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Author	Woodward, Peter
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Egypt: 'Gift of the Nile' or Prisoner of the Nile?

Changing International Politics in the Nile Basin

WOODWARD, Peter

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Abstract

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Introduction

It was a Greek, the historian Herodotus, who in ancient times described Egypt as the 'Gift of the Nile'. The Nile valley's fertility permitted the production of the agricultural surpluses upon which the creation of a highly structured social and political order depended. It was in every sense a civilisation that embraced the river as its source: nothing less than a 'riparian civilisation'. Recognising the river as its source of life, beliefs and myths about it abounded in ancient Egypt; monuments of all kinds were created from stone blocks transported on its waters; and pharaohs were carried across it for burial. At the same time the uncertainty of the river's annual flood was well known; but where it originated was little known. It was another Greek, Ptolemy, who referred to the Mountains of the Moon somewhere in East Africa. However, in spite of claims that ancient Egypt was in large part a product of Africa, many remain convinced that the river, 'Provided Egypt with a distinct environmental setting for the emergence and development of an advanced and unique civilization; a civilization that developed and flourished on both sides of the river and that was, from its inception, fully aware of its uniqueness'¹⁾.

The Nile is one of the world's longest rivers. Before it reaches Egypt the river has drawn its waters from a basin that embraces Burundi, Rwanda, Democratic Republic of Congo, Tanzania, Kenya, Uganda, Ethiopia and finally Sudan. Throughout history it has been central to the development of Egypt and Sudan economically, socially and politically, providing not only water for the irrigation on which they have depended but the alluvial soils that are so important to cultivation. The annual flood the river delivers to these two countries has always been crucial. For thousands of years the rise and fall of the river has been watched and measured: too much water spells floods and possible disaster from inundation; too little water brings the real possibility of hunger and starvation. Overall, however, the average annual flow of the Nile is not great for a river of its length, especially when compared with other major

rivers such as the Amazon or Ganges. Nevertheless, the Nile waters have been the making of Egypt with 98% of the country being desert and the vast majority of its fast-rising population — now estimated to be over 84 million — living on or close to its banks. It is the only country in the world where agriculture is 100% dependent on irrigation.

For many years the country has been a net food importer, but for water it is entirely dependent on the Nile leading to increasing concern over 'water stress' (while there are some aquifers they are of limited capacity and not a long term alternative to the river). A central aim of Egyptian policy in the modern era has been to secure the Nile waters. The completion of the Aswan High Dam in 1970 went a long way towards over-year storage that stopped the perennial problem of seasonal variation. However, did not halt the need to ensure the danger that upstream developments might threaten the level of Lake Nasser, the huge reservoir behind the dam; even without environmental questions such as silting behind the dam or the reduction of the fertile silt to Egypt's overwhelmingly irrigated agriculture below the dam. In the longer term Lake Nasser was a contribution to water management, but it was not a guarantee of sufficient water for the indefinite future. Planning was required with regard to the changing circumstances of the full length of the Nile; but that in turn was a matter of the international politics of the whole Nile basin in a context in which water stress was growing across this vast region, with its member states looking increasingly to their own domestic water issues. The countries of the upper Nile may not be 'gifts of the Nile' in the same way as Egypt but the river has become an increasing part of their calculations and policies: Egypt has faced growing foreign policy challenges of increasing significance for the very survival of the country.

The Era of Imperialism

The early history of Egypt, following the decline of pharaonic power and the series of invasions that preceded its conquest by the Arabs and

later incorporation into the Ottoman empire, did not bring much fresh concern for the source of the Nile or major attempts to gain greater control of its uncertain flow. That had to wait until the stirrings of a more modern imperialism in the 19th century that started with the French invasion of 1798. Ottoman rule weakened after Napoleon's brief incursion (forced out by the British navy) and a new era developed under the leadership of a soldier of fortune of Albanian origin, Mohammed Ali, who seized power in 1805; in theory perpetuating the Ottoman empire but in reality ruling independently. Mohammed Ali was determined to modernise the country, and he, like the Europeans, had thoughts of empire-building that were to include much of north-east Africa, which necessarily brought greater attention to the upper Nile. His most successful territorial acquisition was immediately to the south of Egypt in a vast area which became known as Sudan. It was ruled as an extension of Egypt itself and was often referred to as the Turco-Egyptian Sudan. The attitude that Sudan was in effect a distant province of Egypt was to persist in Egyptian political culture for many years. While the vast swamps of the Sudd in the southern region of Sudan were penetrated during this period, extensive measures to establish greater control of the Nile had to wait until Britain had seized control of Egypt in 1882.²⁾ Britain was then to spend decades seeking to develop the hydrology of the river in order to strengthen Egypt and its vital role in the British empire, especially following the opening the Suez Canal in 1869 after which Egypt had become vital for the development of British interests in India and Asia.

