

‘Tired of Begging’: Developments in the Nile Dam Dispute

Abdinor Hassan Dahir



Egypt, Sudan and Ethiopia must reach an understanding on how fast Ethiopia will fill the dam's reservoir before it begins operation. An agreement on the GERD will be transformative not only for Egypt, Ethiopia and Sudan but also for the region as a whole. Ethiopia would reap significant development benefits; Egypt would be compelled to improve the management of its water supply; while Sudan is expected to receive cheap electricity from the GERD and benefit from dam-induced flood mitigation.

Introduction

The Grand Ethiopian Renaissance Dam (GERD), which Ethiopia began its construction of nearly a decade ago, has recently become a bone of contention between Egypt, Sudan and Ethiopia. The \$5 billion GERD, which is Africa's biggest hydroelectric power plant, is expected to provide much-needed electricity to Ethiopia's 100 million-plus people. As the world's longest river, the Nile passes through 11 African countries on its 4,000 mile journey from the equatorial rivers that feed Lake Victoria in Uganda to its final destination in the Mediterranean Sea. The river, 85 per cent of which comes from the Blue Nile, which has its headwaters in Ethiopia, provides approximately 90 per cent of Egypt's water supply. Egypt fears that filling the reservoir behind the dam too quickly could significantly affect the downstream flow and could deprive its people of life-giving water. For that reason, Cairo has sought a legally binding agreement that regulates the filling process and drought mitigation mechanisms.

Tensions are particularly high now given that the GERD is more than 70 per cent complete and Ethiopia seems intent on maintaining its pledge to begin filling the dam. On June 10, Ethiopian Prime Minister Abiy Ahmed [told](#) the parliament that his country is "tired of begging" to develop and use the country's water resources. Two days later, a high-ranking Ethiopian general issued a [warning](#) to Egypt over the Nile River dam dispute saying that Ethiopia would "defend itself by force and will not negotiate over its right to

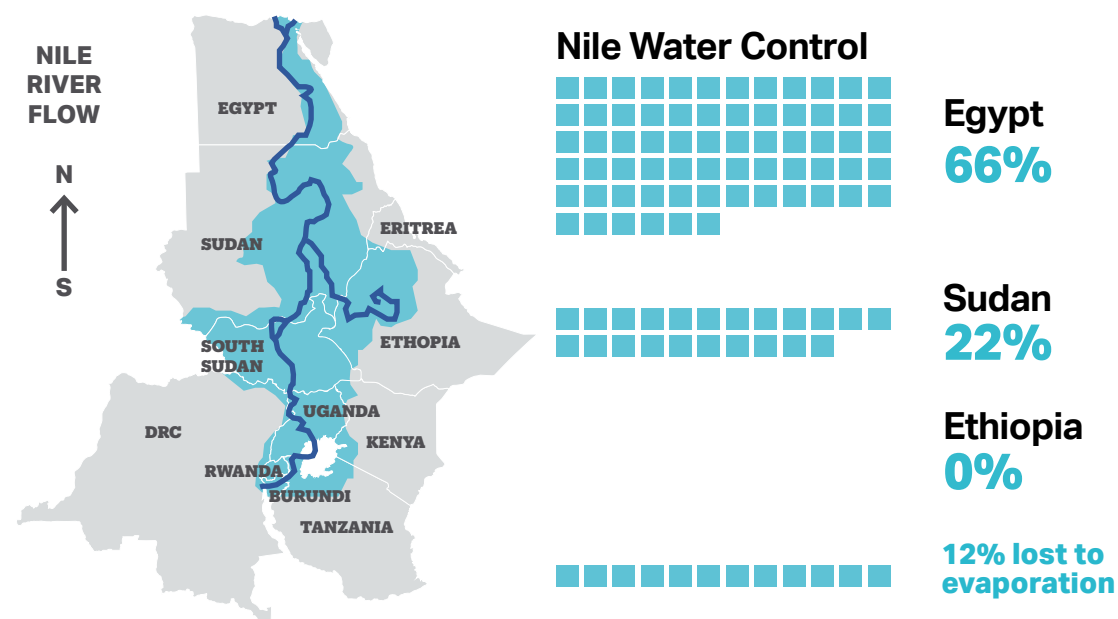
the Renaissance Dam... Egyptians and the rest of the world know too well how we conduct war whenever it comes."

