

## Co-operative management of Africa's water resources:

a basis for resolving conflicts on the  
Nile River Basin

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Arguably, the most fundamental problem with persistent resource conflicts in Africa is the absence or lack of appropriate governance measures to manage resource exploitation. For example, the continent is endowed with precious minerals, gas, oil, marine resources, and forestry, over which wars have been fought. This perverse situation is probably due to the fact that Africa has yet to develop common policy positions, and corresponding mechanisms or instruments, to regulate resource management and utilisation in the interest of affected countries and the continent as a whole. However, drawing lessons from the Middle East and its efforts towards good transnational water governance, some parts of Africa have adopted co-operative institutional arrangements to ensure that there is not just resource-sharing, but also benefit-sharing and peace through interstate co-operation.

The changing geopolitical environment that has fanned the winds of change in governance on the African continent from the 1990s seems to have spawned co-operative governance over volatile transnational water resources, too. In response to the danger of the potential conflict over water, the states on the Okavango basin established the permanent Okavango River Basin Water Commission (OKACOM) in 1994. Similarly, the states on the Nile basin established in 1999 a ministerial co-operation mechanism, namely the Nile Basin Initiative (NBI). But, unlike OKACOM, the NBI seeks to manage a complex river system fraught with conflictual hydropolitics. Egypt is perceived as a hegemon by the other states involved, and situation has a real potential to plunge a tenth of the African continent into internecine conflict. This policy brief seeks to unpack the existing tensions over the Nile River resources, and assess the opportunities for co-operative arrangements for managing them in order to mitigate potential conflicts over the Nile.

*Global Insight* is aimed at providing members of the policy community with concise but trenchant analyses of topical issues. Comments and suggestions are invited.

### What is the nature of the Nile conflict?

History shows that water has often provided a justification for going to war. It has been an object of military conquest, and a source of political and economic strength. Major water basins in Africa are shared by a number of countries, and have a potential to spark interstate conflict. From its remote source in the headwaters of the Luvironza

River in Central Africa, to the Mediterranean, the Nile measures 6 690 kilometres, and is the longest river in the world. Its basin covers approximately one-tenth of Africa, and has a catchment area of over 3 million square kilometres. The Nile waters Burundi, Rwanda, the Democratic Republic of Congo (DRC), Tanzania, Kenya, Uganda, Sudan, Ethiopia and Eritrea, as well as Egypt (see map). It has two major sources: 80 per cent of the water originates from the Ethiopian highlands through the Blue Nile and the Atbara River; and the rest comes from the White Nile, which rises from Burundi.

The paradox of the Nile is that the headwater areas contribute the bulk of the water, but it is the arid downstream areas of Sudan and Egypt that consume most of it. In contrast to upstream countries, Egypt has virtually no other source of fresh water and, since 98 per cent of its population lives in the Nile valley, the river is the country's source of life. In addition, Egypt's use of the Nile's waters involves a lot of wastage through outdated irrigation systems, and domestic and industrial misuse. At any rate, there has to be a resolution to the question of balance between who has the historic right to the Nile's waters, and issues of sovereign water rights, especially as regards where the river ought to be controlled – upstream or downstream. This contentious situation will need the intervention of the African Union (AU) to resolve.

In ancient mythology, Egyptians regarded the Nile as a demigod, to be defended by arms if necessary. To that end, the queen of Sheba's armies tried several times to conquer the Sudan to guarantee Egypt long-term control over the Nile. To date, Egypt has been willing to take up arms more than once to secure its acquired rights to the gigantic water course which has been the basis of its development and prosperity, from the building of the first reservoir around 4 000 BC, to that of the largest man-made lake, Lake Nasser, in the 1970s.

