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ETHIOPIAWINNET: *COUNCIL FOR THE DEFENSE OF CITIZEN RIGHTS*
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PRESS RELEASE ON GERD TALKS

ETHIOPIA'S RIGHTS OVER ITS NILE WATER SHOULD BE RESPECTED BY ALL

Ethiopiawinnet expresses its appreciation for the peaceful initiative and efforts taken by the tripartite countries (Ethiopia, Egypt and the Sudan) and the observer role played by the US, IMF and the World Bank to help expedite negotiations to resolve issues regarding the GERD and the ultimate utilization of the Nile River resources in a mutually beneficial and equitable manner. It is, however, incumbent upon us as concerned citizens, as we express our optimism of the positive outcome of these negotiations to underline the need for ensuring that Ethiopia's basic rights for the use of Nile waters are also duly respected and protected.

Among the concerns that have been noted by Ethiopiawinnet as serious challenges in these negotiations under the current circumstances, mention should be made of the following:

- 1) **Rushed Negotiations:** Given Ethiopia's good faith agreement with its' tripartite partners (Egypt and the Sudan) for equitable and mutually beneficial use of the Nile waters, and its' acceptance of observing partners (US, IMF and the World Bank), these negotiations are taking place in a very rushed pace, not taking into considerations the findings of the joint GERD technical team, and considerations of affording adequate time for the parties to inform & discuss with their public and respective parliaments.
- 2) **Lopsided 'Equitable' Use of Nile Water in These Negotiations:** - The UN water and watercourse convention has put in place the principles of Equitable and Reasonable Utilization of the Nile waters <https://www.unwatercoursesconvention.org/documents/UNWC-Fact-Sheet-4-Equitable-and-Reasonable-Utilisation.pdf> to conclude a durable agreement in such negotiations. It appears in these rushed and politicized negotiations, the question of Ethiopia's sovereign right for equitable use of the Nile Waters is taken for granted to placate Egypt and sideline weak Ethiopia to accept these terms. Additionally, an agreement of such magnitude should take into consideration the interests of the current and coming generations. Disputes on Nile River should therefore be carefully mediated in a way not to compromise the rights of future generations living in the basin.

It is obvious that an attempt is being made by Egypt and its supporters to demand an undiminished water supply by Ethiopia without taking into account the fact that Ethiopia has the sovereign right and need to utilize its natural water resources for its current population of over 110 million which is expected to increase to 172 million by 2050.

3) **Politicization of GERD discussions:** The Nile Basin Initiative (NBI) to establish legal frameworks and institutions by the upper and lower riparian states, based on internationally accepted norms, has been challenged by Egypt repeatedly, due to its unfortunate politicization and securitization of the river shared by 11 riparian countries. The Nile question would have been answered on its entirety had all basin countries committed to the Cooperative Framework Agreement (CFA). Egypt chose not to cooperate. This is unprecedented in any water treaty negotiations anywhere in the world. The following are additional reasons that hamper Nile negotiations:

3.1 Egypt is oddly insisting that the 1929 and 1959 colonial era agreements as a basis for negotiations. Utilization of these Nile treaties have no bearing on Ethiopia as it did not participate in the determination of the legal instruments.

3.2 Egypt is now attempting to directly and indirectly tie the fate of High Aswan Dam with the Ethiopian GERD project. This shouldn't stand, because Egypt constructed the Aswan High Dam, Toshka Project and other significant water reservoir and irrigation systems without any prior consultation with Ethiopia,

3.3 **Information asymmetry:** Data on utility of Nile water has not been readily available by the Egyptians. However, it is known that the current urbanization and agricultural intensification are not in line with maintaining equilibrium between supply and demand of water and fail to consider the impact of climate changes on water usages. Egypt's current water withdrawals exceed the amount naturally available, the country's continuous use of water devouring crops such as rice (not suitable for arid lands) and poor regulations of groundwater, poor or no recycling of wastewater being good examples. This World Bank study <https://openknowledge.worldbank.org/handle/10986/27659>, for example warns that climate-related water scarcity is expected to cause more economic losses in the Middle East, Egypt included.

