

## **Water Diplomacy: and the Share of the Nile River between Egypt, Ethiopia and Sudan.**

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### **Abstract:**

Water diplomacy across international borders can be a useful tool in solving problems related to the shared water resources of the political entities involved, especially when the interests of the countries are diverse. Water disputes can likely lead to potential conflicts if not properly addressed holistically to satisfy all parties concerned. Many discussions about water resources that cut across international borders have focused on the potential for either conflict or cooperation. Africa, as a continent with many shared resources, has not been isolated from these enormous challenges concerning the share of natural resources such as water. Africa is generally seen as a fragile region, and the signs of water conflicts in it have begun to appear in clear and dangerous forms. Diplomatic options for settling water disputes and avoiding any potential repercussions seem for the likelihood. Notwithstanding, these options Water Diplomacy has many challenges that limit its effectiveness owing to the deep political tensions among the countries. This study focused on analyzing the concept of water diplomacy taken into account the dispute over the share of the Nile River, while highlighting the legitimate right of Egypt, Ethiopia, and Sudan in line with international conventions on water resources.

**Keywords:** Water Diplomacy, Nile River, Conflicts, Egypt, Ethiopia, Sudan.

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### **I. INTRODUCTION:**

#### **Overview of the Nile River Basin:**

The Nile river comprises two tributary rivers (White and the Blue rivers) and is shared by ten countries due to its strategic flow. These countries are Egypt, Sudan, Ethiopia, Uganda, Tanzania, Rwanda, Burundi, the Democratic Republic of the Congo, and Kenya. It covers a distance of 6700 km; consisting of a confluence of the White Nile, which takes its sources from Lake Victoria, and is shared by Uganda, Kenya, and Tanzania. The Blue Nile also that originates from Lake Tana in Ethiopia. These two rivers meet in Sudan to form a single river that crosses Egypt and flows into the Mediterranean Sea. Egypt and Sudan account for 65.25% and 21.75% respectively, a total of 87% for the volume of water according to the agreement in force prepared by Britain and reviewed in 1959 (Abdalla, 1971). While the other basin countries experience water shortage, they are also among the world's 50 poorest nations, except for Kenya and Egypt, as such leaving their inhabitant even more vulnerable to famine and disease. The disputes between the Nile states over the agreements are divided, comprising countries that accept this reality and other countries demanding the termination of previous colonial-era agreements. The distribution of Nile water has led to conflicts between the source countries and downstream countries, where the latter is calling for downstream countries (Egypt and Sudan) to pay for the share of water they receive and apply the principle of "selling water internationally". Interestingly, in 2010, Ethiopia, Uganda, Rwanda, and Tanzania signed a memorandum of understanding, after negotiating for nearly ten years, demanding that, states along the Nile return their share of the water. This agreement excluded Burundi, Congo, Egypt, and Sudan. To date, Ethiopia has continued to maintain its territorial and sovereign rights to develop any natural resources within its borders, including water. The intention by Ethiopia to construct the Grand Renaissance Dam on the Blue Nile has created high tensions between Ethiopia and Egypt (Ashok, 2011).

Some experts are of the view that the Grand Renaissance Dam may have negative effects likely to be disastrous for Egypt particularly when the dam becomes fully operational, while also acknowledging the sovereign right of Ethiopia to develop resources within its borders. The concerns raised by experts are that Egypt's share of the Nile's water will likely decrease from 1 to 15 billion m<sup>3</sup>, thus affecting the agricultural sector, and also affecting electricity supplies in Egypt by 25-40%. Egypt regards negotiations, diplomacy, and international law as the basis for managing the issues relating to the Renaissance Dam and the share of the Nile River. Egypt on the other hand is also willing to adhere to the diplomatic framework, and negotiations in the

hope of ending the crisis without escalating tension between the two countries. While at the same time continuing negotiation with Ethiopia for scientific and technical alternatives to the dam by referring to initial specifications of 11 billion m<sup>3</sup> of water instead of 14 billion m<sup>3</sup>/day or creating a group of small dams that can generate electrical energy equivalent to what can be generated from the Renaissance Dam (Khartoum agreement, 2015).

