

The Nile Basin Cooperative Framework: The Case of Ethiopia

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Abstract

The study focuses on the Nile Basin cooperative framework of the Ethiopia. Nile Basin countries are Burundi, Kenya, Rwanda, Tanzania, Uganda, Ethiopia, Eritrea, Egypt, North and newly independent South Sudan. The riparian countries of the region can be known into upstream and downstream countries. Upstream groups are Burundi, the Democratic Republic of Congo, Eritrea, Ethiopia, Kenya, Rwanda, Tanzania and Uganda. The three downstream countries consist of Egypt, North Sudan and newly independent South Sudan. The downstream states especially Egypt used colonial agreements as instrument to utilize more water from Nile River. The use of colonial agreements and relatively weak positions of Ethiopia in the upstream was one of the obstacles to look optimistic at the possibilities for cooperation and smooth relationships of the Nile Basin countries. After collapse of colonialism, the positive interest of Ethiopia and the establishment of Nile Basin Initiative brought cooperative framework among the Nile Basin countries.

Key Words: Cooperative Framework, Nile Basin Initiative, Riparian states

1. Historical Background

In Africa, there are many river basins and some of them are trans boundary. One of the trans boundary river basins that extended over the territories of several countries is the Nile River Basin (Wondwosen, 2009:129). The Nile Basin is the third largest international river system in the world that flows south-north to the equatorial lake region towards the Mediterranean Sea following those of the Congo and Amazon (Elias, 2009:6). Basin is currently composed of eleven states such as Burundi, Kenya, Rwanda, Tanzania, Uganda, Ethiopia, Eritrea, Egypt, Democratic Republic of Congo, Sudan and newly independent South Sudan (Fransco and CailinE, 2011:2). This region also consists two main tributaries namely White Nile and Blue Nile which originated from Lake Victoria (Kenya, Uganda and Tanzania) and Lake Tana (Ethiopia) respectively. Those two main sources met at Khartoum to form the main Nile which continues on to Egypt (Yaekob, 2011:2). The riparian countries that included under this region can be identified by dividing into upstream and downstream countries. The downstream countries are Burundi, Kenya, Rwanda, Tanzania, Uganda, Ethiopia, Eritrea and Democratic Republic of Congo. The three downstream countries include Egypt, Sudan and newly independent South Sudan (Anja Martens, 2011:1).

In most international River Basin, upstream country able to control the movement of water because they have the superior geographical location but the case among the Nile riparian is different. Historically, the Nile water was controlled by downstream nations. Egypt among downstream countries dominated the hydro-politics of the Nile Basin (*Ibid*: 2). This created tension between upstream and downstream states in the Nile Basin (Farah F., 2011:3). Tensions over the control of Nile water are longstanding obstacles to promote development in the region (Mohammed, 2006:13). Basin wide cooperation among the Nile river basin was weak until 1960's because the legal document governing the allocation of Nile water is a remnant of the colonial era and favor of downstream states (Diana, 2000:38). But, Basin wide cooperation had begun by the Nile Basin Initiative (Abdel: 3).

Nile Basin Initiative is now encouraging to see the basin countries cooperating to utilize the water of the Nile for mutual benefits. In this regard, Ethiopia is willing to enter in to agreement for the joint utilization of the waters of the Nile (Kinfe, 2004:360). The positive willingness of Ethiopia for utilization of the Nile and establishment of the Nile Basin Initiative enhanced the regional cooperation and build mutually beneficial relationship among the riparian nations of the Nile Basin (Yacob, 2007:31).

2. Methodology

This article has employed based on secondary sources, where the secondary documents and publications focusing on the issue. The secondary sources are collected from periodicals, document analysis, Thesis dissertations, internet sources and other reports. Data collected through this method would be carefully examined, cross-checked, interpreted and analyzed to give meaningful justifications for the study.

3. Results and Discussions

3.1. Ethiopian Plan on the Nile and Challenges

The political context in the Nile Basin is conditioned by the regions colonial history and the strategic concerns of its colonial powers. Control over and the competition among colonial powers in order to control source of Nile were central colonial pre-occupations pursued either through efforts to gain direct control over key areas or through treaties designed to establish legal control over the Nile (Ayman F., 2011:4). In the colonial era, there was no space for the Nile Basin states to act bilaterally or multilaterally as regards their shared water or any other inter-state concerns. Britain imperial time was more interested in political dominance than in promoting interstate cooperation (Yacob, 1997:89).