Egypt's present rights and inequitable control over the Nile basin were imposed by colonial agreements. In the quest for a basin-wide development, the British reached an understanding with Egypt on behalf of its colonies – Uganda, Tanganyika, and Kenya – that culminated in the signing of the Nile Water Agreement in 1929. The British concessions legalised Egyptian hegemony over the Nile waters by giving it veto rights over water projects upstream, and a yearly allocation of 48 billion cubic metres, with Sudan's allocation at 4 billion cubic meters. The allocations increased to 55 billion and 18 billion

cubic meters respectively, with the conclusion of a 1959 agreement between Egypt and Sudan. These agreements effectively divided the average flow of Nile water between the two states in complete disregard of the rights of the other riparian states, even though Ethiopia, which was independent at the time, has the largest source of Nile waters. Egypt considers any challenge to the agreements as a threat to its existence that it is willing to defend by *all* means at its disposal.

Egypt's hard-line line stance and intransigence can be attributed not only to the fact that the Nile provides a source of its survival, but also to the fact that Cairo has the support of the United States as Washington's key ally in the Middle East and North Africa. As a result, other Nile states have resented Egypt's control of and dominion over their use of the Nile waters. For example, in February 2004, Tanzania launched a project that involved supplying water to the Shinyanga region, 160 kilometres from Lake Victoria, which was funded by the Chinese at a cost of US\$27 million. In response, Egypt stated that, based on the 1929 agreement, it had the right to veto the project as it would affect the Nile's water supply downstream. Likewise, Ethiopia has been restricted from building any major dams as this act would reduce the flow of the Blue Nile's waters into the greater Nile River. Also, under similar circumstances, Kenya has threatened to withdraw from the 1929 agreement in order to use the Nile's waters for the irrigation of some of the driest parts of its territory. In response, Egypt stated that withdrawing from the treaty would be tantamount to a declaration of war.

As a result of the implementation of the colonial agreements of 1929 and 1959, millions of people up the river have been displaced and have had their access to tributaries constrained. In addition, several hundred people in the Sudan were displaced with the construction of 13 dams over the past four decades. Of the 13, eight were for Egypt, three for Sudan and one each for Ethiopia and Uganda. This has contributed in upstream countries to poverty, and pressure for change in the distribution of control over the utilisation of the Nile.

The persistent dry climatic conditions caused by global warming in the latter part of the 20th century led to a drop in the Nile's water levels as, simultaneously, the demand for water increased due to population growth. This situation partly accounts for the devastating recurrent drought and famine that claimed millions of lives in the Horn of Africa and East Africa during the 1980s. The

agriculture-based economies of the Nile basin suffered further in the 1990s as a result of environmental degradation, such as deforestation, soil erosion, and sedimentation. This produced internecine conflict, and contributed to the weakening of states in the region. Consequently, there emerged tremendous pressure to increase cultivatable land through irrigation schemes in the Nile basin, to increase food and export crop production. Naturally, during this period the potential for Nile water to be harnessed for freshwater consumption, agriculture, and hydropower received a fresh focus. This resulted in a call for co-operation among the Nile states in order to utilise the river equitably for their benefit, rather than create tensions among themselves.

The dry climatic conditions and environmental degradation of the 1980s and 1990s respectively thus led to a realisation of the need to share the Nile's waters equitably. Egyptian control over the Nile has been openly challenged by calls for the colonial agreements to be renegotiated, and even by the unilateral unveiling of water-consuming projects by countries upstream. In 1992, Sudan defiantly unveiled plans to construct its own dam on the Nile, prompting Egypt to prepare an air raid. This it later aborted, but border clashes between the two countries continued, reaching boiling point with the attempt on the life of president Hosni Mubarak of Egypt in Sudan in 1995. Ethiopia had its application for an African Development Bank loan for a dam project shot down by Egypt. Tanzania, Kenya, and Uganda also announced plans for large irrigation schemes, causing Egypt to threaten a tough response. Yet, at the same time, Egypt went on with its New Valley Canal project to create a new self-sustaining river flowing through the Western Desert.

