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Nile River Basin Initiative: Choosing Cooperation over Conflict

By

Ms. Sreya Maitra

The struggle for control over natural resources has been a legitimate enterprise by states to augment national power. But instances of shared or scarce resources have often been a cause for conflict or at least fierce competition. Some international relation theorists have described conflict as a ‘social situation in which a minimum of two actors strive to acquire at the same moment in time an available set of scarce resources’.¹ The rich resource base of the continent of Africa has been of paradoxical consequences for its nations. While it has rendered strategic advantages to the region, thereby proving to be an asset the nations can utilize for development, it has also instigated various degrees of conflict at the inter-state and intra-state levels. The resolution of such resource related disturbances has either prolonged or been mediated by external, third-party interference. The case of the Nile River Basin Initiative though, is conspicuous as an exception. It is not only a landmark feat in bringing about peaceful resolution of dispute over Nile river-water-sharing through institutionalized cooperation among the ten affected countries but also a remarkable method to bring about sustainable development of the Nile basin by harnessing a common resource.

Linking ten contiguous African countries; Egypt, Sudan, Ethiopia, Eritrea, Uganda, Kenya, Tanzania, Rwanda, Burundi and the Democratic Republic of Congo, the

distribution of Nile river- water has caused dispute for many decades. The inter-relationships between the countries have been described in terms of mutual distrust, competition and confrontation.ⁱⁱ Amidst continuing claims and counter-claims of water diversion, the Nile riparians realized that cooperative development holds the greatest prospects for bringing benefits to the entire region. Introducing a significant departure in their approach, the historic Nile Basin Initiative was launched in 22nd February 1999, to provide an institutional mechanism, a shared vision, and a set of agreed policy guidelines to provide a basin-wide framework for cooperative action. The present article delineates the conflict dynamics and circumstances which rationalized the initiative for institutionalized cooperation by the affected states. It also focuses on some of the current challenges impeding the efficacy of the NBI.

Tracing the Roots of the Conflict

The flow of Nile in the water scarce regions of sub-Saharan Africa had been tempered by the colonial masters through dual treatise: *Nile Water Agreement* (1929) and the *Agreement for the Full Utilization of the Nile* (1959). Taken together, these legal instruments gave extensive rights to Egypt and Sudan over the use of waters. The *Nile Treaty of 1929* was signed between Great Britain and Egypt (on behalf of the East African colonies) and gave full control of the river and its sources to Egypt. In 1959, the '*Agreement for the Full Utilization for the Nile Waters*' gave Egypt an annual allocation of 55.5 billion cubic meters (bcm) of water from the river, or about two-thirds of its estimated average annual flow of 84 bcm. Sudan was allocated 18.5 bcm per year, while the remaining flow, 10 bcm per year was assumed to be lost through evaporation and seepage from Lake Nasser. This Agreement, however, awarded no Nile waters to the states lying farther upstream, several of which could be expected to seek substantial water resources to their own use.ⁱⁱⁱ

The colonial sanction to monopolizing use of river water has been the core of the disputes among Nile basin countries. They challenge the treaties' legality and relevance. The

upstream countries, including Kenya, Uganda and Tanzania, have explicitly argued that none of the colonial treaties involved all the riparian countries and therefore, did not deal equitably with their interests. Regional analysts, on the other hand point out that Egypt and Sudan have been reluctant to renegotiate the treaties and thereby straining relations between the upper- and lower-riparian nations.^{iv}

Dynamics of Iterated Dispute

The dispute over Nile River water-sharing assumed urgency because half of the riparians are among the ten poorest countries in the world, characterized by widespread conflict, environmental degradation and frequent natural disasters like drought and famine. The downstream nations-especially Egypt and Sudan are vulnerable to upstream water diversion because of their dry climate and dependence on irrigated agriculture.^v

By the late 1990s, it was realized that continuing regional tensions over the river could prove inimical to Africa's peace and stability by provoking new avenues of conflict. Control of the river water could become an agenda to demonstrate national sovereignty and protect national interest, viz a viz neighbouring state. This could evoke aggressive, nationalistic measures, thereby exacerbating tensions, retarding negotiations and arousing nationalistic sentiments. Also, politicians in these evolving democracies could use the discontentment over the Nile River for narrow, political gains.