Despite the continuous rounds of negotiations and meetings that took place from 2011-2018 without achieving positive results between the two parties. This is attributed to contradictions on the part of Ethiopia, as the work on the project continued with international and regional support, through financing or technical help (Mohsen, 2016). The political behavior of Ethiopia, especially after the visit of former US President Barack Obama to Addis Ababa in July 2015, reflects the changing regional balance of power in favor of Ethiopia (Emad, 2016). Egypt's political environment has also not favored the whole situation since the outbreak of the January 25 revolution in 2011. This constituted a factor of weakness and insufficient knowledge on the case by successive new negotiators. In addition to that, Egyptian allies, some Arab Gulf states, particularly Turkey, and Israel, have moved to the defense of the Ethiopian government with technical, financial, and political support. The political differences within the Egyptian state, also lead to Egypt losing some level of influence it has had for a long time on traditional donor powers, such as the World Bank (WB), and the African Development Bank (ADB). Ethiopia has stated categorically that it does not recognize the majority of the historical agreements that guarantee Egypt's sole right to the water of the Nile River. In addition to the stalling from the Ethiopian side and the lengthy negotiations spanning years without any positive results. This has made the negotiations on the Renaissance Dam project one of the longest negotiations as the Egyptian side still insisting on arriving at a solution through negotiation and diplomacy at the expense of other options (Khartoum agreement, 2015).

#### **Water diplomacy:**

Water Diplomacy has been defined as “the practice of arriving at water management for complicated water cases. It is one of the modern diplomatic styles that rely on a much dense approach to diplomacy towards water crises particularly; a negotiating group identify water problems, recognize the points that are for intervention, and suggest potential and sustainable solutions, which takes into account all points of view, target values, areas of ambiguity and uncertainty, as well as urgent changes in terms of competition between countries in the areas of water, knowing the needs required in each case”(UNESCO, 2017). In other words, Water Diplomacy is a set of negotiating and diplomatic activities and events that target specific water issues such that cadres and human efforts are mobilized, and the allocation of material and symbolic capabilities are made during a specific period, to achieve strategic goals at the international water level. This is done through a strategic water plan that seeks diplomatic channels through its external moves and activities to arrive at its goals (Mohsen, 2017). The term Water Diplomacy as explained includes all measures taken by governmental and non-governmental actors towards prevention of dispute and resolving matters peacefully to encourage cooperation concerning available water utilization between countries that have transboundary water (Irina and Henk, 2016). Water Diplomacy and Water Cooperation, in the field of international water resources, are intertwined, but both of them diverge in their objectives. While Water Cooperation focuses more on technical sides such as water distribution, water quality, and water availability, Water Diplomacy on the other hand focuses on stabilization, negotiation, peace, and security. When water becomes the main driver of armed conflict, it is necessary to include peace strategies as a solution. Stable and sustainable peace is unlikely to last without an effective solution to the water problem (Pane GHL, 2017).

Shafiqul Islam pointed out in his article in 2012, the tools for Water Diplomacy are concentrated in the science community that provides assistance which constitutes diplomatic knowledge that must be understood and used by negotiators in the areas of Water Diplomacy. This is because science has a major role in changing the negotiating track. It is imperative to note that, scientific and technical knowledge is important in water negotiations, but using scientific information alone to justify the arbitrariness of political decisions may be counterproductive. Scientific knowledge has increased significantly over the past few decades, but the ability of countries to manage water resources using scientific ability has not improved (Susskind and Shafiqul, 2012). International water management is relatively complex. There is an urgent need for Water Diplomatic tools and techniques to deal with complexity and the ability to solve problems, the Arab region still suffers from wide gaps in the application of Water Diplomacy on its International water issues. There is a need to improve capabilities and training by applying the necessary negotiation theory and skills to solve water disputes (Magdy, 2011). The presence of a skilled coordinator in negotiations at every stage is extremely important, especially in cases where technical points are being negotiated, such as the issue of the Ethiopian Grand Renaissance dam between Egypt, Sudan, and Ethiopia. Furthermore, it is necessary to have a negotiator with a large scientific and technical know-how so that he can decipher the owner's interests over the fact (Mohsen, 2017).

A negotiator in the Water Diplomacy issue needs skill that can be well practiced through the "art of possible to achieve national interests", and in addition to these skills a set of auxiliary sciences that will enable

the diplomats at the negotiating table to reach effective solutions in this regards. Water Diplomacy entails hard work that requires patience and a lot of effort through the acquisition of diversified knowledge like other types of diplomatic work. The negotiating teams should possess the following tools (Magdy, 2011):

**Languages:** A good knowledge of the official language of all contesting parties is very important. It is also important to follow the media and measure the trends of public opinion to know the extent of pressure or support associated with the issue up for negotiation.