Caught between competing interests of its neighbours, Sudan has pushed the two sides to resume talks on the first-stage of filling and the annual operation of the dam. Khartoum [reportedly](#) asked the United Nations Security Council (UNSC) to prevent Egypt and Ethiopia taking any unilateral measures that might negatively affect regional and international peace and security. Sudan, which has historically opposed Ethiopian attempts to build dams on the Nile, is reportedly supporting the GERD. Khartoum is reportedly angling for increased benefits from the Ethiopian project because of its potential of regulating the annual Nile floods and the prospects of the provision of cheap electricity, which Sudan plans to draw on rather than producing domestically.

Centre to the GERD dispute are [previous arrangements](#) on the utilisation of the Nile river. In 1929, Egypt and Great Britain concluded an agreement that allocated 48 billion cubic metre (bcm) of water to Egypt and 4 bcm to Sudan out of an estimated average annual yield of 84 bcm. The arrangement also provided Cairo veto power to block any construction of projects on the Nile. In 1959, following Sudan's independence, Cairo and Khartoum struck a deal that provided 55.5 bcm to Egypt and 18.5 bcm to Sudan. The problem is that Ethiopia has not been party to these talks and argues that it is not bound by these bilateral agreements.

Who owns the Nile?

Colonial-era treaties, brokered by Britain, formed the basis of subsequent agreements on the division of the Nile's waters. Egypt was also given veto power over dams in some upstream countries. Ethiopia was not consulted.



Source: TRT World Research Centre

The collapse of US-brokered negotiations

Tensions between Egypt, Ethiopia and Sudan have increased following the collapse of US-mediated talks in March 2020. In November last year, US President Donald Trump hosted the Foreign Ministers of Sudan, Egypt and Ethiopia to help the three African countries solve their dispute regarding the Nile dam. The American intervention, which came after Egyptian President Abdel Fattah al-Sisi called on the U.S. President to help broker an agreement, rekindled hopes for breaking the deadlock in the long-running stalemate. Following the meeting, Trump [tweeted](#) "just had a meeting with top representatives from Egypt, Ethiopia, and Sudan to help solve their long-running dispute on the Grand Ethiopian Renaissance Dam, one of the largest in the world, currently being built. The meeting went well and discussions will continue during the day!" Trump's motivation for his intervention was unclear although he [said](#) that he deserved a Nobel Peace Prize for his convening role in the Nile crisis.

In December 2019, the Egyptian, Sudanese and Ethiopian Irrigation Ministers and officials from the US and the World Bank met in Cairo for a new round of talks aimed at resolving the conflict. In January 2020, two technical meetings took place in Khartoum and Addis Ababa intending to finalise a deal. These US-led talks have produced some progress. The three countries have agreed for the first time that the filling of the dam will be implemented in stages in order to minimise the potential impact of the filling on downstream countries. Accordingly, the initial filling stage was agreed to be during wet seasons, which could provide for the rapid achievement of a level of 595 meters above sea level and the early generation of electricity, while providing appropriate mitigation measures for Egypt and Sudan in case of severe drought. In late February 2020, following two days of meetings with the Egyptian and Sudanese Ministers of Foreign Affairs and the Ministers of Water Resources, the US Treasury [announced](#) that it had facilitated the preparation of a deal between the three parties on the filling and operation of the GERD. Noting that the deal "addresses all issues in a balanced and equitable manner, taking into account the interests of the three countries", the US statement warned that "final testing and filling should not take place without an agreement" and called on Ethiopia to sign the agreement as soon as possible.