As always, politics had to precede the development of such complex plans as were required for the river. Britain had gained control of Egypt (to the chagrin of France that was only partially assuaged with Britain's later recognition of French control of most of Morocco in 1904), but was soon concerned over the upper reaches of the Nile. Lake Victoria was the main reservoir of the White Nile, but in winning British control of East Africa there was a brief rivalry with Germany before Uganda was secured and with it the exit of the river from the great lake. However between East Africa and Egypt lay Sudan through which both White and Blue

Niles flowed to meet at its modern capital Khartoum and proceed north as the main Nile. Any immediate planning by the new British rulers in Egypt for the upper Nile was though on hold: Sudan had revolted successfully against Turco-Egyptian rule in 1885 and established a local ruler, briefly the Mahdi but following his death the Khalifa Abdullahi. Britain eventually decided to take control staging what was officially called the Anglo-Egyptian 're-conquest' of what had been the Turco-Egyptian territory. The re-conquest was completed in 1898 and was immediately followed by the establishment of the Anglo-Egyptian Condominium in Sudan: its sovereignty was deliberately made ambiguous, but its control was by Britain. There was an immediate concern for France which had sent a mission through central Africa and briefly raised the tricolour at Fashoda in southern Sudan, causing the short-lived 'Fashoda crisis' between the two governments before British troops forced the French to retreat without bloodshed. That left Abyssinia (later to be known as Ethiopia) from where the Blue Nile flowed bearing the bulk of the waters that formed the vital annual flood in Egypt. There had been a brief threat of Italian occupation, but Italy was unexpectedly and humiliatingly defeated by the forces of Emperor Menelik at Adowa in 1896. Menelik was ambitious, but the Blue Nile was not in his plans or capabilities.

With the politics of the Nile basin secured, British experts could proceed with their plans.³⁾ These evolved through much of the first half of the 20th century with the whole Nile basin in the experts' sites, as included in a study of *Nile Control* in 1921 and the ten volumes *Nile Basin* in 1946.⁴⁾ Uganda was seen as the main storage area, involving lakes Victoria and Albert both of which required dams for storage and to control the volume of water in the White Nile. In Sudan there was a dam built on the White Nile at Jebel Aulia just south of Khartoum, specifically to help Egypt at times when the Blue Nile was low after the passing of its annual flood. The Blue Nile itself was not central to the overall Nile plans, but a dam was established on it at Sennar in Sudan to allow the irrigation of cotton production in the Gezira Scheme, which was at the core of the export sector of the country's economy. The notable omission in Sudan

was the longstanding plan to cut a canal around the vast Sudd swamp in the south where evaporation reduced the river's northern flow by some 30%. In Egypt itself a dam was built at Aswan as early as 1902 which regulated the annual flow rather than adding significantly to the total volume of water available for irrigation.⁵⁾

Throughout these developments there was growing concern especially with the rise of Egyptian nationalism. After the First World War there was a major nationalist movement led by Zaghlul Pasha which had to be forcibly suppressed with unexpected difficulty by the British troops stationed in the country. In 1922 Britain gave formal independence to Egypt (which had been made a British Protectorate at the start of the war) but Britain retained control in several areas including management of the Nile waters. This 'semi-independence' aroused Egyptian suspicions all the more, including mistrust at the lack of Egyptian involvement in plans for the river.⁶⁾ In an effort at regularising the situation Britain did arrange a Nile river treaty between Egypt and Sudan in 1929 which divided the available water between the two countries on an annual basis. No other riparian countries were involved.

Independent Egypt

Thus the situation continued until the early 1950s when a military coup in 1952 brought the country's first indigenous Egyptian rulers for centuries. For Nasser and his colleagues in the Revolutionary Command Council (RCC) the Nile was not only central to Egypt's existing needs for water, but to the new revolutionary transformation they intended. The plan was to build a new high dam at Aswan: it would guarantee storage for an over-year supply of water for Egyptian agriculture, and produce large quantities of hydroelectricity for the start of a new industrial era putting Egypt at the centre of manufacturing in the Middle East. Critics pointed out the potential problems — high levels of evaporation, silting and other technical problems — but the new rulers were not to be deflected. Indeed the proposed dam was soon to be central to Egypt's

regional political position as well. When in 1956 the United States refused to support the project as over-ambitious the World Bank decided not to offer funding either: Nasser responded by dramatically seizing the Suez Canal, then owned mainly by British and French shareholders. In response Britain and France colluded secretly with Israel, and when the latter invaded Egypt — allegedly to preempt Nasser's Soviet-backed military rise — Britain and France 'intervened' to stop the war by launching a military assault to take back the Suez Canal. But Nasser had already closed the canal by sinking block ships, and when the US refused to help Britain in the face of the currency crisis resulting from consequent oil shortages, Britain and France could only stage a humiliating withdrawal. This outcome enormously enhanced Nasser's stature both in Egypt and the Middle East more widely, giving even greater importance to his plans for the Aswan High Dam.⁷⁾