**Philology:** It is important for negotiators who are involved in discussions related to water to be aware of the jurisprudence of the language and to understand the written texts in the language of both parties. Negotiators should fall on historical agreements regarding the sharing of water between upstream and downstream countries, and the circumstances surrounding these agreements.

**International law:** Good knowledge of the International water law which consists of a set of principles and standards that provide practical tools for riparian states to determine solutions that are beneficial to all. This law reflects state practices and aims at facilitating discussion and cooperation between them.

**Geography:** One of the other aspects in water diplomacy concerns knowledge in human geography, water geography, political geography, terrain sciences, and climate.

**Cartography:** The negotiator must be familiar with cartography, which helps in defining inputs adequately and arriving at outputs within the framework of the agreement to achieve the purpose as required from Water Diplomatic discussions.

### **Historical Perspective:**

The Nile River, for ages has played a critical role in the geopolitics of Northern, and Eastern regions of Africa. It has also served as a bond of friendship between the various bordering countries. Nile River for ages has served as a cultural, religious, and commercial link between Egypt and Ethiopia to date. However, this historic relationship between these countries is on the verge of total collapse due to the share of this single most important natural resource. The politics currently surrounding the Nile River can be described more or less as a diplomatic confrontation between upriver and downriver riparian countries to the detriment of the entire continent of Africa. This confrontation is not a recent event, however, the construction of the Grand Renaissance dam in Ethiopia seems to have escalated this dispute to new heights. The complexity of the problem is about equal distribution and use of water in the Nile. This is further compounded by the existence of old treaties on the use of the Nile river and the current demand for full utilization of the Nile resources by the upstream countries.

According to Yacob Aranso and quoted by Obengo 2016, he took into account the historical sequence and divided the Nile River Agreements into three categories:

These are:

- Agreements between colonial powers: the Anglo-Italian protocol of 1891, the 1906 agreement, the 1925 Anglo-Italian agreement, and the 1934 agreement between Britain and Belgium (Obengo, 2016).
- Agreements between colonial powers and regional states: the 1902 Anglo-Ethiopian agreement, the 1929 agreement between Britain and Italy, and the 1952 agreement (Obengo, 2016).
- Agreements between colonial powers and territorial states: the Anglo-Ethiopian Agreement of 1902, the Agreement of 1929 between Great Britain and Italy, and the Agreement of 1952. Agreements between the independent states of the basin: the 1959 agreement signed by Egypt and Sudan, (Obengo, 2016). The 1993 agreements were signed between Ethiopia and Egypt, and the 2010 Comprehensive Framework Agreement was signed between the seven countries of the Nile basin (Nile Basin initiate, 2016).

The agreements in the first and second categories were initiated mainly by the then colonial powers of the basin (Obengo, 2016).

Accordingly, the 1929 Nile water Agreements allotted to Egypt 48 billion m<sup>3</sup> of water at the expense of other bordering countries' needs (Obengo, 2016). To date, this has been the born of contention of Nile water usage and distribution among bordering countries. When the treaty was revised in 1959 Egypt's share of the Nile was further increased from 48 billion m<sup>3</sup> to 55 billion m<sup>3</sup> without taking into consideration the needs and demands of both Ethiopian and Sudan, besides other bordering countries at that time. This increase in water allocation to Egypt pave the way for the construction of the Aswan High Dam, classified as the biggest man-made water reservoir in Egypt (the United Arab Republic and Sudan, 1959). Among the benefits of the Aswan High Dam was that it ended Egypt's dependence on the precarious Nile floods, but invariably led to dire consequences on upstream riparian countries including Ethiopia.

This paper is of the view that the dispute of the Nile River we witness today between Egypt and Ethiopia is a result of the 1959 agreement. Ethiopia which was not a party to the agreement felt cheated on the exclusive use of a resource that passes through its territory. Sudan on the other hand had little to say due to its internal political instabilities.

The solution to this dispute was to find a common platform that can in the interest of peace bring lasting to all sides, this resulted in the formation of the Nile Basin initiative in 1999.

