

On Nile River and the Renaissance Dam

By Tecola Hagos

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"Ethiopia will never ask the consent of any country to undertake development projects. Ethiopia is an independent country and will never request the consent of any country. Ethiopia will undertake its development projects in a way that does not cause any significant harm to any country. Moreover, Ethiopia undertakes its development projects based on principles. It takes into consideration the benefits of the countries from the development projects as well as friendship and healthy relations with the countries."-*Alemayehu Tegenu, Minister of Water, Energy and Irrigation, interview, 'Newstime Africa', March 2, 2015.*

Introduction

We all have read the great news that Ethiopia, Egypt, and Sudan have agreed on certain principles to guide them as their basic understanding on sharing the bounty of the Blue Nile. We have no access to the fine prints, and we know the Devil is in the details. I never give up on anyone not even on the Devil. Do I give up on principled mission any less? It is always my hope that Egypt will see the light from its unreasonable claim to use almost 90% of the water of the Tukur Abaye (Blue Nile) based on "historic use" and two treaties, wherein the originating country, Ethiopia, of nearly 90% of the water is not a member or signatory to such a treaty or arrangement between Britain as a colonial power signing for both its protectorate, Egypt (1929) and Sudan (1959).

It is always a great occasion when nations decide to resolve their problems through peaceful means of magnanimity, honesty, fairness, justice, and mutual benefits. Such great agreements are born out of strong principled presentations of each sovereign nation pursuing its national self-interest. Because of unpolarized interactions, national leaders will start to recognize the legitimacy of all well founded claims and concerns of each other as riparian States. When national leaders reach such critical mass they know how to compromise and work to accommodate the interest of each.

Going to war is the easiest thing to do, and it is the least preferred by any of the States involved in this triad dance of diplomacy, occasionally punctuated by Egypt convulsing and throwing tantrum threatening military action against Ethiopia. Ethiopia will never lose any battle to any Arab country in the region. Let us leave no room for such fear. However, the absence of war does not automatically translate into economic development. For some unbeknown reason, of all the officials of the Ethiopian Government, I trust Alemayehu Tegenu, when Ethiopia's interest is in jeopardy, he will not betray Ethiopia. I have never met the man; I only saw how he handles himself on TV and read his statements in reports.

Use Correct Lexicon

To begin with it is a total error to think of the waters of Tukur Abaye (Blue Nile) as the water of the Nile. The very name designation of "the Nile" water polarizes the basic facts on the ground. The Blue Nile of Ethiopia provides over 85% of the water that empties from the highlands of Ethiopia into the lowlands of Sudan and ultimately traversing Egypt's parched desert land. Without the run-off water from Ethiopia's mountainous basin source of all major rivers, such as the Atbara and the Blue Nile, less than fifteen percent of the Nile water comes out of further South from the Lake Victoria region and the surrounding basin. In other words, the Blue Nile water is the water that both Egypt and Sudan are benefiting from. So let us drop the crap and pretentious claim of "Nile" water and call it by its proper designation—the water of Abaye (the Blue Nile).

I was checking the reports of several media outlets of all of the riparian states of the Nile, and only one has as its headline the correct lexicon: "Sudan, Egypt and Ethiopia ministers strike deal on basis of sharing Blue Nile water," DAILY NATION, March 6, 2015 (Kenyan media). The headline is correct because it stats a factual matter that it is not the Nile water that is the subject of the controversy but that of the Tukur Abaye (Blue Nile). There seems to be

very little coverage in Ethiopia both in the official and private media about the March 6, 2015 news of agreement on principle about the use of the Water of the Blue Nile and the Grand Ethiopian Renaissance Dam (GERD).

Secretive Negotiations; the Ills of Untrustworthy Leaders

Negotiating an international treaty deciding which principle would prevail either the “historic use” that Egypt stands by or the “equitable and reasonable utilization” that Ethiopia supports, along with the promoters of the Cooperative Framework Agreement (CFA), is not an easy matter. We all know that almost 90% of the waters of the Blue Nile and other rivers of the Ethiopian highlands drain into the Sudan and Egypt. The course of the future history of both Egypt and Ethiopia must not be handled in secret since that history is going to be written with Blue Nile water as ink. One cannot hide what is inevitable.