While the new dam appeared to mean that no upstream state would be able to develop its own plans in such a way as to threaten Egypt, the huge reservoir behind it (unsurprisingly named Lake Nasser) would intrude significantly on the territory of Egypt's immediate upstream neighbour, Sudan. With Sudan becoming independent in 1956 (independent not only from its British rulers but also from Egypt's historic claim to the country) there would have to be negotiations. It was one thing for British overlordship of the Nile valley to make Nile-length operations possible; it was a very different situation by 1956. But two developments helped resolve what were initially very acrimonious talks. First, following the Suez crisis the Soviet Union agreed to finance the dam (seen by some in the West as a major step in the Cold War in the Middle East); while in 1959 the World Bank made it clear that unless there was agreement on the Nile waters between Egypt and Sudan it would not support Sudan's own proposals for Nile developments. As well as building a new dam in eastern Sudan, where Sudanese from the soon to be flooded area of Nubia could be relocated, there was to be a new dam at Roseires on the Blue Nile upstream of the Sennar Dam to benefit Sudan's irrigation schemes. The new agreement was finally signed in November 1959. Ethiopia was

not directly involved in the agreement nor were the East African territories which were still under British colonial control. The 1959 agreement was to be the basis of a new relationship between Egypt and Sudan, with the former hoping that it would ensure their solidarity should any of the countries upstream of Sudan raise the issue of the Nile waters in the future.

The agreement was the first between the fully independent states of Egypt and Sudan, but in time the question arose of further collaboration involving amongst other things the Nile. The major area of cooperation with regard to the river was to look again at the old idea of building a canal in southern Sudan to take water around the Sudd. The projected canal, with a capacity of 4.7 billion cubic metres annually, would significantly reduce the loss from evaporation and permit an increased volume of water to be available for irrigation in both Sudan and Egypt. While it was clearly to the benefit of both countries to see the work done, its achievement was in the first instance down to political will, especially with the unstable politics of Sudan.⁸⁾

Egypt had been frustrated at its failure to reassert its claim to Sudan in the run up to the latter's independence in 1956, but events in Sudan appeared to open up a new opportunity in the 1970s. President Sadat, who had succeeded Nasser in 1970, was himself half-Sudanese: more importantly he had broken with the Soviet Union shortly after gaining power and was soon moving towards closer relations with the United States. Meanwhile in Sudan the situation appeared to be one of continuing uncertainty. President Nimeiri had seized power in a military coup in 1969 and survived a major attempt to overthrow him by communist-led elements within the army two years later. At that time he had flirted with the Soviet Union, but following his survival and crushing of the hitherto influential communist party the way was open for him to follow Sadat in growing closer to the United States. For its part, America was particularly keen on developing relations with both Egypt and Sudan following the overthrow in 1974 of its ally, the Emperor Haile Selassie of Ethiopia, by the new Marxist military regime of Mengistu Haile Mariam's which was

swiftly embraced by the Soviet Union. However the most crucial part of the political jigsaw was the peace made in Ethiopia's capital, Addis Ababa between the Sudan government and the rebels in the south known as the Anyanya in 1972: there was now a comparatively secure environment there allowing for work to begin on the Jonglei Canal to bypass the Sudd. There were of course doubters, especially on environmental grounds, but an international commission gave its overall blessing. There had been technical problems hitherto for the building of a navigation canal of this size and length (360 kilometres) but the development of a huge bucketwheel drastically reduced both the time and cost of such an ambitious scheme.

In addition to the Jonglei Canal various other measures to promote closer relations between Egypt and Sudan were underway, including military and commercial cooperation, which now spoke of ever closer integration towards a union of the two countries. What Egypt had lost with Sudan's independence in 1956 might now be reversed: Nimeiri even supported Egypt's peace with Israel at Camp David in 1978 in spite of widespread opposition to it in the Arab world. However, once more Sudan's unstable politics were to bring the downfall of Egypt's plan. As Nimeiri sought greater control of south Sudan in the early 1980s for its newly developing oil reserves (discovered by the US Chevron company) as well as the White Nile waters, so a new opposition movement was to grow in the region. A revolt by an army unit in Bor, close to one end of the canal, turned into a new movement called the Sudan Peoples Liberation Army (SPLA) led by John Garang, which was swiftly supported by Ethiopia's Soviet-backed regime. The SPLA soon forced the closure of the developing oil field, and the cessation of the digging of the Jonglei Canal by then two-thirds completed. The canal was left as a big ditch with its rusting machinery still in place. By 1985 Nimeiri himself had been overthrown in a popular uprising (he was in Egypt at the time of his downfall and was to remain there for many years): all talk of union of the two countries was dead.⁹⁾