Ethiopia, on the other hand, as the only independent nation in the region was more concerned in developing cooperative frame work with the riparian states.

However, the power asymmetry between the colonial power in the downstream and relatively weak positions of Ethiopia in the upstream was one of the obstacles to reaching any “upstream-downstream” cooperation during the colonial period. This was forced to sign many agreements in the colonial period that have ignored the interest and the right of upstream country, Ethiopia. Those agreements were the agreement that signed between Britain representing Sudan and Egypt in 129 and the agreement between Egypt and Sudan in 1959 (*Ibid*: 148).

The 1929 agreement stated that Egypt would take all the waters of the Nile except the 4 billion cubic meter to be retained in Sudan, Egypt would supervise all water-related activities in the entire basin from source to mouth and Britain recognized the “historical” and “natural” rights of Egypt with respect to the waters of the Nile (Yacob, 2007:99). Another agreement that concluded regarding on the Nile Basin was the full utilization of the Nile water between Egypt and Sudan in the 1959. This agreement was the most comprehensive and only bilateral treaty between two states. The rest of the riparian states were excluded from the negotiations and their interests were not taken into account. The treaty support Egypt would not lose any volume of water and affecting the Blue Nile are primarily intended to prevent the obstruction of the Nile in the Ethiopian highlands in order to protect the flow to Egypt (Abadir M., 2011:296-97). Egypt and Sudan continuous and exclusive negotiations deliberately ignored Ethiopia as well as the interests of the other upstream riparian’s (Elias, 2009:25). The 1959 agreement also concluded as the zero water use over the upstream riparian’s (Dereje, 2010:435). This agreement established by the Britain and Egypt where Egypt recognized Sudan’s right to utilize an increased quantity of Nile waters. In turn, Britain acknowledged the natural and historical rights of Egypt in the waters of the Nile to regard safe guarding of the same as a fundamental principle of British policy. Therefore, all colonial agreements were exclude the upstream state Ethiopia in order to achieve their policy (The Preceding, 2010:43).

3.2. Ethiopian interest on the Nile in Relation to the Riparian State

Like that of colonial era, Ethiopia advised the inclusive development of the Nile as an international river through a joint Nile valley authority in which all riparian states would participate in the 1950’s (Wondimenh, 1979:26). But, the agreements signed between independent states in the Nile Basin were the agreement on full utilization of the Nile waters, which was concluded between Egypt and Sudan on November 1959. Egypt and Sudan neither informed nor invited the upstream Ethiopia while they negotiated and signed this agreement on the “full utilization” of the Nile waters (Yacob, 2007:99). It completely ignored Ethiopia’s needs and created a competitive atmosphere. This agreement was an obstacle to establishing a legal agreement between Ethiopia and downstream states (Farah F., 2011:20). Ethiopia protested

against her exclusion from the negotiation process of Nile water agreement. After criticizing the downstream negotiations, the Ethiopian government outlined its reaction and its own national's strategy for water development and conditions in future cooperation with downstream nations (Yacob, 2007:100).

Another agreement that signed after the end of colonial period was framework for general cooperation between Egypt and Ethiopia on 1 July 1993. It was the first bilateral framework for cooperation signed between them regarding the Nile issues. It done with respect to utilization of water of the Nile would be based on the rules and principles of international law referred as the guide line for negotiations in the document itself (Mohammed, 2004:50). International principles and laws that govern the use of international rivers have developed quite recently with the primary concern of the problems that are related to navigation (Fasil.2008:33). Two aspects of international law concerning international river basins will be discussed. The two were the convention on the law of the Non-navigation use of international water courses and the draft of the Nile River Basin cooperative framework. In the Nile Basin, only Kenya and Sudan were in favors on the law of the Non-navigators where there is no more than heralding of a new era of improved relation between the upper and lower stream states with regard to Nile River Basin cooperative framework(Simon A., 2004:192).In general, all of the agreements signed regarding about the water of the Nile are limited scope in their application and concluded mainly to secure and safeguarding the interest of the lower riparian states rather than the upper stream Ethiopia as source of Nile(Mohammed,2004:51).

