

Why International Institutions Fail: The Struggle for Water Rights in West Africa

The Nile River supplies water for many countries in the West African region, primarily Egypt, Sudan, and Ethiopia. These three countries rely on the water supplied by the Blue Nile River and have so for thousands of years; this resource is vital to their survival. In the last twenty years, the countries of West Africa have been plagued with civil war, economic hardship, and drought. The Nile River is more important than ever to revive shattered economies and strengthen new governments. The need for the Nile Rivers' water has created tension between Sudan, Egypt, and Ethiopia. The Nile River is essential for nations in West Africa to live and prosper. Debate over the allocation of water causes disagreement between countries over its proper usage. Negotiations have been ongoing for years and have yet to settle on a way that satisfies each side. Many international institutions, including the African Union (AU), United Nations (UN), European Union (EU), and the US, have been involved in negotiations. Resource disputes can have major economic and political repercussions that can easily escalate into a military matter. It is the goal of this paper to prove why international institutions have failed to resolve resource conflicts in West Africa. In addition, it aims to show that international institutions could never reach a form of "peace" in this region using mediation, policy, or cooperation.

GERD Background:

The Grand Ethiopian Renaissance Dam (GERD) has been under construction since 2011 and is located on the Blue Nile River. The main Nile River is fed by two separate rivers, the Blue and White Nile. The Blue Nile starts in Ethiopia and flows down into Sudan, where it meets the White Nile near Sudan's capital city of Khartoum. The main Nile River is formed and flows down through Egypt and ends at the Mediterranean Sea. The Nile supplies the necessary water to support these countries' economically and politically. It is not the first time the Nile Rivers' water has sparked an issue of resource conflict.

(Morsey, Karim M., Mostafa, Abdelatif, 2021)



It is important to highlight just how vital this river is to each nation-state involved and for many, this is their primary water source. How did the GERD project create such a conflict, and why have negotiations been ongoing since 2011? The answer lies within the relative gains each country hope to attain at the negotiation table.

Ethiopian Interests:

Above all things, the Ethiopian government wants to use the GERD to address widespread poverty in the region and supply millions with more reliable electricity. In 2018 Ethiopia's Prime Minister Abiy Ahmed came to power following decades of authoritarianism and the country's domination by the Tigrayan minority ethnic group. "Abiy promised to build bridges spanning ethnic fault lines, cultivate an inclusive nationwide identity, and open up the political space." (Mbaku, 2020) According to the World Bank, Ethiopia's population was approximately 112 million as of 2019 and continues to grow steadily. In 2011 30% of Ethiopia's population sat below the poverty line, and as of 2018, only 44.98% of the population had access to electricity. (World Bank, 2019) Ethiopia wants to use the natural resources of its country to solve these nationwide issues. Inspired Ethiopians at home and abroad, donated much of the projects starting funds. The GERD has sparked a wave of national pride, Ethiopians now view the dam as a symbol for their nation and continue pushing the government to finish the GERD project. The Ethiopian government has also shown continued interest in sharing information with Sudan and Egypt. During times of drought Ethiopia plans to use the dam to manage the allocation of the Nile rivers waters. (Mbaku, 2020) An offer to exchange information is vital because it shows that Ethiopia wants to use the dam to have a broader effect on the region. Ethiopia has also shown that while it will share information about the dam, it wants complete control of the GERD's operation and management. When the flow of the Nile drops to 35-40 B.C.M. per year, that constitutes a drought, and Egypt has asked Ethiopia to sign into legislation that it will release water from the GERD reservoir when those levels are

reached. Ethiopia responded that it dealt with drought situations flexibly and would not agree to that compromise. (EgyptToday, 2021) Ethiopia also started filling the dam early in mid-July of 2020 prior to an agreement between the three countries. Ethiopia feels, however, that it was unfairly represented in the current water treaties set in place in 1959 called the Nile Basin Initiative. This legislation allocated all the Nile rivers water to Egypt and Sudan and afforded little to no water to upstream riparian states. (Mbaku, 2020) The Nile Basin Initiative also afforded Egypt veto power over future Nile River projects. Ethiopia feels as if they are drawing the short straw every time and are not being allowed their proper rights to their country's natural resources. (Mbaku, 2020)

Sudanese Interests:

The Sudanese government has seen the potential for domestic development with the GERD but has many concerns. The first issue expressed is of direct national security regarding the ramifications if the GERD dam were to break for any reason. A breach in the dam would cause massive flooding throughout the country, including Sudan's capital city Khartoum. Khartoum is one of the most heavily populated cities in the country, and a breach would devastate the Sudanese population, economy, and infrastructure. Secondly, Sudan is also concerned that the dam could make it more difficult for the government to manage its development projects in the future. This is a significant concern as Ethiopia will now influence Sudan's hydroelectric projects and other infrastructure developments. Sudan's Minister of Water Resources and Irrigation, Yasir Abbas, has said he feared a lack of coordination and data exchange from Ethiopia." (SciDev.net) A professor of water resources at the National Center for Water Research, Mohamed Dawoud, stated, "The Sudanese Dams are relatively small, in the case of an abundance of water, or a sudden flood that necessitates the release of large quantities of water, it is possible that the Sudanese Dams will not bear this pressure and collapse." (SciDev.Net)

The Sudanese are open to more hydroelectric developments, but a resolution has not yet been reached on filling the GERD; thus, these problems continue. Minister Yasir Abbas has every reason to question Ethiopia's honesty in cooperation as the premature filling of the GERD was solely in Ethiopia's' interest. Sudan has not made any military threats throughout this entire

conflict and has stayed away from any hostile threats. Egypt has focused on negotiation, but has also made multiple threats of potential military intervention.

Egyptian Interests:

“At its core, the Egyptian identity is the Nile,” (Mbaku, 2021) because of that, Egyptians have and always will fight for the Nile water rights tooth and nail. In 2020 the Egyptian Ministry of Immigration and Egyptian Expatriates Affairs put a message on social media stating, “More than 40 million Egyptians are facing the threat of drought and thirst... The cause of water shortage is Ethiopia building a dam five times bigger than it needs.” (Mbaku, 2020) The idea of Ethiopia threatening Egyptian livelihoods has outraged most of the population, and many have encouraged the government to intervene with military action if necessary. From the realist perspective, Egypt would have every right to do so, as they see their state afflicted by an outside force.

The conflict over the Nile has created a wave of Egyptian national pride as the entire population of Egypt relies on the Nile Rivers' water. The Minister of Irrigation and Water Resources of Egypt, Mohamed Abdel, stated in an interview, "Data exchange is a step that follows reaching an agreement. We have not reached an agreement on data exchange... If they have good intentions, we shall make the agreement go into force right away, and then, exchange data and experience, and work together." (Tawil, 2021) Minister Abdel expressed that the reason they are unable to reach an agreement on information sharing is due to "unilateral acts, and it can be expected to happen in the long-run." (Tawil, 2021) Unilateral acts such as the two fillings of the GERD reservoir that went against the wishes of Egypt and Sudan. Minister Abdel also claimed, "we are actually following all data on the dam filling and have more data than Ethiopia has... such data is easy to acquire." (Tawil, 2021) Egypt has suspicions about Ethiopia's integrity to uphold its end of the deal if complications arise.

Due to the increase in flash droughts attributed to global warming over the last twenty years, Egypt has made several adjustments to help conserve water and release pressure on dams. Egypt "built rainwater harvest dams and wastewater treatment plants, lined canals, rationalized water use, introduced smart and modern irrigation systems, explored and managed underground water."(Sowers, 2021) As well as adjustments to specific crops that require a large amount of water such as bananas and sugar cane. All this is to fight against the rapidly changing climate for

the ecosystem to be able to sustain a "shock." Three scenarios Egypt has laid out as possibly having a negative effect are; a filling during a drought, filling in time of a medium flood, and filling in time of the high flood. Each one of these scenarios directly affects Egyptian and Sudanese dams. Egypt continues to push for negotiations with Ethiopia but fear that Ethiopia is more concerned with their personal advancement than the region and other riparian states. Again, Egypt has also threatened military action, indirectly green-lit by the United States back in 2019.

This resource dispute can easily become a military matter because economic harm can directly affect the military of a nation-state. Since the fall of Hosni Mubarak in 2011, Egypt has seen itself in an identity crisis, and while the government has not moved forward with military intervention, nationalistic ideals have driven some of the Egyptian population to take matters into their own hands. In 2020 Foreign Policy posted an article titled "The Egyptian-Ethiopian Water War has Begun," which talks about a group called "Cyber_Horus" who hacked into over a dozen Ethiopian government websites. Cyber_Horus displayed a message to the Ethiopian population stating, "If the river's level drops, let all the Pharaoh's soldiers hurry... Prepare the Ethiopian people for the wrath of the Pharaohs." (Mersie, 2020) Egyptians and Ethiopians have now started battles online via social media platforms gathering support for both sides and raising awareness about the GERD project. In September of 2020, an Egyptian immigrant activist named Hamdy al-Azazy reported Egyptian citizens and authorities harassing Ethiopian refugees. (Mersie, 2020) This brushes on the idea of identity theory and internal identity because for Egyptians, their identity is the Nile. Egyptians mistreat Ethiopian refugees because they see them as outsiders and a threat to their internal identity.