Ethiopia, East Africa, Sudan and South Sudan

However it was not just in Sudan that Egypt suffered a setback, its dominance of the question of the Nile was beginning to face new challenges in Ethiopia and East Africa. Egypt was aware of the potential significance of the newly independent states on the upper White Nile in particular since this was where the river's reservoirs were located and any local new plans for those waters could pose a threat. In 1977 Egypt and Sudan proposed a commission of all the riparian states, but the East African countries were wary. Egypt and Sudan had a long history of planning Nile management essentially for their own advantage, and the far less experienced East Africans wished to maintain their independence of action for a while at least. It was notable as well that the proposal for a commission omitted Ethiopia not only because its contribution came from the Blue Nile, not the White Nile, but also because it was under the control of a Soviet-backed Marxist regime by the time of the 1977 proposal, while Egypt and Sudan were both already allied with the United States. In its place a number of countries became members of a new body with UN support known as UNDUGO after the Swahili word *ndugu* meaning brotherhood. However, there was more talk than action before in 1993 UNDUGO morphed into the Technical Cooperation Committee for the Promotion of the Development and Environmental Protection of the Nile (TECCONILE). Within that body it became clear that with rising populations throughout the Nile valley and growing environmental degradation, partly the result of global warming, there was rising pressure for action. It also became clear that there were growing calls from the upper Nile states that it should be 'equitable action'; while Egypt, and to a lesser extent Sudan, continued to call repeatedly for the recognition of historic needs and acceptance of established rights as they existed in the treaty of 1959 between Egypt and Sudan, the only treaty then existing for the river.

These differences of approach grew as the century ended. A leading actor in the attempt to change the balance between downstream and

upstream riparian countries was Ethiopia. As the oldest independent state in Africa (only briefly occupied by Italy from 1935-41) Ethiopia had long seen itself as at least the potential hegemonic power of the Horn of Africa, and by extension a major player in East Africa, the regional Inter-Governmental Authority for Development (IGAD) and the Organisation of African Union (OAU)/African Union (AU); as well as being the source of the Blue Nile. Though much shorter than the White Nile, it is the Blue Nile that provides 85% of the volume of water that flows down to Sudan and Egypt, as well as the annual flood of fertile silt that has been so important to irrigated agriculture along the length of the main Nile. There have also been historical and cultural links between Ethiopia and Egypt, including the Coptic Church in the two countries (as well as the former Coptic states for centuries along the main Nile). However there have also been tensions between the two countries, as summed up by John Waterbury:

The Nile basin is essentially bipolar. It is dominated by the low-key but persistent confrontation between Ethiopia and Egypt that has been little affected by political regime changes in either country. The bipolarity existed even in the precolonial and colonial eras.¹⁰⁾

Ethiopia and Egypt are comparable in population terms, and dwarf all their neighbouring countries. The pair are also very distinctive, shaped in large part by their particular geographical characteristics: Egypt as a riparian civilisation, while Ethiopia's highland fastness maintained its Coptic Christian character and what has been called a quasi-feudal social structure. Ethiopia was also very conscious of being something of an island in a sea of Muslim communities which had on occasions proved threatening: in recent times Muslim Somalia invaded the country in 1977 in one of Africa's two largest inter-state wars in the independence era (the other being Eritrea's invasion of Ethiopia in 1998). And unlike other states of the region Egypt and Ethiopia both had long traditions of hierarchical state formation in roughly their present borders.

Following the downfall of Mengistu's regime in Ethiopia in 1991 his successor, prime minister Meles Zenawi, embarked on a strategy of building a 'developmental state', combining an increasingly authoritarian style of government with rapid economic development which had international support and achieved considerable success. The strategy included plans for the Blue Nile.

It was therefore unsurprising that it was Ethiopia that took the lead in the formation of the Nile Basin Initiative (NBI) in 1999, which consisted of 10 countries agreeing broadly to create a framework for regional cooperation over water: both Egypt and Sudan, as well as eight upstream states joined the NBI. In its approach, the NBI made reference to equitable utilisation of the waters, as sought by Ethiopia and the East Africans, but also spoke of preventing significant harm to any member state, a clear pointer towards Egypt's concerns. The whole NBI project had the support of both the World Bank and the United Nations Development Programme (UNDP). Waterbury remarked, 'This transition [from TECCONILE to NBI] in fact marked a diminution in Egypt's preponderant role in setting the terms for basin-wide cooperation'.¹¹⁾ With President Youeri Museveni of Uganda keen to be seen as an elder statesman in East Africa it was founded and headquartered in his country. In its early years things moved slowly in the NBI. There were a variety of regional problems other than water which inhibited progress (including war between Ethiopia and Eritrea) as well as the customary slowness in getting new international groupings to move ahead. But it was not wholly inactive: the Equatorial Lakes Subsidiary Action Programme supported upstream hydro-electricity initiatives; while another project encouraged cooperation in dam safety. Financial backing came mainly from the World Bank.