I do not understand why the Ethiopian government leaders do not learn from past mistakes. They had all the chances to educate and prepare the People of Ethiopia about the problems facing Ethiopia from Egypt and the Arab League concerted historic destructive stance. No foreign policy can be successfully pursued by Ethiopia if the Citizens of Ethiopia are not fully supporting such policy. One constitutionally required way of insuring such support is to follow the Constitution provisions that require the approval of the House of Representatives. The House is not to be used as rubberstamping institution but as a functioning body to debate and examine any such Agreement, Convention, and Treaty, even Policy during the negotiation, the ratification and signing stages. All international treaties, agreements, covenants et cetera must be published and must be distributed to the public. For mass production, the Government must allow private publishers to republish and distribute such legal documents for their own profits.

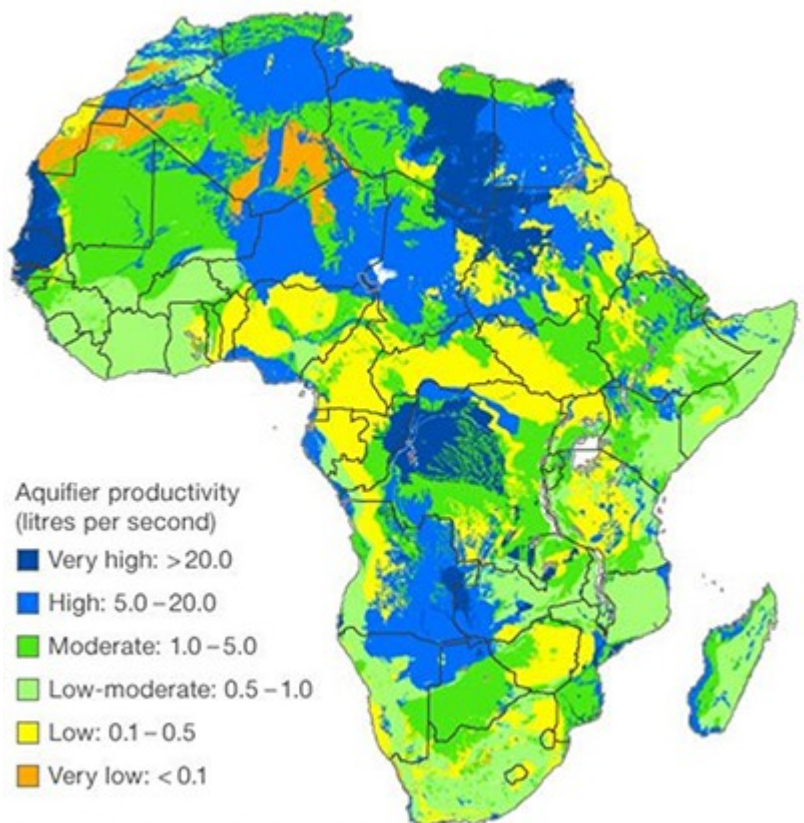
The GERD book of account, the names and true identity of sub-contractors, the names all material suppliers et cetera should be disclosed and bid awards should be treated as any public/government bids with stringent rules and procedures. In order to build trust between the Ethiopian people and the Ethiopian Government, there must be proper disclosure of the activities of the Government dealing with foreign governments. There should not be any secret deals where Ethiopian territory is ceded to foreign states. The Ethiopian Government must disclose all deals that Meles Zenawi might have made with Sudan in regard to border land.

Basic Rights and Principles

The Cooperative Framework Agreement (CFA) (2010) has introduced some creative principles taking advantage of the trend set by United Nations international conventions and treaty agreements of the modern era on international rivers. One important principle that overrides the old “historic use” principle is “the principle of equitable and reasonable utilization” (art 4, CFA) of the resources of the Nile and the Nile Basin. Actually, I am of the mind that principle is too intrusive and covers vast area. Egypt and Sudan by not signing are not serving their interest, for the other riparian States might amend the CFA and leave narrow watershed areas for cooperation.

