



Integration and Solidarity in the Nile Basin



"Nile for Peace" Initiative



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Introduction

The Nile basin is one of the largest international river systems in the world. This river system is composed of two major tributaries: the White Nile and the Blue Nile which originate from Lake Victoria (Kenya, Rwanda, Tanzania, and Uganda) and the Lake of Tana (Ethiopia) respectively. These two major tributaries converge at Khartoum, the capital of Sudan, to form the Main Nile which continues on to Egypt. The Blue Nile is the largest tributary in terms of contribution to the inflow of the water in the river (86%) and the White Nile share is only 14%. The Nile waters present both opportunities and challenges to the riparian countries.

With an area of 3.1 million km², the Nile Basin covers about 10% of Africa and 2.3% of the world's land surface. The Nile River is the longest river in the world. It flows 6,700 km from its source in the Equatorial Lake basin to the Mediterranean Sea, north of Cairo, Egypt. Although the upstream rainfall is 2000 billion cubic meters yearly, 7% of this immense quantity flows to the downstream countries.

In view of this, the study tries to analyze the historical, geo-political and legal aspects of the Basin. The socio-economic factors that contribute to the dispute among riparian countries will also be examined from both upstream and downstream countries perspectives. Finally, the study will address the best ways to achieve solidarity among the riparian countries in the light of the "Nile for Peace" initiative that reflects the role of civil society and public figures, among others, in supporting the peaceful solutions and resilience in the Nile basin.

Historical and Social Causes of Solidarity

The willingness to forge technical cooperation and solidarity among riparian states was weak until 1960s. However, due to the rising population and development needs in the fields of agriculture, industry and energy in the riparian countries coupled with de-colonization of some countries in the basin, that were under British rule, the need has arisen to review of old treaties. In the light of the aforementioned, an attempt will be made to critically look into the pros and cons of these treaties.

The Nile Basin Countries are endowed with natural water resources which have been the cause of both conflict and solidarity among the riparian countries. There are 11, previously 10, riparian countries in the Basin with different contributions to the overall flow of the water. It is applicable to say that this international river is indestructible natural bind for countries in the Basin whose catchments area is over 3 million km².

The Nile River, if equitably distributed among the riparian countries, wouldn't have triggered tension in relations between its riparians. On the basis of historical facts on how the river has been utilized and the slow pace to shift from confrontation to solidarity, it is attempted to reveal the hindrances not to share this vast water resource equitably between riparians for ages.

It is believed that the unprecedented demands of the upper riparian countries to utilize the water equitably is an indication that it is a right time to come up with an agreement on the utilization of the resource by all riparians. The expansion of the





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Sahara Desert towards South, the recurrent drought and the trend of population growth in the region are considered to be the legitimate causes for these countries to demand equitable distribution of this water resource.

Demand for water throughout the region is constantly growing due to economic development and population growth. However, water resources are already being intensively utilised, and climate change and land use changes are also having a negative impact on water availability. The Nile Basin is therefore classed as one of the world's most conflict-prone river basins. The riparian states have not yet reached any agreement on water allocation.

Previous Attempts to Achieve Solidarity

Many attempts were made during the past years to increase solidarity and integrity and the riparian countries. Some of these attempts will be addressed in detail.

NBI and BIZ Joint Collaborative Project

In 1999, the Nile Basin states founded the Nile Basin Initiative (NBI). Their aim was to facilitate dialogue among themselves and to advance joint water management projects.

Working in close coordination with other donors, Germany has been a partner to NBI and its member states for many years. On behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ), GIZ has been working with

NBI since 2002. Since December 2017, the project has been cofinanced by the European Union (EU).

Its objective was that The Nile Basin Initiative (NBI) has greater capacity to contribute to consensus building among riparian states through the sustainable and cooperative management and development of water resources in the Nile Basin. In this joint project, GIZ supports NBI by providing technical and process advice in eight closely linked fields of activity:

Supporting dialogue and trust building among Nile Basin states.

Facilitating a process that enables member states to conduct a joint analysis of the current and projected future water balance for the Nile Basin, thus contributing to the development of options for better basin-wide water resource management.

Laying the foundations for joint Nile Basin planning by way of a knowledge-based and cooperative planning process.

Developing a Basin-wide, cross-sector investment programme, thereby contributing to better water, energy and food security in the region.

Strengthening the application of existing policies, guidelines and standards in member states.

Supporting Eastern Nile countries in laying the foundations for optimised joint management of dam cascades.

Developing a Basin-wide hydrological monitoring system, thus contributing to the exchange of information among Nile basin states.





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Supporting efforts to positively influence public opinion in member states with the aim of encouraging cooperative water resource management. This opens up scope for political decision-makers. The media team for the Nile Basin Secretariat is receiving support in responding more effectively to issues currently being discussed in the Nile Basin.

The Cooperative Framework Agreement (CFA)

The body of the Cooperative Framework Agreement (CFA) outlines principles, rights and obligations for cooperative management and development of the Nile Basin water resources. Instead of mentioning 'equitable rights' or water use allocations, the Treaty intends to establish a framework to "promote integrated management, sustainable development, and harmonious utilization of the water resources of the Basin, as well as their conservation and protection for the benefit of present and future generations".

