

## Between the "Entebbe agreement" and Entebbe meeting"

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The Nile River is the trans boundary river. At 6700 km long, its basin of over 3 million km<sup>2</sup> consists of 11 countries: Burundi, Democratic Republic of Congo, Egypt, Eritrea, Ethiopia, Kenya, Rwanda, South Sudan, Sudan, Tanzania, and Uganda. There are two main disputes between Egypt and other Nile basin countries:

- The distribution of the Nile water.
- The construction of Grand Ethiopian Renaissance Dam Hydropower Project (GERD), on the Blue Nile in Ethiopia.

### The distribution of the Nile water

Until 2010, a British colonial agreement (1929 agreement) gave Egypt and Sudan 90 percent of the Nile's water flow and the power of veto over dam-building, even though 85 percent of the river's water flows from the Ethiopian highlands. According to another agreement signed in 1959 between Egypt and Sudan, Egypt is entitled to 55 billion cubic metres of the Nile's total annual flow of about 84 bmc, while Sudan is allowed to use 18.5 bmc each year.

A proposal for "equitable shares" was again put forward in the 1999 Nile Basin Initiative, which included all the affected countries. Its vision was to "achieve sustainable socio-economic development through the equitable utilization of, and benefit from, the common Nile basin water resources." It was only intended to be a transitional agreement while the member nations could form a more formal agreement. The initiative did not solve the conflict between Egypt and Sudan's claims of historic rights sanctioned by 1959 Treaty, and the upper river states' claims for equitable shares.

After 10 years of negotiations, **the Entebbe Agreement** was signed in 2010 by six Nile Basin countries: Ethiopia, Kenya, Rwanda, Tanzania, Uganda and Burundi, overturned British-colonial-era agreements dating back to 1929 and allows them to work on river projects without Cairo's prior agreement. On June 20, 2012, also the Republic of South Sudan, Nile's downstream riparian country like Egypt, signed the accord becoming the seventh country to join the agreement.

It was, however, rejected by Egypt and Sudan, due to its provisions allowing the reallocation of Nile water quotas, and the agreement's disregard of the 1959 agreement that had granted Cairo an annual quota of 55.5 billion cubic meters and Sudan an annual quota of 18.5 billion cubic meters. Congo also refused to sign the agreement.

On January 26, 2012, all of the Nile ministers of water resources arrived in Nairobi except those from Egypt and Sudan. The upper riparian ministers decided they have the authority to hold the NEL COM meeting, and not the extra-ordinary Nile COM meeting requested by Egypt and Sudan who were absent. The Nile Equatorial Lakes Council of Ministers (NEL COM), one of the institutions established under the Nile Basin Initiative (NBI) with its head office in Kigali.

The NEL COM then turned to the CFA and the decisions to go ahead with ratification of the CFA with the view of having it enter into force and effect, and thereafter to establish the Nile Basin Commission as prescribed in the CFA. The NEL COM instructed the Chair of the Nile COM (Ms. Charity Ngilu, Kenya Minister of Water Resources) to continue discussions with the three countries that have not signed the CFA (Egypt, Sudan and Democratic Republic of Congo) with the view of bringing them to ratify the Agreement.

## **The Cooperative Framework Agreement (CFA)**

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The CFA is meant to replace the colonial era 'agreements' that gave absolute rights to all the waters of the Nile to Egypt in a 1929 agreement that was signed by the British colonialists and Egypt. The CFA is supposed to provide for a mechanism of cooperation among all the ten member countries, in the management of the Nile basin water resources, as opposed to water use allocations.

With the exception of Egypt, all the other nine NBI partner countries agree to work under a new Cooperative Framework Agreement. Six countries have so far signed the CFA and Sudan has also expressed willingness to sign the Cooperative Framework.

## **The "Entebbe 2017" meeting**

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The members of the Nile Basin Initiative including Uganda, Kenya, Tanzania, Burundi, Rwanda, South Sudan, Ethiopia, Sudan and Egypt had representatives at an extraordinary Nile Council of Ministers meeting held in Entebbe, Uganda in March 2017.<sup>1</sup> The meeting was chaired by Sam Cheptoris, chairman of Nile Council of Ministers and Uganda's Minister of Water and Environment.

The Entebbe meeting tried to persuade Egypt to come back into the organization and to return to the negotiating table, and perhaps sign the Cooperative Framework Agreement (CFA). Egypt has left the organization in 2000 when countries rejected its alleged rights over water.

Cheptoris noted that Egypt actually uses most of the water in its expansive irrigation operations, compared to other countries which only use the waters for hydro-power generation. Because of rising population pressure in the region, coupled with the challenges of climate change, many experts are calling on countries like Uganda to step up efforts on irrigation to supplement rain-fed agriculture. Cheptoris said: "Egypt wants

all NBI countries to accept the colonial era agreement that gives them exclusive rights over the use of the Nile waters. But other countries are saying no.”<sup>2</sup>

## The "Entebbe 2017" meeting decisions

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All nine of the ten member countries of the Nile Basin re-asserted their right over the use of the waters of river Nile, and rejected Egypt’s colonial era demands that it has absolute rights and hence control of the Nile waters.

The Entebbe meeting accepted to allow Egyptian officials to go back to Cairo and make a response in one month.

Heads of State from the NBI member countries are expected to meet in June 2017 to finally agree on the way forward as far as implementing the CFO is concerned.

