

A LOOK INTO THE HISTORICAL DEPTHS OF THE NILE WATERS: WHAT TO LEARN FROM HISTOR

History is, according to Pieter Geyl's definition, "an argument without end" (Schölch 1976, 773), unlike the water.

In the face of increasing water scarcity and a change in the *status quo*, scholars have warned for decades about the risk of conflict in the Nile Basin, in the absence of an inclusive agreement among the eleven countries.

The aim of this presentation is to explain what *status quo* is, the historical water governance of the Nile with attention to the relationships of power that have determined the management of its resources.

Structural unbalanced condition of basins

The Egypt's position as “a gift of the Nile” and Ethiopia as “water tower of Africa”, but also “great unknown”, is common in the dynamics between upstream and downstream riparian countries where the hydrologically weaker state is the stronger state (Wouters 1992).

The recent Amharic songs on Nile convey that Ethiopians did not benefit from the Nile as well as they should (B.E. Getahun 2014):

*The unbeaten chapter is conquered, the
hidden is uncovered. [...]*

We transformed regret into a vision.



Hydro-Politics background

- ❑ For a long time, all countries had as main concern the control of Nile's floods.
- ❑ Khedive Mohammed Ali, ruler of Egypt 1811-1849, conquered Sudan and western frontiers with Ethiopia, a steppingstone to secure control over the Nile system, necessary for the cultivation and production of cotton.
- ❑ With a view to profiting from the 'Cotton Famine', Khedive Sa'id (1854-1863), turned Egypt into a major producer of cotton.
- ❑ Khedive Ismail (1863-1879) was defeated by Emperor Johannes IV of Ethiopia in the Battle of Gundet (1875) and Gura (1876).
- ❑ 1882 Great Britain invaded Egypt.
- ❑ The Great Britain assured itself militarily and diplomatically the control of the entire basin (after Fashoda Incident, 1898). They created a pattern of water utilization which favored a single state (Egypt) at the expense of the interests of the whole basin.



Nile Treaties and Agreements

Protocol between
the UK and Italy

15 April 1891

Agreement between
the UK and
Ethiopia

15 May 1902

Treaty between the
UK and Congo

9 May 1906

Agreement between
the UK, France and
Italy

13 December 1906

Exchange of Notes
between Italy and
the UK

14-20 December 1925

Exchange of Notes
between Egypt and UK

31 May 1949, 5 Dec 1949
Jan-Mar 1950,
July 1952 - Jan 1953

Agreement between
Belgium and the
UK

22 November 1934

Supplementary
Agreement between
the UK and Egypt

1932

Exchange of Notes
between the UK and
Egypt

7 May 1929

Agreement between
Republic of the
Sudan and U.A.R.

8 November 1959

Jonglei Canal
Project Agreement

1974

Ethio-Sudanese
Agreement

23 December 1991

Ethio-Egyptian
Framework
Agreement

1 July 1993

Lake Victoria
Agreement

30 June 1994
5 August 1994

Building asymmetric control of Nile System

Protocol between the UK and Italy – Rome, 15 April 1891

art.3: The Italian Government engages to no construct on the Atbara, in view of irrigation, **any works** which might sensibly modify its flow into the Nile.

Agreement between the UK and Ethiopia – Addis Ababa, 15 May 1902 (English version)

art.3: His Majesty the Emperor Menelik II, King of Kings of Ethiopia, engages himself towards the Government of His Britannic Majesty not to construct or allow to be constructed **any work across the Blue Nile, Lake Tana, or the Sobat**, which would arrest the flow of their waters in to the Nile except in agreement with His Britannic Majesty's Government and the Government of Sudan.

Treaty between the UK and Congo – London, 9 May 1906

art. 3: The Government of the Independent State of the Congo undertake not to construct, or allow to be constructed, **any work on or near the Semliki or Isango River**, which would diminish the volume of water entering Lake Albert, except in agreement with the Soudanese Government.

Agreement between the UK, France and Italy – London, 13 December 1906

art.4: [...] France, Great Britain, and Italy shall make every effort to preserve the integrity of Ethiopia. In any case, they shall concert together, [...] in order to safeguard: a. **The interests of Great Britain and Egypt in the Nile Basin**, more especially as regards the regulation of the waters of that river and its tributaries (due consideration being paid to local interests), without prejudice to Italian interests [...].

Exchange of Notes between Italy and the UK - Rome, 14 - 20 December 1925

The Italian Government, recognizing the **prior hydraulic rights of Egypt and the Sudan** engage not to construct on the head waters of the Blue Nile and the White Nile and their tributaries and effluents **any work** which might sensibly modify their flow into the main river.