3.3. Objectives of the Nile Basin Cooperative framework and Ethiopian Ambition

Cooperative framework agreement is a framework agreement aimed to govern the relations of Nile basin countries. It was officially opened for signature on the 14th of May 2010 at Entebbe Uganda. Four riparian states: Ethiopia, Rwanda, Tanzania and Uganda signed the agreement on this very first day. Kenya and Burundi have joined later. South Sudan and The Democratic Republic of Congo are expected to follow suit. Egypt and Sudan have continued to negotiate over the agreement, although neither has rejected the principles of the agreement. It has given right to all the basin states to use the water of the Nile (Yeshihareg, 2014:47). The objectives of cooperative framework were strengthen and promote cooperation, integrated management, sustainable development, harmonious utilization, conservation and protection of the Nile River. It also provide for the establishment of a permanent Nile River Basin Commission through which member countries will act together to manage and develop the resources of the Nile and introduced by the upper riparian states as an international legal instrument(*Ibid*:46).

The cooperative framework agreement would incorporate the principles, structures and institutions of the Nile Basin Initiative that would be inclusive of all the Nile riparian's (Salamn M., 2013:21). Nile Basin Initiative is intended to promote sustainable socio-economic development through equitable utilization of and benefit from the common Nile Basin water resources (Elias, 2009:112). The positive ambition of Ethiopia and the creation of Nile Basin Initiative helped to change the Nile riparian states from confrontation into cooperation. This was accelerated addressing the scope of their common problem along the Nile rivers, the riparian's have taken steps to establish cooperation among themselves (CaesalA.,2003:11). The Nile Basin Initiative is a cooperative and trust building arrangement among the Nile Basin countries. It seeks to develop the river in cooperative manner to realize its maximum potential, share substantial socio-economic benefits and promote regional peace and security (Sreya, 2009: 3).

Nile basin Initiative objectively aimed to develop the Nile basin water resource in sustainable and equitable way to ensure prosperity, security and peace for all its peoples, to ensure efficient water management and the optimal use of the resources, to ensure cooperation and joint action between the riparian countries, to target poverty eradication and promote economic integration and to ensure that the program results in a move from planning to action (BiongKuol, 2007:56).

Current and future challenges by correcting past mistakes, charting new courses would enable the riparian of the Nile Basin to be full participants in the use and development of their common water resources through the effort of Nile Basin Initiative (Simon A.,2005:56). This section is review of these important developments which paved the way for mutual benefit and practical cooperation of the upper stream and downstream countries. The Nile Basin Countries have entered in to new chapter and will tackle challenges for the future to improve the standard of living for their people through collaboration rather than confrontation. This forced the eleven Nile Basin countries in launching the international temporary for cooperation on national and regional actions needed to address the trans boundary priorities (Juha and Alfred, 2002:375).

4. Conclusion

The Nile Basin is the third largest international river system in the world that flows south-north to the equatorial lake region towards the Mediterranean Sea following those of the Congo and Amazon. Burundi, Kenya, Rwanda, Tanzania, Uganda, Ethiopia, Eritrea, Egypt, Democratic Republic of Congo, Sudan and newly independent South Sudan are members of the Basin. White Nile and Blue Nile which originated from Lake Victoria (Kenya, Uganda and Tanzania) and Lake Tana (Ethiopia) respectively are the two main tributaries in the region. The upstream and downstream countries are the riparian states of this region. The upstream

countries are Burundi, Kenya, Rwanda, Tanzania, Uganda, Ethiopia, Eritrea and Democratic Republic of Congo. Egypt, Sudan and newly independent South Sudan are the three downstream countries in the Basin. Egypt among downstream countries dominated the hydro-politics of the Nile Basin.

The colonial agreements that gave opportunities to utilize more water the downstream countries and relatively weak positions of Ethiopia in the upstream was one of the hindrances to reaching any cooperation between downstream and upstream countries during the colonial period. After a long tension, the cooperative framework of the Nile Basin countries was established because of the positive interest of Ethiopia and the formation of the Nile Basin Initiative. This helped to change the Nile riparian states from confrontation into cooperation since 1999.

Conflict interests

The author has not declared any conflict of interests.

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