## The Egyptian position

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Egypt’s irrigation ministry spokesman Hossam Imam said in June 2017, that the signatories of the Entebbe Agreement should apply the principle of cooperation between the Nile Basin countries. Imam said that Egypt’s absence from any Nile Basin agreement would lead to the failure of these agreements.<sup>3</sup>

Imam also added that successful management of international rivers should entail the combined efforts of all involved parties, who should have an integrated vision for the management of these rivers. He said that a project for the development of Lake Victoria failed because not all Nile Basin countries were party to the agreement.<sup>4</sup>

“The only way to achieve genuine development and full use of the Nile’s resources is via coordination and cooperation among all Nile Basin states,” said Mohamed Hegazi, the former assistant to Egypt’s foreign minister.<sup>5</sup>

Nile water was the main issue discussed during Egypt's Minister of Foreign Affairs, Sameh Shoukri’s meeting with President Museveni. Shoukri’s visit to Uganda was part of continuous coordination between the two countries and in light of the fact the Uganda is the present chair of the Nile Council of Ministers (Nile-Com), explained Hegazi. Shoukri also delivered a letter to Museveni from his Egyptian counterpart Abdel-Fattah Al-Sisi dealing with water security issues and the NBI.

## The Renaissance Dam

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On April 2, 2011, Addis Ababa officially embarked upon the construction of Grand Ethiopian Renaissance Dam Hydropower Project on the Blue Nile and in May 2013, Ethiopia began diverting the Blue Nile. Located 500 km north- west of the capital Addis Ababa and near the Sudan border, the dam will be the largest in Africa, 1800 m. long and 170 m high, with an overall volume of 10 million cubic meters. Two power stations will be located on either bank of the river with an installed capacity of 6000 MW and 15,000 GW / h annual energy. When completed it will enable Ethiopia to export more power to its neighbors.

The total cost of the dam amounts to 4.7 billion dollars but Ethiopia denies that there are problems in obtaining the financial funds. China is interested in investing in the region, and offered the Ethiopian government a loan for the Renaissance dam project. It makes Ethiopia feel financially independent from the United States and other international institutions, which would offer their financial support provided that the dam project complies with the existing agreements, mostly in favour of Egypt.

On June 11, 2012, the Ethiopian parliament ratified the new Nile Basin Cooperative Framework Agreement, opposed by Egypt. Cairo has repeatedly expressed concerns that the construction of the Renaissance Dam, could negatively affect Egypt's share of Nile water. Egyptian President Mohammed Morsi, who was in office, when the Nile agreement was ratified by the Ethiopian Parliament, warned that "all options are open" to challenge Ethiopia's Nile project.

Addis Ababa, however, has maintained that the dam project, which Ethiopia says is vital for generating electricity, will not harm downstream countries, with Ethiopian FM Workneh Gebeyehu assuring Egyptians in April 2007, that Addis Ababa would never harm the Egyptian people and their interests.

In December 2015, Egyptian, Sudanese and Ethiopian foreign and irrigation ministers signed the Khartoum Agreement which stipulates that work on filling the reservoir behind the dam can only begin after all the technical studies are complete. It also allows field visits to the construction site by Egyptian and Sudanese experts. In a confidence-building measure taken in March 2015, Egypt, Ethiopia and Sudan signed a Declaration of Principles that included a provision that none of the signatories would harm the interests of the others.<sup>6</sup>

Egypt is still discussing with Ethiopia an initial report issued by two firms tasked with assessing the impact of the under-construction Grand Ethiopian Renaissance Dam (GERD) on downstream countries. Egypt's irrigation ministry spokesman Hossam Imam told Al-Ahram Arabic news website on June 6, 2017.<sup>7</sup>

## Summary

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The Nile basin is one of the hotspot for water-related conflicts. The Nile basin is the only major river basin lacking an inclusive, permanent legal and institutional framework for its utilization and management. The lack of Nile basin wide agreement reflects changes in the balance of geopolitical powers in the region. The discrepancy between the socio-economic development of Egypt and its upstream neighbors is decreasing, and Egypt's historical hegemonic position is being challenged by emerging regional powers such as Ethiopia.<sup>8</sup>

The Entebbe agreement seeks to create a cooperative atmosphere between all Nile Basin countries and ensure that all these countries enjoy the socioeconomic benefits of the river.

Egypt depends on the Nile for 95 per cent of its water needs, with most of this water coming from the Blue Nile. Under a treaty agreed in 1959, Egypt receives 55.5 billion cubic meters of Nile water, while Sudan receives 18 billion cubic meters. Egypt does not seem to be prepared to compromise or renegotiate the 1959 treaty and is apparently committed to maintaining the status quo on the use of the Nile waters.

Egypt fears losing its “historic rights” on Nile’s waters. Egypt believes that Ethiopia was the driving force behind demands to revoke the old agreements that govern the distribution of Nile water and calls for new agreements to be made which would see upstream Nile countries granted a large share of the Nile's resources, inevitably resulting in a decrease of Egypt's share.

## Notes

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<sup>1</sup> With the exception of D.R Congo.

<sup>2</sup> Nile talks hit dead end, again Sunrise, March 31, 2017.

<sup>3</sup> Egypt, Ethiopia still discussing impact study reports: Irrigation ministry spokesman, Ahram Online, June 6, 2017.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

<sup>6</sup> Working on water, Al Ahram Weekly, May 12, 2017.

<sup>7</sup> Egypt is currently negotiating with Ethiopia the period of time over which the dam’s reservoir should be filled after construction is completed.

<sup>8</sup> Ibid.