Key Issues Blocking Negotiations:

The main three issues holding negotiating back are: first, a lack of trust in information sharing between the three nations. Secondly, Ethiopia will not agree to any proposal put forth by Egypt and Sudan on when and how to fill the GERD. Finally, the Ethiopian government does not wish for any outside actors to be involved in the negotiations, while Egypt and Sudan have appealed to the AU, UN, EU, and the US, Ethiopia is ready to move forward with this project and has the full backing of its citizenry. Ethiopia rejected the Sudanese proposal to involve the UN, EU, and US as of April 6, 2021. Egypt's Foreign Ministry stated, "This position reveals once again Ethiopia's lack of political will to negotiate in good faith." (Al Jazeera, 2021)

Ethiopia feels that these actors do not fairly represent Ethiopian interest, and Ethiopia has already violated UN international law, “codified in the 1997 UN Convention on the Law of the Non-Navigational Uses of International Watercourses” (Atlantic Council, 2020) by filling the dam before setting agreeable terms. In November of 2019, Ethiopia again rejected Sudan and Egypt’s proposal to fill the dam. (Atlantic Council, 2020) In April, Prime Minister Abiy Ahmed of Ethiopia stated they would begin the second filing of the GERD in autumn of 2020, which led Egypt to formally complain to the UN Security Council (UNSC) and UN Secretary-General Antonio Guterres in May. The countries pleaded that the negotiations continue before they experience any negative backlash. Later in June, Ethiopia’s Foreign Minister announced the filling would begin in July, which escalated matters significantly. Egypt reacted by filing a request for intervention with the UNSC and sent two letters voicing their growing concerns. In one of these letters, Sudan also voiced their deep concerns, “citing very high risk to the lives of millions of Sudanese.” (Atlantic Council, 2020)

There is no natural end in sight, and as the parties involved continue to disagree, no new initiatives have been brought forth to end the GERD dispute. Only the AU is recognized as active negotiators in the meetings where the UN, EU, and US have all been observers to the mediations. In 2019 the US was an active negotiator until the AU felt that the US was doing more harm than good in terms of reaching peace in the region. President Trump stated on a conference call, “If Ethiopia builds that Dam, Egypt will have no choice but to blow the thing up.” (Foreign Policy, 2020) One important thing to note is the interest of these outside actors in negotiations.

Egypt plays a pivotal role in international trade in the West African region and provides trade routes via the Suez Canal for Arab oil to Europe and the US. From a realist point of view, it is the individual incentives that push international institutions to intervene in international conflicts. For most countries and individual’s money is the primary motivation, and the oil from the Middle East and West Africa is very profitable. Looking at the article published by John Mearsheimer titled “The False Promise of international institutions,” the author highlights that nation states aim to secure their survival above everyone else. Countries will not negotiate and cooperate unless a personal incentive is involved.

Distrust Amongst States:

The relative gains of each country have been laid out and examined. Using the model of analysis by John Mearsheimer, this paper aims to dive further and analyze the different situations that prohibit long term resource stability in West Africa. The first issue that will be difficult to overcome is the lack of trust between these nation-states and the outside actors helping with negotiations. "States regard each other with suspicion...(and) they anticipate danger." (Mearsheimer, 1994) The events of April 6, 2021, when Ethiopia denied the proposition put forth by Sudan to involve the EN, UN, and the US, made tensions proliferate between these nation-states. This evidence is supported when Egypt's Foreign Ministry states, "This position reveals once again Ethiopia's lack of political will to negotiate in good faith." (Al Jazeera, 2021) This also confirms "Sudan's Minister Yasir Abbas's" fear when he claimed, "he feared a lack of coordination and data exchange from Ethiopia." (SciDev.net) Mearsheimer points out that there is little trust among states, and to survive, one must always be suspicious of other states and reluctant to trust them.