However, just a few days after, Ethiopia said that it needed more time for consultation and to study the draft agreement. Ethiopia hit back by terming the US statement as "[unacceptable and highly partisan](#)." Furthermore, it [announced](#) that "as the owner of the GERD [it] will commence filling ... in parallel with the construction of the dam, in accordance with the principles of equitable and reasonable utilisation and the causing of no significant harm." In Ethiopia, there were fears that the country's gov-

ernment had been pressured by the Trump Administration to sign the deal, which many Ethiopians argued was in favour of Egypt. One of the arguments has been that Washington has used the Treasury Department to handle the mediations instead of the State Department, which has the appropriate expertise for this type of diplomatic negotiations because the Treasury Department serves as the [U.S. governor](#) to the International Monetary Fund, which, together with the World Bank, has significantly aided Ethiopian Prime Minister Abiy Ahmed's [reform agenda](#). In this regard, the deployment of the Treasury Department to coordinate the talks could be interpreted as pressuring the Ethiopian government by prompting the financial costs of recalcitrance.

One Ethiopian argument regarding the US decision has been that Trump is rewarding Egyptian President Abdel Fattah al-Sisi for his support of Trump's Middle East plan, also known as the Deal of the Century, which the majority Arab and Muslim nations have rejected. Although there is no evidence to back this claim, a behind the scenes deal should not be discounted given Trump's close relationship with the Egyptian strongman. Even after Ethiopia backed out, Trump reportedly [telephoned al-Sisi](#), promising that his administration would maintain its brokering efforts. Other Ethiopian analysts have interpreted the US stance on the GERD dispute as reflecting a [geostrategic calculation](#). In this regard, Egypt is the most important Nile riparian ally of the US and Israel. Although Ethiopia is also considered as a strategic ally in US foreign and security policies, Addis Ababa carries much less weight than Cairo when it comes to strategic US interests. This comes along with the feeling that Trump is known for backing one party even if all are traditional US allies as in the case of the 2017 Qatar-GCC dispute. In the eyes of many Ethiopians who feel strongly about the GERD project, all these seem to substantiate the long-held concern that Washington has been a partisan broker.

Previous attempts to find a settlement have also failed to materialise a comprehensive agreement on the dam. In 2015, for instance, Sudan, Ethiopia, and Egypt agreed to a '[declaration of principles](#)' document that urged all parties to "cooperate based on common understanding, mutual benefit and good faith" in the utilisation of the Blue Nile, and to take measures that discourage significant harm to other riparian, specifically downstream, countries. However, a major obstacle to reaching a viable solution to the dam issue relates to a failure to reach a consensus regarding the technical details on the filling and operation of the dam. In 2015, in another attempt to break the deadlock, the three countries commissioned a French firm and a Dutch company to undertake a full assessment of the dam's potential impact. The Dutch firm, nominated by Egypt, withdrew while the French firm produced a preliminary report mapping the conditions for further assessment of the project. Still, the parties could not agree on the next step.

In late 2017, Ethiopia rejected an Egyptian offer asking the World Bank to take the lead in conducting an independent study on the matter. A third attempt was made in mid-2018 when the foreign ministries and intelligence heads of the three countries met in Addis Ababa and agreed to assemble a joint panel of experts to undertake the necessary impact assessment study. Despite initial enthusiasm, little progress has been made primarily since the agreement allowed every country to use its own experts and produce non-binding reports.

New round of talks

Hopes for breaking the deadlock are currently being rekindled. Talks between the Ethiopian, Egyptian and Sudanese water and irrigation ministers restarted in the second week of June 2020. This time, however, the talks have multiple observers that include the European Union, the US and the African Union. In January 2020, the Ethiopian Prime Minister asked Cyril Ramaphosa, the South African President and the current chair of the African Union, to help resolve the dam dispute.

The new round of talks has reportedly focused on technical matters of the dam's operation and the filling of its massive reservoir during rainy seasons and droughts. Although there have been [reports](#) that the parties have reached an understanding, there has not yet been an agreement on the first-stage filling and annual operation of the dam. During an online summit held on June 26, the heads of the three countries gave themselves [two to three weeks](#) to iron out all the outstanding matters standing in the way of a final agreement. On June 30, the UNSC discussed the GERD dispute and called for continued dialogue. Although reaching a comprehensive deal is understandably difficult, these new trilateral talks are yet another opportunity for the parties to overcome differences and create a conducive political atmosphere to achieve the necessary technical compromises.