Great Britain awards Egypt as owner of the Nile

Exchange of Notes between Her Majesty's Government in the United Kingdom and the Egyptian Government on the Use of Waters of the Nile for Irrigation. Cairo, 7 May 1929.

The imbalanced agreement recognises Egypt's right to monitor upstream flows; to undertake projects without the consent of upstream states, and to veto any construction projects that would affect its interests adversely. The essence is the safeguarding of what is described as the "Egypt's natural and historical rights in the waters of the Nile and its requirements of agricultural extension", a net gain for Egypt (Crabité 1929, 146).

The 1932 Anglo-Egyptian Agreement for the Construction of the Jebel Awliya Dams in Sudan



The Agreements and the Exchanges of Notes 1949-1953 about Owen Falls in Uganda



Agreement between the Republic of the Sudan and the United Arab Republic for the full utilization of the Nile waters. Cairo, 8 November 1959.

The agreement provided a fairer division of water resource and its full, ironically, utilization from the two now independent countries, which continued to exclude others riparian Nile. This cooperative framework decided to build the AHD and Jonglei Canal, provided a level of year to year security for the availability of water. Because of this agreement the Khashm el Girba Dam and the Roseires Dam were built in Sudan.

Post-colonial system of power

- ❑ The other riparian countries denied the validity of colonial Nile agreements and treaties, but no new one was produced.
- ❑ Even in the absence of agreements covering all the countries, dams have been built for decades with country-driven projects, a distinguishing factor of the Nile Basin (Salman 2016).
- ❑ The dams' construction fits into the hydro-mission of Cold War period. The story of the AHD financing, in the end by the USSR, is its symbol. The project for a large Ethiopian dam began in the 1960s, under the aegis of the USA, in this climate of conflict.



The Aswan High Dam, Aswān, Egypt.

- ❑ President Nasser of Egypt (1956-1970) had dreams of building the unity of the Nile Valley. Sadat (1970-1981) had equally ambitious projects, such as carry water across the Suez Canal to the Sinai desert for irrigation and, if it was possible, to Israel (1975). This created strong instability, especially with Ethiopia, that in turn intended to proceed with the construction of a dam on Lake Tana.

Signs of change

In the 1980s there were events that led to a change in the *status quo* (Nicol et al. 2011, 319), built unilaterally and only recently, starting from the colonial period:

- ❑ famine of 1984/5 in Ethiopia;
- ❑ low flows of the Nile caused concern in Egypt;
- ❑ weakening of Mengistu's dictatorship, until its fall in 1991;
- ❑ the rise of Islamism in the region (for Egypt, the Muslim Brotherhood, and for both, state change in Sudan towards a more Islamist orientation and state disintegration in Somalia).

Since the 1990s WB, UNDP and other international donors, have begun to lay the foundations for formal setting for cooperation among Nile Basin riparian countries, in order to legitimate their financing in cases of transboundary water:

- ❑ Ethio-Sudanese Agreement regarding the Nile (1991);
- ❑ Ethio-Egyptian Framework Agreement (1993);
- ❑ The Nile 2002 Conference was inaugurated in Swan in 1993 and repeated every year for a decade;
- ❑ Lake Victoria Agreement (1994).



New cards, old game

Behind Nile cooperation, national logics and interests continued to prevail over a regional vision, aimed at maximizing hydropower and reducing water losses in the river and basin:

- ❑ there have been projects financed by bilateral agreements or domestic resources;
- ❑ the case of the Toshka project in Egypt;
- ❑ the event of 2011;
- ❑ about GERD, “the escalation of political rhetoric [...] casts shadow on the progress of dialogue and negotiations while creating grounds for potential conflict (Abtew et al. 2019, 142)”.

What to learn from History

“The truth though must be told forcefully, that it is time for Egyptians to let go of the wrong belief ‘that their country will have the right forever, *ad vitam aeternam*, to all of the water carried by the Nile, as at the time of the Pharaohs” (Mekonnen 2010, 440).

“Upper-riparian states must not give in to the temptation of payback and “resort to a version of the ancient Harmon Doctrine” (Okidi 2014, 178).

“In the past Ethiopian politicians presented the GERD as an African project, benefiting the entire region. Nowadays the nationalistic pride trumps all alternative narratives, as exemplified by the hashtag #ItsMyDam that went viral on social media [...]” (Fantini 2020).

“Nothing is sadder than seeing history repeat itself” (Todorov 1992, 298).

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