

## Tackling the Challenges of Peacebuilding in a Complicated Eastern Nile Basin Hydro-political Regime

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This policy brief focuses on the complex peacebuilding challenges in the Eastern Nile Basin (ENB), with special reference to the three major riparian states: Ethiopia, Sudan, and Egypt. Although multifaceted areas of cooperation exist in the sub-basin, relations among these countries have been marred by competition, distrust, and conflict. Disputes over the Nile waters, frontier governance, and domestic political instabilities have thwarted attempts to build a viable peace. The security threats and challenges facing the ENB countries are, to borrow the words of the founders of the security complex concept, “so interlinked that their security problems cannot reasonably be analyzed or resolved apart from one another.”<sup>1</sup> Thus far, however, these shared peacebuilding challenges have been exploited by all three states to their individual advantage.

Firstly, the Nile waters sharing dispute, which is at the heart of the problem and from which all other security challenges stem, jeopardizes both the sub-basin’s and respective national peacebuilding efforts. This has been the case since the end of colonialism in Egypt and Sudan. Mechanisms for resolving the Nile dispute, from Hydromet to Undungu to TECCONILE<sup>2</sup> to the Nile Basin Initiative (NBI), have failed to produce comprehensive legal frameworks. The establishment of the NBI in 1999 and the Cooperative Framework Agreement (CFA) represented a “shared vision,” but it has yet to be ratified by the downstream countries, delaying the beginning of a cooperative regime in the Nile valley.

The experience of transboundary water sharing in different parts of the world is, generally speaking, marked by more competition than cooperation. The Tigris and Euphrates basin (Turkey, Syria, and Iraq), the Indus Valley (India and Pakistan), Senegal River (Senegal, Mauritania, and Mali), the Rio Grande Basin (the United States and Mexico), to name only a few cases, have been managed or settled in distinct ways. What is common to most is the long duration—often decades—of negotiations that preceded any settlement. Today, “nearly half of the world’s 263 international river basins lack cooperative management agreements, as well as only a handful of the more than 600 transboundary aquifer systems.”<sup>3</sup> The Eastern Nile Basin, with all its interlocking security predicaments, has proved resistant to any comprehensive settlement.

In the absence of comprehensive hydrological frameworks, the commencement of construction of the Great Ethiopian Renaissance Dam (GERD) has further fueled simmering tensions in the region. The AU-led Trilateral negotiation has been stalled by “historical rights” claims. The lack of progress on negotiations over the GERD exacerbates other existing tensions.

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Secondly, the Ethiopia-Sudan border conflict over the al-Fashaga Triangle has been challenging frontier governance and affecting relations between the two countries for many years. Lack of border demarcation, which goes back to the colonial era, lies at the heart of the border dispute. Since then, attempts such as the 1972 exchange of notes<sup>4</sup> and the 2008 agreement to settle the boundary problem, have failed to achieve a peaceful settlement. The 2008 agreement introduced the notion of instituting a soft border governance strategy. The strategy was aimed at allowing citizens to continue farming whilst receiving security protection from both countries, until conclusion of the demarcation of the borders.<sup>5</sup> A joint Ethiopia-Sudan Development and Boundary Commission has been working to implement the border demarcation, but no real progress has been made thus far. Amplifying this conundrum, the recent deployment of Sudan's military to the contested territory on November 6, 2020 escalated the already simmering tensions. With both countries preoccupied by their internal political situations (a coup in Sudan and conflict in Ethiopia), a full-fledged conflict appears to have been averted, at least for now. In the same vein, Sudan and Egypt have been at odds over the Halayeb Triangle since independence. The border was drawn as part of Egypt according to the 1899 colonial boundary, but Sudan cites the 1902 demarcation to claim the territory.<sup>6</sup> The contested colonial boundaries keep affecting the prospects for a viable peace in the ENB.

Finally, internal political instabilities have also been another feature of the sub-basin. Looking at the last decade, the three countries have undergone mass protests, changes of regimes, and precarious and/or difficult transitions. Indeed, the internal political problems cut across and influence the sub-region's hydro-politics. The precarious political transitions in Ethiopia and Sudan are a key challenge to peacebuilding efforts in the sub-basin.

In order to move towards a sustainable peace in the sub-basin, measures to overcome and address the underlining peacebuilding challenges must be taken across all three issues outlined above.

## Policy Options and Recommendations

### 1. The African Union (AU)

- a. **Advancing the GERD dialogue:** Engage in talks to finalize the GERD dialogue that the AU has been facilitating between Ethiopia, Sudan, and Egypt since August 2020. Experience elsewhere suggests that talks may continue for years. It took a half century of negotiations between the United States and Mexico to hammer out a settlement on the Rio Grande Basin; negotiations between Pakistan and India over the Indus Valley Basin took more than a decade. There is no one-size-fits-all formula in water sharing agreements, yet such historical experiences prove that dialogue works.
- b. **Incremental steps may be a more productive approach:** Given the depth of the challenges and lack of trust, a useful approach may be to encourage, as part of a longer-term commitment to a permanent solution, the three countries to reach short-term binding agreements on water sharing. A short-term binding agreement is better than no binding commitment at all. Even if for the short-term, such agreements can also help to evaluate the success and flaws of the terms of agreement and incorporate changes in the next treaty. In committing to the dialogue, it is important to guard against the frequent change of facilitators/mediators, which has contributed to the impasse in the dam talks.
- c. **Encourage collaboration and condemn meddling in the internal affairs of fellow riparian states:** The riparian countries should refrain from hosting and supporting rebel factions. The AU should encourage a comprehensive dialogue beyond the Nile waters dispute to boost trust.

### 2. Governments of Ethiopia, Sudan, and Egypt

- a. **Engage in and strengthen collaborative projects such as Eastern Nile Subsidiary Action Program (ENSAP):** Such projects would help to de-securitize the Nile waters, exhibit political commitment, and make a concerted effort to build trust and cooperation in order to address the outstanding



challenges related to the Nile. Examples may include joint investments in irrigation, agro-processing, and hydropower projects. Such initiatives help to spread responsibility for water utilization and management.

b. **Install soft border governance strategies:** An inter-governmental strategy to control and oversee border frontiers helps to mitigate border disputes and the flow of illicit goods. Moreover, establishing a developmental corridor along the frontiers would eventually strengthen the people-to-people relations and substantially reduce border disputes both in al-Fashaga and the Halayb triangle.

c. **Develop inclusive and comprehensive national dialogues to address Ethiopia's and Sudan's internal political instability:** Both countries are experiencing extreme political volatility which could become more and more externalized, further exacerbating regional problems.

### 3. Inter-Governmental Authority for Development (IGAD) and the Arab League

a. **Encourage a peaceful resolution to the Ethiopia-Sudan border dispute:** As part of an IGAD push to conclusively address this dispute, it should establish a high-level panel to investigate the historical and normative background to the conflict, the population composition in the contested frontiers, and potential areas of development cooperation.

b. **The Arab League could act as mediator between Sudan and Egypt:** Given the Arab's League's ability to facilitate discussion over its members states, it is uniquely placed to serve as a mediator. Failure to resolve the Halayeb Triangle dispute could threaten to scupper any attempt to address the tensions over the GERD.

### 4. The United Nations, European Union, World Bank, and the United States

a. **Encourage cooperative development projects on the Nile:** Cooperative water development projects, such as investments in irrigation, agro-processing and hydropower helps to mitigate tensions, spread responsibility for water utilization, and enhance cooperation. The World Bank and U.S. government are well placed to assist with shared projects on the Nile waters.

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