Politically, the new trilateral talks provide an excellent opportunity for Ethiopia, Sudan, and Egypt to acknowledge each other's concerns and advance their national interests through cooperation. Such understanding would pave the way for shared benefits of the dam, which [stands](#) to be "transformational for the region, leading to significant transboundary cooperation, regional development and economic integration, and improvement in the lives of the more than 250 million people of Egypt, Ethiopia, and Sudan." In such a scenario, Ethiopia would receive development benefits from both the project and the international partners that support the peaceful settlement of the dispute. Egypt would be able to improve the management of its water supply for its growing population. If anything, the most important lesson that Egypt could learn from the GERD dispute is the need for diversification in its water supply and management system, such as improving and

using water desalination technology instead of relying almost exclusively on the Nile for survival. The massive GERD project is also set to provide cheap electricity to neighbouring Sudan. Khartoum will be reportedly better off by taking advantage of the cheap electricity from the Ethiopian dam instead of producing it domestically. The dam would also regulate the annual Nile floods, benefiting Sudanese farmers and improving annual harvests annually with greater crop yields.

On the technical front, the talks could result in a new spirit that could lead the government in Addis Ababa to table proposals for cooperative annual drought management plans that takes into account Egyptian and Sudanese fears while ensuring such a plan does not inhibit the operation of the GERD dam. Technically, this is the most significant part of the issue so far. Additionally, Ethiopian authorities are required to reassure Sudan over dam project safety concerns. Khartoum is reportedly worried that any malfunction of the dam's systems, which is about 40 km west of the border with Ethiopia, could result in massive floods that would significantly damage Sudanese farmland and destroy towns along the flood path.

On dispute resolution mechanisms, a peaceful settlement of the dispute would offer GERD as an example for arbitrating similar disputes, not only in Africa but also internationally. For instance, upstream dams on the Mekong River, particularly those in China, have become one of the key triggers for [water conflicts](#) between Beijing and other Mekong basin states, including Myanmar, Thailand, Laos, Cambodia and Vietnam. Another case relates to the [Himalayan-originating](#) Indus River system that has been a source of clashes between Pakistan and India for years. In the Middle East, Turkey, Iraq and Syria have long disputed rights to the Tigris and Euphrates Rivers.

What lies ahead?

The outlook remains cautiously optimistic. As mentioned, there are potential reasons to be hopeful that an agreement can be reached. However, one major sticking point is that Egypt continues to demand binding international arbitration while Ethiopia prefers direct negotiations. In this regard, Egypt has accused Ethiopia of avoiding genuine negotiation and seeking to buy time so that it can move ahead with filling the dam without a binding agreement. To protect its reservoir at Aswan, Cairo seeks to strike a deal that binds Addis Ababa to release a predetermined amount of the river's annual flow and ensures a viable mechanism for overseeing Ethiopia's compliance to the agreement.

Ethiopia, on the other hand, wants to avoid a fixed commitment for a water quota that extends beyond the GERD's filling period and demands a flexible agreement that includes a provision for periodic reviews. Behind the facade

of legal wrangling, the scope for a future Nile project is at stake. Ethiopia wants to avoid an agreement that restricts its capacity to harness its massive hydropower potential of approximately 45,000 megawatts while Egypt wants exactly such a restriction. This remains by far the biggest obstacle for a comprehensive settlement.

If the latest round of talks fail and Ethiopia begins filling the dam by July 2020 without an agreement, the situation could rapidly deteriorate. In such a scenario, Egypt is likely to pass the issue on to the UNSC, asking the UN-body to stop Ethiopia from filling the mega-dam on the Nile. The Council, whose decisions are binding would likely call for a new round of negotiations and may force the three parties to reach an agreement. Ethiopia [opposes](#) any UNSC intervention. In accordance with [Article 33](#) of the UN Charter, which dictates that disputes should first be handled at the regional level, the Ethiopian government argues the matter should be discussed at the African Union. Although Egypt recently agreed to the African Union mediation, Cairo fears that the body lacks the necessary technical background to resolve the dispute as well as mechanisms to enforce its decisions.