Among the many roles of the Nile Basin initiative was to provide the riparian countries the opportunity for cross-sectional negotiation and diplomacy. The Nile Basin Initiative became operational as a transnational institution until negotiations of the Cooperative Framework Agreement were finalized and created as a permanent organization. Nile Council of ministers subsequently became the highest decision-making body on the Nile Basin Initiative. Notably among the roles and responsibilities of the Nile Council of ministers were:

To provide political leadership, and ensure compliance on the Nile Basin initiative transition systems. Also included in the Nile Basin Initiative was the Nile-TAC, made up of 20 senior government officials, two from each of the participating countries responsible for the Nile Basin Initiative. Among the role and responsibilities of Nile-TAC was to provide technical assistance and offer a constructive suggestion to Nile-Com on all matters concerning Nile River's developments.

Bilateral relations between the governments of Egypt and Sudan improved tremendously in 2009 leading to the grand opening of the Merove Dam in Nubia with Egypt's approval. The opening of the Merove dam by Sudan with Egypt's consent and support causes a wave of great anger among the bordering countries most importantly Ethiopia.

Because of the developments surrounding the exclusive rights of the Nile River and disputes, the five upstream countries (Ethiopia, Kenya, Tanzania, Uganda, and Rwanda), ascribed to a Cooperation Framework Agreements based on their territory rights under international law to the use of the Nile River in May 2010. Burundi later joined the group in 2011. These six countries take a firm stand on the equitable development of the Nile River based on international territory rights, and not some water rights given by the colonial master who does not control the water to a particular country. The stand taken by the group of six counties who insisted on the natural and territory rights to the Nile River led to the announcement in 2011 by Ethiopia for the construction of five mega-dams on the Blue Nile beginning on the construction of the Grand Renaissance Dam. Ethiopia sees this as the solution to its electricity problems and an opportunity to attract investors for the country's development plan.

Before 2012, the Nile Basin Initiative countries had pledged to a long-term strategic plan to conserve the Nile water supplies. However, Egypt has accused Ethiopia of bad faith in breaching this agreement and undertook a different water management policy at the expense of other Nile Basin countries, most importantly excluding Egypt and Sudan on its water development policy and management.

#### **Demands of competing parties (Egypt, Ethiopia, and Sudan).**

Egypt's concern on the current dispute is the volume of Water supply once the dam becomes fully operationalized. Egypt needs assurance from Ethiopia that its required volume of water will not be disrupted by Ethiopia's dam. The Water supply from the Nile is vital to all the country's concerns and the construction of critical infrastructure is equally vital to the long-term development agenda of the region. The current growth of populations as experienced in Africa is estimated to reach its peak in 40 years (Obengo, 2016). With this in mind demand for critical projects are very important to cope with the population. Increasing population will call for increased provision of public utilities such as electricity. The table below, therefore, highlights electricity accessibility supply among Egypt, Ethiopia, and Sudan from 2016-2020.

**Table 1:**The table below highlights population and access to electricity by the competing countries

	<b>Population (million)</b>	<b>2016 (%)</b>	<b>2017 (%)</b>	<b>2018 (%)</b>	<b>2019 (%)</b>	<b>2020 (%)</b>
<b>Egypt</b>	100.4	100	100	100	100	100
<b>Ethiopia</b>	114.963	43	44	45	48	45
<b>Sudan</b>	42.81	49	51	52	54	54

Sources: World bank data.

Based on the table above Egypt is the only country among the three Nile basin countries to this Water dispute that enjoys 100% access to electricity by the entire population (2016-2021). Every part of Egypt enjoys uninterrupted access to electricity provision for 24 hours per day. Ethiopia and Sudan on the other hand are handicapped with access to electricity coverage. Ethiopians continue to lack access to electricity. As shown in the table from 2016-2021 about 50% of the entire Ethiopian population does not have access to electricity supply, and this according to development expertise affects the flow of foreign direct investments and the development agenda of Ethiopia. Availability of electricity supply is seen as one of the tools for accelerated development and for attracting foreign direct investment. According to an Ethiopian source, the primary motive for the construction of the Grand Renaissance Dam is to provide critically needed electricity for the dire needs of Ethiopians and to relieve the country of the acute energy shortage, and also export electricity to neighboring

countries. Ethiopia's development agenda is that the construction of the Dam will increase electricity accessibility to over 80% of the entire population of Ethiopia.