Egypt lacks trust in Ethiopia regarding information sharing about the GERD dam. Minister Mohamed Abdel from Egypt, commented on the quantity of data Egypt had over Ethiopia on their hydroelectric development project. He claimed Egypt was able to transparently gather data on the GERD, giving Egypt further insight to Ethiopia's hydroelectric developments. Ethiopia has also shown that it does not care if an agreement is reached as it has already started filling the dam twice. This brings up the fear of cheating among states, one of the most significant flaws of international institutions in realism.

Fear of Cheating:

John Mearsheimer claimed that "States in a realist world are concerned with the balance of power, so they must be motivated primarily by relative gains concerns when considering cooperation." (Mearsheimer, 1994) When concerns of cheating arise, and a state feels their relative gain needs are not being met, distrust can arise. From Ethiopia's standpoint, they have never been fairly represented in negotiations dating back to 1929 during the first water resource treaty titled the "Anglo-Egyptian Treaty." During this, British colonists represented Egyptian interests, and therefore Ethiopia was unfairly represented. Then in 1959, during the "Nile Basin

Initiative," Ethiopia's interests were overlooked once again. Mearsheimer states that while liberal institutions do have ways to cheat economically in negotiations, economic issues can quickly become military ones when economic hardship directly affects military power. While one might be concerned about cheating on a political-economic front and have ways around that, the possibility of military force being used cannot be ignored. Egypt's actions show that they can and will use military might if they must.

This is only part of why this conflict seems to have no end. Relative gains considerations do not make cooperation impossible; instead, they can pose a severe impediment to cooperation and must be considered when developing a cooperation theory among states. Liberal institutions may attain a form of temporary peace at some point, but liberal institutionalism does not define what peace is; it only provides a road map on how to get there. Because there is no comprehensible way to eradicate the distrust between these nation-states, any form of peace will always be subject to a possible conflict.

"Peace" Is Impossible:

The article "Sharing the Nile: Egypt, Ethiopia and the Geo-Politics of Water" talks about the rapid climate change in the West-African region and the significant impacts it has caused. Egypt's first concern was filling the GERD during a time of drought. "When drought does come, it can bring hardship, food insecurity, and often a disaster, due to lack of water storage and alternative livelihoods." (Milas, 2013) Many nations share this resource, eleven to be exact, and approximately 300 million people are dependent on the river every day. The concerns on Sudanese dams in a high flood area are that their dams may collapse under the pressure if a large amount of water is needed to be released. The article "Egypt points to flaws in Renaissance Dam," published in March of 2021, expands even more on the possible ramifications on the climate and natural resources. The author talks about a significant crisis in Sudan points to the consequences of the GERD project when Ethiopia started filling the dam without notifying the Sudanese government. (MiddleEastMonitor, 2021) During the peak drought season, Sudan was forced to drain many of its major dams, which resulted in drinking water being turned off in their capital city of Khartoum and irregular riverbed sediments thickening, harming riverside homes and farms. The following months resulted in many unpredictable floods. Water scarcity is also a considerable problem as Ismail Serageldin stated, "the Arab world, for example, has about 5

percent of the world's population, but only 1 percent of the water." (Serageldin, 2009) There has also been discussion on who is best fit to oversee these negotiations to satisfy everyone. In an article published by ISSUAFRICA titled "The AU's role beyond the GERD negotiations," the author quotes the South African president and head of the AU Cyril Ramaphosa, who said we need "African solutions to African problems." (Yihun, 2014) This is very important to consider as the AU is the only "outside" group that is actively participating in negotiations up to this point. Mostly the AU has only been able to keep the situation from escalating to a military issue through negotiation, especially after the 2019 event regarding President Trump and his comments on the issue.

Applying the realist perspective to this dispute shows how each nation-state's actions are directly linked to their incentive, and this includes international institutions as well. Each country has a goal, and this analysis shows how and why each country wants to achieve it. From these articles, we can also see that tension and distrust in the region already exist, and many could argue that there is no real way to rebuild that trust once it has been betrayed. This, along with the forever lingering concerns of the effects on the region's natural resources and the danger to Egypt and Sudan's hydroelectric dams. As it stands, Ethiopia communicates with good intentions but shows through action how little it regards Sudan and Egypt.

Both Egypt and Sudan have been guilty of shorting other riparian states in previous negotiations. Lastly, Ethiopia will be reluctant to work with the EU, US, and the UN for two reasons. First, they also know well that these institutions only participate for their gain. Secondly, Ethiopia has already violated UN international law and would possibly be punished for that in a negotiation overseen by the UN. The construction of the GERD and its disputes is a prime example that highlights the flaws of liberal institutionalism and solidifies the realist theory that nation-states act according to their self-interests.

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