The worst-case scenario is a direct military confrontation between the countries that could destabilise the Horn of Africa and the Red Sea regions. In such a scenario, Egypt is likely to launch airstrikes against the GERD or launch a ground operation from neighbouring countries. Reports have mentioned that Egypt has [purchased](#) Su-35 Russian fighter jets with the hope of deterring the completion and the filling of the dam while Ethiopia has reportedly deployed [anti-aircraft missiles](#) around the GERD project.

For many years, Egypt has used [military threats](#) against Ethiopia over the dam. There have been unconfirmed rumours that Eritrea, a former Ethiopian foe turned ally, has [provided a base](#) for the Egyptian navy and army that could be used in case of an armed conflict with Ethiopia. There has also been talk that the Egyptian army has maintained a presence in regions in Sudan that are closer to the dam area along the border. Most recently, [reports indicated](#) that South Sudan provided a military outpost to Egypt for a possible attack on the GERD project. To add fuel to the fire, the Sudanese and Ethiopian militaries have recently [clashed](#) in the Sudanese Gadaref state that borders the dam project region. Some reports even suggested that Egypt might have a [hand in the escalation](#) as a tactic to have Sudan on its side. Egypt maintains [good ties](#) with the Sudanese military officers that lead the ruling Sovereignty Council of Sudan and is reportedly behind moves to [remove](#) the Sudanese Prime Minister Abdalla Hamdok whom Cairo believes is aligned with the Ethiopian dam project. All these signal the extent of the danger of regional conflict between Ethiopia and Egypt, Africa's second and third most populous countries respectively.

Conclusion

The construction of the \$5 billion GERD on the Blue Nile has been, and remains, a contentious point between the three main Nile Basin countries. With a growing but otherwise resource-poor economy, Ethiopia is seeking to develop its vast potential for hydroelectricity generation in the Nile basin in order to become a regional hub for electric power exports. Egypt fears that the project will reduce its share of water while Sudan maintains concerns over dam safety.

Twists and turns on the GERD crisis and dam negotiations continue to occur, particularly after the US-led talks collapsed in March this year and as Ethiopia seems intent on maintaining its pledge to start filling the dam as soon as possible. In early June, new tripartite talks commenced with the European Union, the US and South Africa as observers. Later the leaders of the three nations agreed to an African Union-led mediation process. Egypt continues to push for a binding international agreement that guarantees the release a fixed amount of water, along with a viable monitoring mechanism to ensure Ethiopia's compliance. Ethiopia does not want restrictions and, therefore, prefers direct bilateral negotiations. Despite the obstacles that remain, if an agreement on the GERD is reached it will be transformative not only for Egypt, Ethiopia and Sudan but also for the region as a whole. Ethiopia would reap significant development benefits; Egypt would be compelled to improve the management of its water supply; while Sudan is expected to receive cheap electricity from the GERD and dam-induced flood mitigation.

If negotiations fail to resolve the problem, Egypt could take the issue to the UNSC, which may force Ethiopia's hand with regards to an agreement. If Ethiopia starts filling the dam reservoir without an agreement by July as it has previously stated, it could trigger a military confrontation with Egypt. A conflict will be a hugely destabilising factor for the already unstable Horn of Africa, and by extension, the entire Red Sea region. To avert such a devastating scenario, Ethiopia, Egypt and Sudan must reach an understanding on how fast Addis Ababa will fill the dam's reservoir before it begins operation. The three countries must eventually come to a comprehensive agreement on sharing access to the vast water resources of the Nile with the rest of the Nile basin states. Ethiopia should not take any unilateral action to fill the dam's reservoirs without such an understanding in place. In order to avoid escalation, Addis Ababa should abide by the 2015 Declaration of Principles agreement that stipulated an "equitable and reasonable" utilisation of the Nile that will not cause "significant harm" to other riparian countries. Equally important is sustained international technical, financial and mediation support for the three countries to peacefully settle the dispute.