### **International Legal Perspective:**

#### **Water crisis between basin countries from the perspective of international law**

The Tigris and Euphrates rivers gained International characteristics once the Ottoman Empire disintegrated after the First World War and the establishment of both Iraq and Syria. Thus, the two rivers became subject to international laws that applied to International Rivers. The legal system of the Tigris and Euphrates rivers is the set of legal rules that can be used to regulate the exploitation of the waters of the two rivers:

#### **International rules on the distribution of water between riparian countries:**

International law regulates the process of exploiting International Rivers between riparian countries. Several written agreements and as the basis to regulate the use of international waters between states. The UN published more than 250 treaties in 1963 under the title legislative texts and provisions on the uses of International Rivers for purposes other than navigation (Suleiman and Al- Shukri, 2014). The principles of international law were settled long ago, and the most important of these were: the principle of acquired rights, the principle of not harming others, the principle of equal use of the right, the principle of the inadmissibility of arbitrariness in use of the right, the principle of peaceful settlement of disputes, the principle of good neighborliness, and the principle of good faith (Berber, 1961). With these principles in place, there was no doubt that states had the right to use the International River that flows through their territory. However, these countries may differ in their outlook on the nature of the development of the resources. These three theories explain further:

#### **Theory of Complete Territorial Sovereignty:**

This theory grants all states the right to practice sovereignty on the whole area of the International Rivers that run through its territory. Right to establish projects, and to use the International River water as long as it runs on their territory, regardless of the consequences on the other riparian states in the basin. This theory was based on what is known as the Harmon Doctrine, a former US Attorney General (Jadson Harmon). This was given the conversions made in 1896 by the U.S as part of the Rio Grande River which became the center of conflict between the US and Mexico. The USA justified that international rules do not obligate it to share the water of the aforementioned river with Mexico and, that the US has full legal right and sovereignty over the portion of the river within its territories (Mizanur, 2009).

#### **Theory of Complete Regional Integration:**

This theory does not give riparian states, the right to change the natural course of a river that flows through its territory, and emphasizes the principles of good-neighborliness; is of relevance to the principle of fair and reasonable utilization of international water. This theory also asserts that no country has the right to take unilateral action which affects the other countries in the basin (Mansour, 1996).

#### **Limited Regional Sovereignty Theory:**

This theory states that a country is free to use water flowing through its lands, provided that such usage does not cause substantial damage to the interests of other basin countries. It allows the basin countries to enjoy the rights and obligations jointly in the use of the International River. This theory is more acceptable for scholars in international law (Hassan and Tariq, 1997).

However, the most important rules applicable on the use of international water are the "Helsinki Rules." The Helsinki Rules come up from the fifty-second conference of the international law Association in 1966. It is therefore important to note that, decisions of the international law Association regulate the rules of Helsinki and other decisions issued by legal committees have become legal sources of the International Court of Justice. But they are not compulsory, although it is an important legal system of rules governing the use of International Rivers for navigational purposes. The "Helsinki Rules" included 37 articles that contained general principles that later became influential at the regional and international levels (Salman, 2007).

There are also many international agreements to regulate the uses of International River water for purposes other than navigation, the most prominent of which are:

**1. Vienna Convention (1815):** It was the first international convention to establish a legal principle; The Rivers that pass through the territory of more than one country are subject to international legal standards.

**b. Peace treaties concluded after the First World War:**

This included the Barcelona Treaty in the year 1921 and the Geneva Convention of 1923; these treaties dealt with energy development and waters affecting more than one country. Also, the treaties defined the uses of IR water for purposes other than Navigation and affirmed the freedom of states to use the water that passes through their territories within the rules of international law (Rahaman, 2009).

**c. United Nations Conference held in the Argentine city of Mar del Plata in March (1977):**

The purpose of this conference was to confirm existing principles of international law on international rivers as generally acceptable, to offer methods governing the use of water resources jointly, for development, and management in the absence of bilateral or multilateral agreements.

This conference included with a concern of the world owing to the problem of water availability and quality, and its recommendations were made covering eight main areas; water resources assessment, environment, health and pollution control, planning and policy management, natural hazards of the mass media, education, training and research, regional cooperation, and international cooperation (UN reports on water conference, 1977).

