the method of voting) being the pitfall for negotiations.

The *fait accompli* policy is still imposing itself on the cooperation track. This policy has been imposed due to the political conflicts and regional and international political balances. In this respect, the internal calculations concerning development and stability remained away from the effects of the drafting problems.

The language of competition and conflict is mixed with that of understanding and cooperation in the official message of various Nile Basin Countries, thus leading to the absence of a suitable environment that upholds the future of cooperation and contributes to crystallizing untraditional thoughts and frameworks that would help realize the requirements of water security in the basin countries and would maximize the economic benefits for all. In this respect, the main problem is not only in the negotiation process, but rather in the rules of the cooperation process, represented in the NBI. Such a cooperation process has been based on gaining the results without providing the suitable components that lead to such results. It also relies on the outside world (represented in the Donor countries and the countries sponsoring the Nile Initiative) more than its dependence on the components of cooperation that should foster the atmosphere of confidence and integration among the basin countries.

The deeper message behind signing Entebbe Agreement is the trial of some

African countries, under the leadership of Ethiopia, to impose new cooperative relations with Egypt. It also reflects a clear change in the methodology and rules of negotiations upon which the negotiations of the NBI was based. Furthermore, it pushes towards creating new balances and blocs of power in the basin area. Nevertheless, this does not mean excluding Egypt from the agreement.

The trends towards globalizing the humanitarian issues, linking between democracy and development, crystallizing a set of developmental objectives and considering them as world objectives (the objectives of the second millennium), led to linking the issues of development with water and to the entrance of international institutions as a supporter for the technical and economic progress. This linkage had its impact on the nature of developments during the post-cold-war period towards issues like poverty, desertification and development as it set priorities for the international orientation towards Africa in addition to being a means for the international intervention under the slogan of globalizing the humanitarian issues.

Significance and Requirements of the Current Scene

Salient challenges and significances behind the ratification of six basin countries to the agreement are as follows: first; the negotiation equation which has been proven to be ineffec-

tive in surpassing the hurdles. Such an equation has been based on an Egyptian-Sudanese vision that confirms the gained historical rights, along with a developmental vision that would contribute to increasing the amounts of water so as to address the needs of all. On the other side, the upstream countries relied upon political dimensions related to their understanding of the concept of national sovereignty and a different concept for development in the basin countries that is not mainly related to cooperation with Egypt. Second; the ability of various non-signatory parties, on top of which are the Democratic Congo, the North and South Sudan, Egypt, and Eritrea as an observer member to keep holding on, as in this respect, the interests and objectives vary from a state to another. For example, there is an Egyptian-Sudanese cooperation that is based on preserving the gained historical rights provided by the signed conventions and agreements. Moreover, Congo depends on certain calculations that show its desire of not being a party in any conflict concerning the Nile water, especially that it does not depend mainly on the Nile water, not to mention its location on the conflict and competition map witnessed in the African Horn and in the Great Lakes area. There is also the stance of the South Sudan which is not yet crystallized despite the positive indicators that support cooperation with the Egyptian

vision, thus, this variation cannot be relied upon in light of a change in a number of strategic and regional orientations witnessed in the Nile Basin countries.

Third; the danger looming over the future of the collective cooperation in the basin countries, this danger is related to the attempt of marketing the vision of the signatory countries that they owe the balance of power and the papers that enable them to move on without adopting the Egyptian vision. Thus, such states suggested a one year period (supposed to end in May 2011, but extended upon the January 25 Revolution) or else they will withdraw from the Initiative. Fourth; Egypt and the Sudan are shouldered the responsibility of being incompatible with the interests of the majority, adopting an international message that seeks to confine the Egyptian vision, especially towards the donor and the sponsoring countries to the NBI. Fifth; the attempts of the Basin countries, on top of which is Ethiopia, to take advantage of the political changes in Egypt upon the January 25 Revolution, to give wrong impressions over Egypt's responsibility in stumbling the negotiations, benefiting from some ill-considered declarations in the framework of the popular diplomacy.

A Reading in the Methodology of the Egyptian Negotiations

This methodology is based on two main principles; the political dimen-

sions and the developmental vision governing the future of cooperation.

In this respect, both Egypt and the Sudan had asserted that the gained historical rights are red lines and that the absence of an alternative while totally depending on the Nile water (95%) renders any violation to his right a threat to the Egyptian national security.

Thereupon, the negotiation track had proposed several pillars, including; overcoming the differences over the water quota and paying due attention to the water policies, asserting the fact that the problem of the basin countries is not the scarcity of water, but rather the mal-distribution, entrenching the collective cooperation as a mechanism for maximizing the benefit from the water unit and providing around 47 billion m³ from the water lost from tropical headwaters and Abyssinia which exceeds 90% of the available resources in such headwaters and which can be distributed among various countries, on top of which are Egypt and the Sudan.

On the contrary, the negotiation methodology of the upstream countries was based on one main motif; their desire to violate the historical gains of Egypt and the Sudan, whether as regards the quota or the prior notification, in addition to establishing a new basis for cooperation that mainly relies upon political consideration related to the concept of national sovereignty and

its relation with the existing agreements which the upstream countries object upon, not to mention the political sensitivities related to the view of various political and partisan powers in the Nile basin as regards the importance of ratifying a new agreement they could benefit from.

Such a methodology is mostly related to developmental requirements, as the water resources are miscellaneous, the choices of development are not only related to the Nile water and the challenges are not only confined to providing water from the River Nile, rather, they are related to other factors including the ability, the existing agriculture pattern and the limited potentials, resources and experiences.

In this respect, talking about the future and the capabilities of development is the main reason behind the disputes running over the 10% of the water, estimated by around 1670 billion m³, without exerting any effort to increase this amount, seems to be a vision that mainly targets to harm Egypt. It is worth mentioning that Egypt depends on the Nile water by around 95% while Tanzania; the second country depending on the Nile water after the Sudan, depends only on 3% of the Nile water.

Despite the success of the negotiations in consolidating the technical cooperation and finding common areas of discussion and rebuilding confidence, yet, this contrast in the negotia-

tion methodology and confining such negotiations on the technical aspects rather than the political, had further deepened the gap between the two methodologies and the aspired targets. Such technical cooperation had succeeded in setting agenda for the forms of collective cooperation and performing various fiscal studies for projects within the framework of the NBI.

However, this success failed to rebuild the confidence and to uphold the principle of non-injury. It is noteworthy in this respect to mention that the change that accompanied linking between the inter-political and economic relations on the one hand and the water issue on the other hand, clarifies that the points of difference are not only limited to attempts to increase the pressure on Egypt, but are related to special aspirations and visions for the developmental role of some basin countries and their interests with other competing countries and systems in the region.

Furthermore, the period and track of negotiations show the inability of the Egyptian negotiator in compelling the basin countries to adopt real cooperative policies of strategic dimensions. Such strategies that would enable Egypt to perform a leap on the inter-relation level, as such relations still lack the ability to put the water and developmental issues aside from the competitive interactions that governed most of the inter-relations tracks.