### What are the drivers for co-operation?

The actions of the 1990s led to an extremely volatile climate throughout the Nile basin, where open conflict over the river appeared imminent until donors intervened and financed efforts to bring about a co-operative governance mechanism. This crystallised in the technical committee for the promotion of development and environmental protection of the Nile Basin (TECCONILE), the Nile Basin Action Plan in 1995, and donor-initiated interstate conferences.

In addition to the above efforts by the NBI, the World

Bank, the UN Development Programme (UNDP), and the Canadian International Development Agency (CIDA) worked as 'co-operating partners' to facilitate further dialogue among the Nile states. In 1999, all the Nile states, with the exception of Eritrea, launched a transitional mechanism for co-operation as a means of initiating discussions over regional partnership to manage the Nile better. It was this process that came to be known as the NBI, a ministerial-level co-operative arrangement. In 2002, a secretariat was established in Entebbe, Uganda with funding from the World Bank. In some quarters the entire exercise is seen as a World Bank initiative in which Nile basin countries participate to benefit from donor funding for NBI projects.

Hence, the NBI is designed to encourage co-operative governance by harnessing the basin's waters for irrigation, hydropower, and the fisheries industry. It is an attempt to turn the Nile into a catalyst for peace and co-operation by providing a space for continuous mutual engagement. It has plans to harness the Nile's waters for irrigation, establish a policy to harness energy, and find ways to make the best use of the Nile's fisheries resources. Indeed, the initiative has helped harmonise planning on hydrological projects along the Nile, and ensure that the Nile is treated as a hydrological unit in the process.

### Challenges and prospects

Donors, particularly the World Bank, dictate the agenda of water co-operation in favour of technical rather than political interventions. World Bank intervention to stop Ethiopia from building a dam protected Egyptian hydro-hegemony. Given the technical nature of the NBI agenda, analysts suspect that the World Bank is seeking to avoid the attacks on Egypt's acquired authority and the potential conflict that might arise from such challenges. Although the NBI and other co-operative mechanisms seem to have brought about some semblance of co-operation for the moment, a key challenge for the NBI remains that it is driven by donors and donor funding. The NBI operates in an atmosphere of mistrust, suspicion, and lack of dialogue, and tends to concentrate on largely technical matters. The critical issue is the lack of emphasis on equity and justice among the Nile states, so as to placate hawkish Egypt. The temporary nature of the NBI also raises questions as to the prospects of co-operation thereafter. The

NBI has yet to develop a basin-wide legal framework to regulate water allocation and management. Encouraging prudent water management, sharing technical expertise, and synergising development plans is useful, but effective co-operation requires that fundamental problems of injustice, unfair allocations, and Egyptian hegemony need to be dealt with as soon as possible. At any rate, the NBI plans for large hydro projects will increase the foreign debt burden, and lead to further forced removals of people from the areas where the dams are to be built, without meeting the demand for both freshwater and energy that global warming has occasioned. Until the Nile basin co-operative arrangements are elevated to the highest level of heads of state mandated to reverse a history of injustice and inequity, the prospects for permanent peace on the basin will remain elusive.

## Recommendations

- The AU must begin wide-ranging discussions aimed at developing a common position on the equitable exploitation and utilisation of Africa's resources.
- The AU needs to resolve the question of historic versus sovereign water rights, especially where the river ought to be controlled – upstream or downstream.
- Egypt needs to reduce wastage of the Nile's water through improved irrigation, and by pricing water at market rates for its domestic users.
- The NBI must not be allowed to remain a forum for discussion of mainly technical issues; rather it should be used to build the mutual trust, concern, and confidence necessary for a high-level dialogue, probably among heads of state, towards a new political and legal framework for co-operation on Nile issues, based on the principles of equity and justice. Such a process

must at the same time give Egypt an assurance that it will get its fair share of the water that is so fundamental for its survival.

- The NBI will need to involve civil society, and begin consultations with the people who live on the Nile basin.
- The dialogue on issues of water management and co-operation must take place both at individual country level and at subregional level among Nile states.

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