**d. United Nations Convention on International Rivers 1997:**

The UN General Assembly adopted in its Fifty-first session on 21 May 1997, the framework agreement, which is one of the most important international agreements in this field. This includes the basic rules under which water resources are shared from rivers -in general- for agricultural, industrial, and drinking purposes. The agreement consists of (33) articles that represent a set of main general principles and related provisions about the usage of river water for purposes other than navigation (Mohamed, 2012).

Legal principles have emerged in regulating the exploitation of International Rivers, the most important of which are; First, it is prohibited for any country to make any changes to the watercourse in a way that negatively affects the rights of other riparian states except after an agreement is reached between them, and balancing benefits with harms. Second: the riparian countries are obliged to consult and exchange information regarding the plans of each country (UN yearbook, 1985). Third: the riparian countries have the right to use the watercourse based on full equal rights. Fourth: the fair and reasonable distribution of common water and respect for the acquired and historical rights of each country, and to refrain from engaging in any work that might be affecting the rights and interests of the basin countries. These principles place international responsibility on each country that is trying to bring a change in the water from the IR or modification of its course in a way that impacts the quantity and quality of water (Sultan, 1976).

**Other solutions to International water dispute.**

Despite the improvement of relations between the countries concerned in this dispute, a reflection on understanding and cooperation are still limited in reaching a final and fair agreement for this water resource. This issue is still a hotbed of tension between the riparian countries, as Egypt sees the actions of Ethiopia as a contravention of the international agreement of which Ethiopia claims was not a party. Besides, the failure of Water Diplomacy to achieve its goal to solve the dispute and reach a final agreement. The main reason is the entrenched position taken by all parties on the territorial right to the Nile river. The political history of the region confirms that the freshwater variable has become an essential component of security as it is an important factor in the economy. Many proposals were made in which this dispute could be resolved after setbacks of diplomatic attempts (Taya Muhammad, 2006). Among the proposals include:

**Egypt, Ethiopia, and Sudan: and the principle of good-neighborliness:**

Egypt, Ethiopia, and Sudan all have concern that the dispute has a political dimension to it and requires a political decision at the highest level due to its interwoven and association with other problems (Abdulaziz, 1996). Their suggestion to resolve the problem was to refrain Ethiopia from cutting down the volume of water supply to Egypt and the possibility of flooding in Sudan when the dam becomes fully operationalized. Furthermore, all countries called for a resolution of the water dispute with a good intention, relying on norms and international law and the *principle of good-neighborliness* (Tariq, 1994).

The first and basic step towards resolution, of the position adopted by the Egypt-Ethiopian side, was for Ethiopia to ensure that the volume of water required by Egypt will not be reduced once the dam becomes operationalized at full capacity. At the same time basin, serious and urgent discussions between the riparian countries at the foreign ministry level must continue to ensure agreement on the final distribution of basin water, and investment terms” (Jamalou, 1996). However, Egypt's attitude toward the Nile river is still unchanged and insistence on the colonial agreement. Egypt considered the problem as a technical issue, which can be solved according to the principle of apportioning water usage, Egypt also saw no need for the adoption of international law or laws adopted by the General Assembly (Zakaria, 1994). Although there are treaties between Egypt and Sudan which both sides duly recognized with the international dimension of the basin This treaty Ethiopia considers them as null and void because they were concluded during the period of British imperial rule and as a

gift to Egypt without Ethiopian's inputs. Egypt further asserts that there are protocols, notes, and meetings between the basin countries that confirm the international dimension of the two rivers. And that Ethiopia has recognized in more than one treaty that the two rivers are international in nature and subject to international law like, protocol 1987 between Egypt and Sudan, which is registered with the General Secretariat of the UN on 1 June 1993. Egypt insists if Ethiopia continues to reject the international feature of the rivers, then the Rhine, Senegal, the Nile, and other rivers will not be considered as international rivers (Jamalou, 1996).

#### **Applications of theories on Nile River dispute.**

##### **1. The theory of complete territorial sovereignty:**

This theory grants all states the right to practice sovereignty on the whole area of the International Rivers that run through its territory. Right to establish projects, and to use the International River water as long as it runs on their territory, regardless of the consequences on the other riparian states in the basin. This theory was based on what is known as the Harmon Doctrine, a former US Attorney General (Jadson Harmon). This was because of the conversions made in 1896 by the U.S as part of the Rio Grande River which became the center of conflict between the US and Mexico. The USA justified that international rules do not obligate it to share the water of the aforementioned river with Mexico and, and that the US has full legal right and sovereignty over the portion of the river within its territories (Mizanur, 2009).