For this purpose, the Treaty envisages the establishment of a permanent institutional mechanism, the Nile River Basin Commission (NRBC). The Commission would serve to promote and facilitate the implementation of the CFA and to facilitate cooperation among the Nile Basin States in the conservation, management and development of the Nile River Basin and its waters.

The intended scope of the Treaty and use of terms are defined in Articles 1 and 2. The remainder of the text is divided into six parts on (I) general principles, (II) rights and obligations (III) institutional structure and role of the Nile River

Basin Commission (NRBC), (IV) subsidiary institutions, (V) miscellaneous provisions, and (VI) final clauses.

Part I of the text includes to a large part well established customary principles of international water law; the principle of equitable and reasonable utilization, the obligation not to cause significant harm, and the principle of protection and conservation of the river's ecosystem. The principles outlined in Part I serve as guidance to countries on how to implement the Treaty and how to manage and develop the river's resources in a sustainable manner.

Part II of the text outlines specific rights and obligations of State Parties, including obligations to regularly exchange data and information, to notify planned measures and to observe the subsidiarity principle in development and protection of the Nile. Detailed notification procedures would be developed by the NRBC.

State Parties would be under an obligation to carry out environmental impact assessments for planned measures that may have significant adverse effect, and to conduct environmental audits of these measures where this is warranted by the circumstances. The unresolved parts of Article 14, which addresses the issue of water security for all Nile Basin States, have been annexed to the Treaty. The NRBC would be mandated with seeking a resolution on the terms of the article within six months of its establishment.

The establishment of the Nile River Basin Commission is envisaged in Part III of the Treaty text. It would comprise the following organs; the





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Conference of Heads of State and Government, the Council of Ministers, the Technical Advisory Committee, Sectoral Advisory Committees, and the Secretariat. The NRBC would succeed to the rights, obligations and assets of the NBI. The possibility to establish subsidiary institutions is provided for in Part IV of the Treaty.

Part V outlines the procedures by which disputes that might arise from the implementation and application of the Treaty would be settled. Furthermore, it envisages the establishment of bilateral or plurilateral instruments (agreements) that would supplement the CFA.

Part VI outlines the procedures for amendments, ratification and entry into force of the CFA.

Solidarity in the Nile Basin in the Context of Nile for Peace Initiative

In April 2021, the African civil society representatives and public figures from nine African countries, including the three countries of the current GERD dispute, Egypt, Sudan and Ethiopia have signed a document recommending the different governments engaging in the dispute of the Great Ethiopian Renaissance Dam "GERD" to use peaceful means to resolve the conflict and to prevent the awaited war as a result of their participation in the "Nile for Peace" conference held from 5-11 April in Uganda's capital of Kampala. Many civil society representatives from across the African continent were present, including Uganda, Kenya, Tanzania, the Democratic Republic of Congo, Burundi and Morocco.

In the light of the abovementioned recommendation, the participating civil society organizations launched an initiative called "Nile for Peace" that seeks to increase awareness about the importance of water in the Nile basin and to lead the African public opinion in calling for peace and development.

The initiative presents a set of recommendations directed to the three countries involved in the Great Ethiopian Renaissance Dam "GERD" negotiations, the Nile Basin countries, and the international community.

The most important of these recommendations are to postpone the second filling of the Ethiopian dam, the Egyptian government's request to participate in sustainable development work in Ethiopia, as well as the international community's contribution to compensate Ethiopia for any damage resulting from the delay in filling the dam. This included asking the three countries to sign a legal agreement that guarantees that none of the three peoples will be harmed.

The initiative called on the Egyptian government to take part in the sustainable development activities in Ethiopia, especially in the field of the infrastructure improvement and formulating a legal agreement that ensures no harm is caused to any of the three countries. It also called on the international community to contribute to compensating Ethiopia for any harm as a result of the adjournment of the dam filling.

This aims to solve disputes surrounding the controversial dam project, but also puts forward





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the requirements to prevent any potential conflict on rivers in Africa in the future.

Within its principles, Nile for Peace calls for Recognition and appreciation of the historical fact that the Nile riparian countries - Egypt, Ethiopia, Sudan, South Sudan, Burundi, Eritrea, Kenya, Democratic Republic of the Congo, Rwanda, Tanzania and Uganda have a shared civilization, trade, language, religion and that there are many successful instances of collaboration that citizens, negotiators and governments can learn from. These principles reflect the historical and cultural framework of integration in the Nile Basin, as illustrated.

According to the NfP concept note, the connections created through the Nile River should be sustained in a positive tone and manner and the Nile can and should inspire African Unity for the 'Africa we want'. It was also mentioned that every project that is built around a river should bring benefit to all and avoid harm to any other party.

Justice and Equity are key elements when dreaming of solidarity and integration. Bearing that in mind, the initiative calls for sharing the benefits and any harm that projects on Nile River may generate and mentions that farmers and fishermen whose livelihoods are dependent on the Nile River and its sources should not adversely suffer and that all Nile riparian countries should be treated as one body, where all parts are like parts of the human body, giving and receiving – there has to be a fair relationship among the parts in order to create a healthy whole.

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