

## **A Look into the Historical Depths of the Nile Waters: What to Learn from History**

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### **Abstract**

The paper aims to investigate historically the relationships of power that have determined the management of the Nile waters. First, it is about placing the position of Egypt as “a gift of the Nile” and of Ethiopia as “great unknown”, in the dynamics that there are usually between upstream and downstream riparian countries where the hydrologically weaker state is the stronger state. Secondly, it is intended to stress that, even before we could technically talk about water right claims, it was thought to control floods along the Nile. Thirdly, with the colonial regime, the river ceased to be the prerogative of the countries of its basin and became a matter of transboundary water that had to be regulated and bent to the will of colonial powers. In this space it is intended to restore centrality to the all agreements signed between 1891 and 1993, questioning the official sources. On the one hand, we analyze how colonial-age agreements are a colonially imposed legal regime, so not valid; and on the other hand, as well as in the post-colonial age, none of the treaties signed involved all the riparian countries. In this, the river Nile differs from other cases of transboundary water, but it did not prevent its waters from being the scene of a scramble. On the contrary, this has happened and continues to happen for more than a century with the construction and planning of dams, which are unilateral projects, and not opportunities to be seized at basin level. Of which GERD is only the last and most fiery act. The asymmetric control of the Nile system by downstream countries, which ignored upstream riparian's rights, could not last forever. Indeed, it had to be redefined in favour of equitably sharing and utilising. The need for a rethinking of the status quo had already become necessary with the dramatic events of the 1980s, the famine in Ethiopia and the an exceptional low flows on the Nile in Egypt, providing for the involvement of upstream countries, putting aside the slogans on sovereignty over waters to a more comprehensive development dialogue, with the help of aid agencies and donors. But despite considerable progress, such as the establishment of the NBI, and the rectification of the UNWC, there is now a vacuum: there are no treaties that are being treated in practice as valid by all riparian countries. Finally, this paper seeks to shed light on the fact that the colonial treaties, although not legally binding, continue to affect the present. This is not only because they are invoked by Egypt's nationalist policies and press as natural and historical rights, but because all the actors in the field are still moving in a logic of

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power relations, old and new. The effects of climate change and population growth make it urgently necessary to find solutions not only to resolve hic et nunc the GERD impasse between the three countries, but specially to build regional cooperation between all the countries of the Nile basin.

**Keywords:** History of Nile water, Transboundary waters and power, Nile River, Colonial Nile water treaties, Regional cooperation in Nile basin, GERD, NBI