The Nile Basin Initiative

The Nile Basin Initiative (NBI) is a cooperative and trust-building arrangement among the Nile basin countries; a partnership initiated and led by the riparian states of the Nile River through the *Council of Ministers of Water Affairs* of the Nile Basin states (NILE-COM). It seeks to develop the river in a cooperative manner to realize its maximum potential, share substantial socio-economic benefits, and promote regional peace and security. The NBI started with a participatory process of dialogue among the riparians that resulted in their agreeing on a shared vision- 'to achieve sustainable socio-economic

development through the equitable utilization of, and benefit from, the common Nile Basin water resources.^{vi}

The policy guidelines define the following objectives of the NBI:

- To develop the Nile Basin water resources in a 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 riparian countries; seeking win-win gains
- To target poverty eradication and promote economic integration
- To ensure that the program results in a move from planning to action.^{vii}

Scholars opine that the NBI holds the strongest potential for establishing a basin-wide framework for cooperation.^{viii} The future of these basin countries depends on the efficacy of the cooperative framework, established to maximize the benefits of the Nile.

Current Challenges to the NBI

The Nile Basin Initiative has been a remarkable indigenous legal-political instrument, articulated and maintained by the participants. But the continuing disagreements among key countries like Kenya, Uganda, Egypt and Sudan have been harmful to the objective of cooperation. For example, tensions had reached a peak in 2004 when media reported that Kenya had unilaterally renounced the 1929 accord. Subsequent reports claimed that Egypt's water minister Mahmoud Abu-Zeid had described Kenya's withdrawal as 'an act of war'. Also, Tanzania began diverting water from Lake Victoria, and Ugandan parliamentarians began calling for their country's rejection of the treaty.^{ix}

Regional situations of armed conflict and increasing water-scarcity are further subverting the cooperation arrangement and encouraging aggressive postures by individual

participant nation. Conflicts in northern Uganda, the Democratic Republic of Congo, Burundi, or the ongoing Ethiopia-Eritrea border dispute are fuelling the contention over river Nile as a resource base and impeding joint action. Similarly, peace negotiation between the southern-based Sudanese People's Liberation Army (SPLA) and the government in Khartoum is crucial to the Nile Initiative because 60 percent of the river lies within Sudan's boundaries.

Recent statistics by the United Nations reveal the growing intensity of water scarcity in the region. Of 180 countries listed for water availability per person per year in the World Water Development Report of 2006, Kenya was ranked 154th, Uganda 115th and Ethiopia 137th. The upstream countries of Egypt and Sudan were ranked 156th and 129th respectively.^x Moreover, it is predicted that the population living within the Nile basin would double by 2025. Such a rapid growth, combined with ecological consequences and increasing demand for water due to agricultural and industrial development, is likely to make the potential for conflict over the Nile waters greater than ever.^{xi}

Conclusion

Experts argue that the complex task of tackling cooperative water resources management in any international river basin becomes additionally difficult in the Nile basin, which is characterized by water scarcity, poverty, a long history of dispute and insecurity, rapidly growing populations and the demand for water. Former UN Secretary-General, Boutros-Boutros Ghali predicted 16 years ago that the next regional war would be over the waters of the Nile, not politics.^{xii} Though such a climax has been averted with the establishment of the NBI and understanding among the participant nations, sustained effort and negotiations would be imperative.

The vast untapped potential of River Nile must be systematically harnessed to alleviate poverty, bring equitable benefit and thwart any sense of marginalization or discontentment. Joint planning and management of water resources through a sound legal

and institutional framework, agreed to by all parties would ensure sustainable development and regional stability. Reaching this agreement would require involving all stakeholders in trans-boundary arrangements water management, building trust among them, creating a common bond and identifying shared interests.^{xiii}.

Thus, it is crucial that the momentum of choosing regional cooperation over conflict as initiated by the NBI be maintained. The onus lies with the participants to tide over occasional inter- and intra-regional frictions to uphold the larger goal of creating opportunities to build capacity, confidence and gain tangible results throughout the region.

Endnotes

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^{vii} *Ibid*

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xii Quoted in Gleick, 'The World's Water, 1998-1999', p. 129. Also cited in Michael T. Klare, 'Resource Wars: The New Landscape of Global Conflict', Metropolitan Books, New York, 2001, p. 153

xiii Kameri-Mbote, Patricia, 'Navigating Peace: Water, Conflict, and Cooperation: Lessons from the Nile River Basin', Environmental Change and Security Program, Woodrow Wilson International Center for Scholars, January 2007, No. 4, information accessed electronically at <http://www.wilsoncenter.org/topics/pubs/NavigatingPeaceIssue4.pdf> on 15th November 2009