I have outlined hereunder some basic principles and governmental positions that all Ethiopian leaders and the Ethiopian Government as a whole should heed:

1. No agreement should be signed that impedes, or creates limitations on the Sovereignty of Ethiopia. Such limitation might come hidden in provisions of bilateral or multilateral agreements



creating the rights of consultation, a seat in Ethiopian national Committees, Creation of a body of Experts with a seat to foreign nationals et cetera.

2. Creation of Rights in rem (rights in things) must be avoided on any construction on Ethiopian territory, such as Dams, Power-stations, Distribution Centers, Grids, Power-lines. All rights in personam (obligatory rights) must be of the corporate type of holding shares in corporations fully established in accordance with the laws of Ethiopia. Share holdings must be through a corporate structure, and no Sovereign direct ownership of any share in an Ethiopian Corporation should be allowed.
3. Licensing must never create any rights in any corps of asset in Ethiopia. Ethiopia could license distributors of its power in different states through formal bids and business based examinations of the principals.
4. Never guarantee a certain amount of water to Egypt and/or Sudan, for you have no control on the rate of the rainfall. Growing up in Dessie a life time ago, I remember that the heavy clouds always sail by from West to East, later I learned it is the Atlantic Ocean that feeds the water bearing cloud that finally dumps all that fresh water on Ethiopia. If that is not God's blessing,
5. Never agree to a provision that requires Ethiopia to appoint foreign arbitration, such as the corrupt and disastrous Border Commission that was established pursuant to the Algiers Agreement, a disgustingly anti-Ethiopian interest agreement that resurrected long dead colonial period treaties to deny Ethiopia's historic right and territorial sovereignty on the Afar coastal territories all the way to the Islands and beyond. Never ever sign any agreement that affects our national security and economic development.
6. All Consultants, Arbitration Members, Ad hoc Committee of Experts, et cetera hired from foreign countries can be corrupted by wealthy Arabs in promoting Egyptian interest. Or could be biased on their own against our interest and in favor of Egypt hoping to get great deals later from the Arab countries. We do not have the resources to top such rewards. Our only equalizing force is to use violence against individuals who breached such professional code of conduct and hurt our economic and political interest. Thus, relay on Ethiopian Experts at all levels.
7. Never ever walk into a meeting fearing possible armed conflict even all-out war. Do not ever forget we are the people who stood free and sovereign in our destiny for thousands of years. We are in our Territory and anyone coming to attack us would necessarily lose.
8. Make sure that Ethiopia receives some form of compensation for the water that is preserved for use for both Egypt and Sudan.
9. The cost of maximizing the availability of water for the basin through prevention of soil erosion by planting hundreds of millions of trees and shrubbery must be sustained through some form of compensation by Egypt and Sudan.
10. Always remind Egyptians that 90% of the water they use is from the Blue Nile that Egypt does not contribute a single drop of water to the Nile water. Both Sudan and Egypt must work to dissuade fully all Arab League States from all political and economic campaign against Ethiopia. And to treat Ethiopian migrant workers in such countries with respect and justice.

Conclusion

I hear often people feeling sorry for Egypt for being very dependent on one river. The fact is that Egypt is floating on a huge underground water reservoir. Egypt can utilize such abundance of water for its population rather than picking fights with Ethiopia stifling the legitimate aspiration of Ethiopia for feeding its population. If you visit Cairo and the many resort areas you will find countless swimming pools. Look at this ridiculous situation: Egyptians luxuriating in swing pools with our Blue Nile water object to our using our own Blue Nile water to feed and provide potable water for our own needs?

'Huge' water resource exists under Africa, By Matt McGrath Science reporter, BBC World Service

There is much Ethiopia can offer to the region not only precious fresh water, but also tremendous talent and determined people who know how to maintain a nation for thousands of years. Already much has been carried out in Ethiopia. There is tremendous need for reform in order to expand individual rights. Corruption is rampant and illegal syphoning of hard currency from Ethiopia has reached an alarming stage. This hemorrhage must be dammed up. The Leadership in the Parties do need some rest from years of hard work. They should retire and younger individuals need be inducted into the system. Election to me is an educational process and the outcome of any election, including the one coming up in May, is just an exercise—for the result is already predetermined in the staging of this drama