##### **2. The theory of complete regional integration:**

This theory does not give riparian states, the right to change the natural course of a river that flows through its territory, and emphasizes the principles of good-neighborliness; is of relevance to the principle of fair and reasonable utilization of international water. The theory also asserts that no country has the right to take unilateral action which affects the other countries in the basin (Al-Adly, 1996).

##### **3. Limited Regional Sovereignty theory:**

This theory states that a country is free to use water flowing through its lands, provided that such usage does not cause substantial damage to the interests of other basin countries. The theory grants access to the basin countries to enjoy the rights and obligations jointly in the use of the International River. This theory is more acceptable for scholars in international law (Shalaby and Tariq, 1997).

#### **Shared Resources and Common vision:**

The countries bordering the Nile Basin have different interests, demands, and needs for the use of the river Nile (Nile Basin initiative, 2015). The existence of the Nile River should be regarded as a shared resource for all countries bordering it, and this calls for a common vision on the use, development, and management of the Nile resources to meet the aspirations of all countries concerned more particularly its people. Any Shared resource demands common vision, common responsibilities, and common management of the resources for common good. The existence of the Nile was to be a shared resource for all countries, a source of cooperation and friendship, and not a source of tension and disputes. The Nile basin cooperation anticipates the promotion of shared resources and a common vision for the needs of all countries concerned.

## **II. CONCLUSION**

The preliminary agreement by all bordering countries on the construction of the Grand Renaissance Dam in February 2015, seems to be a step in the right direction on the share of the Nile water. However, future cooperation will determine the future of Egypt-Ethiopia-Sudan relations until they all reach a final agreement, settlements that guarantee each state with its water rights according to international agreements on water distribution. In addition, the application of international regulations to the Nile River, considering Ethiopia and Sudan are from the riparian countries in the basin will also be useful in this case. Therefore, it is necessary to have cooperation between these three countries, not only to avoid conflict but also to protect the natural systems that form an essential part of the regional economies. Based on the above, a set of recommendations can be reached:

1. Coordination between Egypt and Ethiopia is very critical in this direction. Politically, economically, and socially cooperation through integrated water management and rational consumption of available water resources will be very crucial to find an amicable solution to the dispute. This should be done through the establishment of media and awareness campaigns, and the development of plans and programs for using advanced techniques for the development of water resources. Additionally, ministries responsible for the water resources in both Egypt and Ethiopia should come up with policies that can compensate for water usage instead of depending on basin water, which sometimes suffers from scarcity and evaporation. These policies should focus on wastewater purification, and the establishment of desalination plants to desalinate saltwater.
2. Activating diplomatic channels between the riparian countries to conclude a tripartite agreement, based on the recommendations from conferences, water bodies, and international law. Negotiating teams with a specialty in

legal, economic, and technical skills are to be formed to reach a final agreement that preserves the water rights for all parties.

3. Activation of the African Union's diplomatic and political effort at the regional and international levels to ensure and protect Nile water interests and enhance negotiating capabilities for shared waters with all countries. This should be done based on the rules of international law and agreements. Therefore, the African Union must be invited to consider formulating an African Union legal framework concerning common waterways to preserve the integrity of relations between riparian countries.

3. Mobilization of international forces to internationalize the water crisis and advocate for the water rights due Ethiopia and Sudan. International and legal organizations must step up to take a stand that Egypt's insistence has no international legal basis because, from a legal standpoint, the principle of not harming others can not apply without specifying the share due to each of the three riparian countries in the basin.

4. Using the alternative economic incentives system as it is a suitable approach to solving the outstanding water crises between the basin countries, and activating the role of UN organizations to help economically poor countries like Sudan, suffering from war and shortage water, to adopt the economic incentives system with the upstream country. As relevant UN organizations can contribute to financing the alternative economic incentives system by providing technical expertise and setting up water projects for the benefit of all the countries in the basin.

5. Future policies developed by Ethiopia and Sudan geared towards building more dams on the rivers with approval from African Union, and with support from the international community. However, certain unfortunate comments by former President America's Trump to that "Egypt may blow up the dam" were comments in bad taste to the water dispute resolution.

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