Egypt and Sudan had signed up to NBI in 1999 largely as a precautionary measure. Even before that date Egypt's concern for the future of the Nile waters was growing. Two particular reasons stood out: Egypt's population was expanding fast and exceeded 80 million while the volume of water in the river appeared to be in long term decline, having fallen significantly since 1899. At the same time the populations in the

upper Nile countries have also been growing, together with the economic development ambitions of the governments themselves. Some 300 million people in total already live in the Nile basin and population projections indicated that the number could double in the foreseeable future. Such is the importance of the issue for Egypt that in the media and public generally discussion has been actively discouraged to limit alarmism. However, in international circles more public concern has been expressed. When he was deputy foreign minister for Egypt (with special responsibility for Africa) Boutros Boutros-Ghali once famously prophesied that the next war in the Middle East region would be not over oil but water. On occasions President Mubarak was even more direct referring more than once to Egypt's readiness to use military force to protect its interest in the Nile waters should the need arise.

Ethiopia could sometimes respond in kind to what it saw as Egypt's obstructive behaviour and hostile comments. On one occasion in 2010 Prime Minister Meles Zenawi claimed that Egypt was backing rebel groups in Ethiopia because of its hostile stance on the Nile waters, and that, 'If Egypt went to war with upstream states over this issue it would lose'.¹²⁾ The following year in parliament he spoke of the need to strengthen Ethiopia's defence forces in the face of what he called the 'Egyptian threat'.¹³⁾

The NBI was originally established with the aim of negotiating a new treaty for all its members to replace that of 1959 between Egypt and Sudan which had given those two countries the major share of the waters. However with progress proving slow in 2006 the NBI's international backers encouraged it to push on and by 2010 it had produced a Common Framework Agreement (CFA). It was meant to be within the ambit of the existing NBI but there had been repeated delays which most attributed to Egypt and Sudan, and patience was running out especially in Ethiopia. It was also intended that after the CFA had been agreed, the NBI would become a new Nile River Basin Commission (NBC) which would be the agreed authority for the collective management of the Nile waters by all the riparian states. The NBC should not seek to apportion fixed volumes

of water, but rather coordinate the needs and aims of all the states, 'to achieve sustainable socio-economic development through equitable utilisation of, and benefit from, the common Nile Basin water resources'.¹⁴⁾

Meanwhile Ethiopia was emerging as a major regional player and was becoming more involved with several of its neighbours, some thought with its own hegemonic ambitions. It has been argued that Egypt, and its Arab allies, had long sought to back a united Somalia with the intention of hemming in landlocked Ethiopia and thereby helping to limit its regional influence — including on the subject of the Nile waters.¹⁵⁾ Instead it has been Ethiopia that pursued a more active foreign policy with regard to its neighbours than in the past. After Somalia collapsed following the downfall of Siad Barre in 1991 Ethiopia was involved in a number of areas including the emerging territories of Somaliland and Puntland; while in 2006 it sent its troops into southern Somalia to bring down the infant government of the Islamic Courts Union (ICU). It also developed new links with East Africa, Sudan and South Sudan, following the latter's independence in 2011; as well as playing a prominent role in IGAD the regional body whose members overlap notably with those of the signatories of the CFA.

The East African states were less concerned about Nile waters than Ethiopia, but Kenya and Uganda broadly sided with Ethiopia's position. In particular they were more concerned for the principle of water sharing in the Nile Basin than Egypt's constant reference to the precedence established by its historic rights of access and its still existing 1959 treaty with Sudan. Kenya and Uganda have also been allies of Ethiopia with regard to military engagement in Somalia; while all three countries have experienced terrorist incidents reflecting the rise of Islamist groups linked to Somalia, most recently from the al-Shabaab movement there. An additional factor supporting the integration of the Horn of Africa and East Africa has been the penetration of these regions by China. Chinese investment is particularly significant with regard to regional infrastructure which is proving an integral part of economic development. China is well known for claiming not to involve itself in politics, including issues of the Nile waters, but its economic impact is inevitably a part of the wider

political landscape.

Ethiopia has also developed its links with Sudan. There are a range of developing economic links between the two countries including landlocked Ethiopia's plans to expand its use of Port Sudan.¹⁶⁾ At the same time relations between Sudan and Egypt have been uneasy ever since the overthrow of Nimeiri in 1985 largely due to questions of instability and ideological developments in both countries. As a result instead of being something of the junior half of a partnership, Sudan now finds itself as more of a balance between its two bigger neighbours and shapes its relations accordingly. Egypt can no longer simply rely on Sudan on Nile waters; while Sudan has also become a part of China's investment network.