3.4 Related with the above, the current agreement skips the potential for Egypt to develop its own natural resources including the possibility of utilizing desalinated waters from the Mediterranean Sea and the Red Sea as well as the exploration for proved ground water resources.

3.5 The current unsustainable use and waste of water by Egypt, the effects of climate change on the flow of water, and the amount of water that Egypt is demanding from Ethiopia and other upstream countries, will be inadequate in the long term. Although the negotiation is benefiting Egypt, it could just be for the short term. Listed major issues aren't addressed by the current GERD negotiations.

3.6 A royalty payment of 50,000 gold coins used to be made by Egypt to Ethiopia when the former was under the Turkish empire for the use of the Nile River water. Today, such practices are part of international norms. For example, South Africa is paying over US\$50 million annually to Lesotho for the use of the latter's water. Good faith

negotiations should have included the need for compensation or at least its appreciation. No such provision has been included in the draft agreement yet.

3.7 Participation of friendly governments like the USA and institutions like the IMF and the World Bank as observers is greatly appreciated. However, their engagements at this stage should be neutral. Ethiopia should reject any rushed deal or pressure by corner.

4. Taking all the above preliminary points into account, Ethiopiawinnet hereby recommends:

4.1 That the Ethiopian Government ensures its negotiations with Egypt and the Sudan on its water and related projects are undertaken with the fullest protection of Ethiopia's sovereign rights to its natural water resources;

4.2 That the current negotiation be limited to the filling of the water needed for the GERD project, per scientific analysis of the joint technical team, and that any requirement for any further negotiation be accorded further time, a deeper study and analysis as well as a prior consultation with the Ethiopian people;

4.3 That the Egyptian Government be required to make royalty payments for water that it is supplied with from Ethiopia beyond its normal share to be negotiated as one of the riparian states;

4.4. That arrangements be made by Egypt, Ethiopia and Sudan for undertaking a sustainable and a fully supported research on the aerospace, maritime and all other related environmental aspects to ensure that water, climate change, drought, flood, etc., are managed effectively and systematically so GERD or other initiatives agreed by all could be undertaken in mutual interest;

4.5 That Egypt and Sudan take effective steps to ensure a more efficient utilization of the water supplied from Ethiopia for irrigation purposes as well as for Egypt to generate its internal water resources including the use of desalination and recycling methods so that its dependence on the Nile River of which Ethiopia is the main source is reduced significantly;

4.6 That Ethiopia's rights for the utilization of the water from tributary rivers flowing to the Nile River is off limits to these considerations and be fully protected without any interference by any external party;

4.7. That provisions are added that final agreements include an exit clause and/or treaty renewal period, including approvals by parliaments of respective countries;

4.8 That if any mediation might be required with regard to the water cascading from Ethiopia to other down-stream, riparian states, the most appropriate institution for such a role should be the Nile Basin Initiative (NBI) and the African Union (AU);

4.9 That all the three riparian countries (Egypt, Ethiopia and the Sudan) agree on a code of conduct to denounce military threats, commitments to good faith negotiations based on

scientific studies, diplomatic initiatives and international instruments for a sustainable and mutual utilization of the Nile River.

We, therefore, call on all concerned parties to give due consideration for attention and action to the above recommendations as well as appealing for support by the African Union, the United Nations, the World Bank and countries with interest in the region, including USA.

Ethiopiawinnet is a civic organization with headquarters in Illinois, USA with membership of numerous individuals and civic society organizations.

We can be contacted at the following addresses:

Website: ethiopiawin.org

Postal Address: P. O. Box 171, E. Lansing, MI 48823

Email: ethiopiawinnet@gmail.com

Twitter: @Ethiopiawinnet