The one new player in Nile politics is South Sudan which voted overwhelmingly in 2011 for independence from Sudan. Egypt had opposed the granting of South Sudan's right to a referendum on independence when Sudan's Comprehensive Peace Agreement was signed in 2005, but could do nothing to stop it. Following South Sudan's independence Egypt tried to woo the new government in Juba, but the latter remained uncommitted with regard to the Nile waters. On the one hand it did not wish to antagonise the two countries to its north, and there were still hopes in some quarters that the Jonglei Canal project could be revived.¹⁷⁾ But on the other hand South Sudan rapidly developed new commercial links with Ethiopia, Kenya and Uganda; and also talked of its oil being exported via East Africa rather than having to rely on its existing pipelines through Sudan to the Red Sea. However, the country's descent into widespread civil war in 2014 has meant that any longer term thoughts about the Nile waters are on hold for the foreseeable future.

By 2012 basic approval for the CFA had been given by most upstream states: however it was also apparent that Egypt would not sign it, while Sudan spoke of reservations about some clauses. In particular both governments wanted to say that riparian states should, 'Not adversely affect water security and current rights of any other Nile Basin states', in effect the preservation of the status quo of 1959.¹⁸⁾ Nevertheless,

in the same year Ethiopia decided to go ahead with the signing of the CFA along with four other upper Nile riparian states in East Africa. Egypt and Sudan opposed the move and again insisted that there should be no reduction in their share of the Nile waters.

Ethiopia had a particular concern because of its plans to build a new dam on the Blue Nile, just east of its border with Sudan, which was to become known as the Grand Ethiopian Renaissance Dam (GERD). The name in no way exaggerated the ambition behind the dam, nor its enormous scale. Planned as a central part of the country's growth and transformation plan 2010-15 it was no less than the Ethiopia's symbolic equivalent of Nasser's Aswan High Dam of 60 years earlier. When fully functioning it is expected to generate 6,000 megawatts, dwarfing Ethiopia's present supply of 2,000 megawatts. Budgeted at \$ 4.2 bn it is a national effort with the finance thus far raised within the country rather than looking outside to the World Bank, where Egypt had long used its influence to hinder other states' Nile plans. In addition there were concerns about the social and environmental impact in an era when big dams are no longer as fashionable in development thinking as in the past. There appeared to be genuine enthusiasm from the excited population as they contributed savings and wages to the cause; and to add to the funds public servants have had to contribute one month's salary in 2014 and 2015. However even that is unlikely to be sufficient for such a giant project and it may well be that further loans from China, which has already been financing other big infrastructure projects in both the country and the wider region, will be sought.

There was comparable excitement in Egypt, but of a negative character. The short-lived presidency of Mohamed Morsi in particular saw the whole GERD project demonised in the national media with some 'experts' predicting that it could mean as much as a 25% drop in the volume of the river. Ethiopia of course denied this saying that the dam was not extracting water for agricultural irrigation, which would of course reduce the volume, but creating Africa's largest supply of hydroelectricity that would benefit not just Ethiopia but neighbouring countries as well.

Such a project would not, according to Ethiopia, significantly reduce the total volume of water reaching Egypt. Egypt however remained suspicious, and the reason it gave for not signing the CFA in 2012 was that more studies of the likely impact of such a huge project were required. In 2013 Egypt's foreign minister, Mohamed Kamal Amr, went to Addis Ababa, Ethiopia's capital, for talks with his Ethiopian counterpart, Tedros Adhanom, but there was no agreement. Nor was there further progress when another meeting of the CFA was held in Juba, South Sudan. There was then some haggling over the experts involved in impact assessment studies of the dam and the details of their reports, but by 2014 it was becoming clear that the GERD was going ahead in spite of the concerns of Egypt in particular. Meanwhile it was also becoming clear that the new regime of President Sissi in Egypt was more pragmatic than that of his predecessor.

There was a need to compromise, and in February 2015 all ten member states of the NBI met in Sudan's capital, Khartoum for 'Nile Day': Egypt had resumed its participation in the NBI and it was clear that it was quietly negotiating with Ethiopia, along with Sudan. In Khartoum on March 23 it was announced that agreement had been reached on principles for the development of the GERD.¹⁹⁾ Ten principles had been agreed the essence of which was: that the GERD should not cause significant harm to downstream states; that there should be equitable utilisation of the water; and that there should be cooperation in the agreed operation of the dam. Other principles included: confidence building between the three countries involved; exchange of information and data; respect for the national sovereignty of each of them; and — significantly in view of past bellicose statements — the peaceful resolution of any disputes that might arise. Shortly after the signing, the water ministers of the three countries agreed on two consulting firms to prepare fresh studies examining the expected water and socio-economic impacts of the GERD. These are likely to produce a picture that will require further negotiation on such matters as the speed at which the dam will be filled which will clearly have an impact on the volume of water reaching Sudan

and Egypt, at least in the medium term which could be several years. Nothing further resulted with regard to the CFA which still lay on the table, and it was in effect shelved for the moment.

President Sissi appeared to have behaved pragmatically accepting the realities of Egypt's position in relation to developments on the upper Nile. Talk of possible military action was unrealistic on the one hand, and inflammatory on the other. It may have whipped up a wave of nationalism in Egypt in the past but little could be done, and in time such an empty gesture might even prove counter productive at home and internationally. In addition fighting an international legal battle around the existing 1959 agreement between Egypt and Sudan might prove unsuccessful in the light of changing international thinking on the collective rights of riparian states. Rather than putting that to the test Egypt appears to have decided on a piecemeal response to individual developments. It has already accepted new dams in Sudan; one on the main Nile north of Khartoum, two more on the feeder Atbara river, as well as the raising of the Roseires dam on the Blue Nile. It has also had to recognise the regional interest in the GERD and the potential export of hydro-electricity which could affect Egypt's relations with the upper riparians: Ethiopia already sells electricity to Djibouti, Kenya and Sudan and sees a growing market in the future. However, Egypt is not in the process of surrendering all to the CFA, and as a result the question of its legal status with regard to the Nile waters still remains. Egypt's decision to move to a pragmatic path rather than seeking to resist all developments by Ethiopia or the East African states appears to owe most to the changing international politics of the region.

Conclusion

Egypt's relative position in relation to the Nile waters has changed significantly over the past two centuries. In the era of Mohammed Ali in the early 19th century the water itself was largely taken for granted: its usage in Egypt was not perceived as threatened by any man-made developments upstream. Mohammed Ali did have imperial ambitions of a

more general character that included East Africa, but in practice they were only partially fulfilled and in any case did not include any developments on the upper Nile waters themselves. While once Britain gained effective control of Egypt from 1882 and consolidated its control of the territories of Sudan and Uganda abutting the White Nile, it accelerated developments along the length of the White Nile and the main Nile that were to the advantage of Egypt in the longer term. However with the effective 'full' independence of Egypt following the coup of 1952 it was up to Nasser and his colleagues in the RCC, not Britain, to decide how to proceed in the future. The High Dam at Aswan was to be their first central objective. It gave vital over-year cover to Egypt's needs in respect of its irrigated agriculture, including some expansion of its scope, as well as providing the basis for industrialisation powered by this new source of hydro-electricity. This was linked to an expanded view of Egypt's role in international politics focused primarily on acting as the leader of Arab nationalism in the Middle East, that some critics saw as being underlain by hegemonic ambitions. Such possible ambitions did not extend southwards up the Nile, at least not beyond Sudan, but did perpetuate the idea of Egypt as a potentially significant actor beyond its borders, especially if — in spite of the High Dam — there was any potential challenge to its claim to the Nile waters as laid down in its 1959 treaty with Sudan.

Egypt's growing power under Nasser was effectively halted by the 1967 war with Israel — as the latter always intended it to be. Thereafter Egypt's relations with the upper riparian states have ebbed in terms of power and influence, while the country's concerns over its own water requirements have grown. Sudan was very much Egypt's junior partner in the 1959 treaty, while its own apparently chronic political instability was to lead to a growing dependence that brought new talk of unity between the two countries, and the start of constructing the Jonglei Canal that was doomed not to be completed. Subsequently the two countries drifted further apart, especially when another coup in Sudan installed an Islamist regime in 1989 that had grown from origins linked to Egypt's

Muslim Brotherhood, then perceived as a significant challenge to Mubarak's regime in Egypt in the 1990s. Though Sudan's regime was subsequently to move away from the Brotherhood, and made little protest at the downfall of the short-lived Brotherhood reign of Egypt's President Mursi, Sudan has become more like an uncertain partner than a client of Egypt in matters pertaining to the Nile. At the same time Ethiopia and to a lesser extent the East African countries have seen a rise in their concerns with regard to water in general, including the Blue and White Niles.

As yet Egypt's position on the Nile waters in regard to international law, especially the status of the 1959 treaty between it and Sudan, has not been tested in any recognised international court. Two factors however have made the likelihood of its longstanding case being accepted weaker. One has been the prevailing view of the need to recognise the rights of new states. As far as East African states are concerned the 1959 agreement between Egypt and Sudan had been made at a time when they (Uganda and Kenya in particular) were under colonial rule. Should they as independent states be bound by treaties that might affect them, but in the making of which they had had no part? That remained unclear in international law; but it was becoming apparent that if, following independence, a new state was to argue that circumstances had changed and that it should not now be bound by old agreements by others, its case was likely to be regarded as stronger.²⁰⁾ Clearly the East African countries have fast rising populations and are experiencing problems with environmental degradation and global warming. Should they feel that that entitles them to draw on the Nile waters to alleviate their situations they may well receive a sympathetic hearing in international legal institutions.

There have also been clearer changes relating to the application of international law with regard to watercourses. In 1996 the UN made clear its view that there should be fair development for all riparian states which would utilise water resources in 'an equitable and reasonable manner'.²¹⁾ This appears to point in the direction of the approach which brought the original NBI and the long term way forward of the proposed NBC as

supported by those states that signed the CFA in 2012. Egypt would seek to point to its exceptional dependence on the Nile water: it appears that it is the fear of being outnumbered in such a collective authority as the NBC that has led Egypt to decline thus far to sign up to the CFA.

Egypt's existential interest in the Nile has not diminished in spite, as some have argued, of the diversification of its economy from agriculture to embrace areas such as information technology, light industry, mineral extraction and tourism. In particular with its near total dependence on the Nile for water, and with the continued fast growth of its population, Egypt's requirement is growing at a time of uncertainty surrounding its future supply. Its strategy thus far of making no legal concessions with regard to its Nile treaty with Sudan of 1959 has persisted in spite of the pressures from the supporters of the CFA; but its tactics appear to have changed to cooperation with upstream sub-Nile basin developments on a case-by-case basis. Whether this can be a longer term alternative to eventually accepting the CFA remains to be seen. Egypt is no longer master of the Nile, but it has not yet accepted its upstream riparian neighbours as equal partners in a cooperative enterprise for the whole Nile basin.

- 1) Yaacov Shavit, 'Up the River or Down the River? An Afrocentrist Dilemma', in Haggai Erlich and Israel Gershoni (eds), *The Nile: Histories, Cultures, Myths*, Boulder, Lynne Rienner, 2000, p.98.
- 2) The Sudd had for centuries proved an obstacle to the obvious idea of simply exploring south from Egypt to establish the source of the White Nile. It was exploration inland from the coast in East Africa that was to reveal the source of the river in Lake Victoria in 1858.
- 3) In the old Royal Geographical Society in Cairo a huge table was covered with a relief model of the Nile basin. It was still there at least as late as 1990.
- 4) H.E. Hurst and colleagues produced the 10 volumes of the *Nile Basin* (with supplements) between 1931 and 1966, published in Cairo by The General Office of Government Printing.
- 5) Robert O Collins, 'In search of the Nile Waters, 1900-2000', in Erlich and

Gershoni (eds).

- 6) Egyptian officials were posted to various points up river but in a monitoring capacity rather than planning future developments.
- 7) Peter Woodward, *Nasser*, London, Longman, 1992, pp.48-54.
- 8) John Waterbury, *Hydropolitics of the Nile Valley*, Syracuse, Syracuse University Press, 1979, pp.63-86.
- 9) Robert O Collins, *The Waters of the Nile: Hydropolitics and the Jonglei Canal, 1900-1988*, Oxford, Clarendon Press, 1990.
- 10) John Waterbury, *The Nile Basin: National Determinants of Collective Action*, New Haven, Yale University Press, 2002.
- 11) *Ibid.*, p.187, fn.4.
- 12) John Abbink, 'Ethiopia', in Andreas Mehler, Henning Melber and Klaas van Walraven (eds), *Africa Yearbook vol.7: Politics, Economy and Society South of the Sahara in 2010*, Leiden, Brill, 2011, p.337.
- 13) Abbink, *Africa Yearbook...2012*, p.330.
- 14) Quoted in: Scott O McKenzie, 'Egypt's Choice: From Nile Basin Treaty to the Common Framework Agreement', an International Legal Analysis, *academia.edu*, summer 2012, pp.571-599.
- 15) Iqbal D Jhazbhay, *Somaliland: An African struggle for nationhood and international recognition*, Johannesburg, South African Institute for International Affairs, 2009, p.157. Somalia even joined the Arab League during Siad Barre's years in power.
- 16) From 1952 until Eritrea's independence in 1991 Ethiopia had controlled the Red Sea ports of Massawa and Assab, but use of these was lost following the war between the two countries that began in 1998.
- 17) Salman M.A. Salman, 'The new state of South Sudan and the hydro-politics of the Nile Basin', *Water International*, 36, 2, March 2011, pp.154-166.
- 18) *Ibid.*, p.584.
- 19) *Sudan Vision*, 24 March 2015.
- 20) McKenzie, *op.cit.*, p.591.
- 21) *Ibid.*