THE IMPACT OF THE 1959 AGREEMENT ON THE LEGAL STATUS OF THE NILE IN THE POST-COLONIAL PERIOD

Abstract. The Nile, one of the longest rivers in the world, has not been subjected to a uniform legal regime yet, despite the pressing needs. The hitherto proposals presented by the riparian states of the lower and upper reaches have not been unanimously accepted. Egypt and Sudan face particular difficult situation since the Nile river is their main source of water supply. It is argued that the lack of necessary coordination among all the States in the basin may in the future lead to significant damage and consequences both in terms of access to water and its quality. This short study critically examines past and present initiatives undertaken to solve one of the most controversial aspects of international law in Africa.

Keywords: Nile, international rivers’ regimes, historical rights, right to use the river by all riparian states, the impact of some constructions on the quality of the Nile water, conflict on the base of the access to water.

Introduction

The legal history of international rivers began mainly in Europe after the Congress of Vienna in 1815. Since then the majority of rivers crossing the territory of at least two states have been surrendered to international regimes which regulated their status. As is commonly accepted, in order for the river to be recognized as an international one, it must fulfill certain criteria characterized by international documents and doctrine (the first time the term international river was used was by E. Engelhardt – Engelhardt 1879). The most important elements are as follow: the river must be navigational and crossing through at least two states or being the border between them, and has a natural and non-natural connection with the open sea. The only legal requirement is the establishment of freedom of navigation. All those conditions dedicated to one special type of river left out other waterways.
which were missing an element of navigation, even if they were very important for the economy of some states. At the beginning of the XX\textsuperscript{th} century those watercourses became the subject of intensive engineering work for the purposes of agriculture and electricity.

In the XIX\textsuperscript{th} century Africa was under the control of European powers, so for that reason the first international agreements concerning African rivers were concluded by them. The problem was very important for some States and in the Act of Berlin, adopted in 1885, the Congo and Niger rivers were referred to as “international rivers” (Caponera 1980), but the most important river of northeastern Africa was left out. In the XIX\textsuperscript{th} century, the Nile was under almost exclusive British control, and due to the imperial interest of the Crown was treated with special attention.

The Nile basin is unique and important for 11 states who lie in the region of the North-Eastern part of the African continent. The Nile is 6700 km in length, which makes it the longest river in the world\textsuperscript{1}. The whole basin of the Nile covers 10\% of the African continent (McKenzie 2012–2013). The river has two main sources: The White Nile which starts in Lake Victoria (although the Kagera River is recognized by many as a part of the whole system), and the Blue Nile which has its origin in Lake Tana in Ethiopia. Additionally, there are two main inflows: the Sobat and the Atbara. The Nile is the only river in the world which crosses all type of climates characteristic for Africa\textsuperscript{2}. The basin is recognized as the third largest in the world, but the quantity of the freshwater carried by the river (84 billion cubic meters (BCM) is actually very small compared with other rivers\textsuperscript{3}. This relatively small amount of water is to be shared by eleven Nile Basin States. Two of them, Egypt and Sudan, are in particular characterized as having among the largest water deficits in the world in terms of natural conditions. Another problem is “the fact that the region’s population is growing at 3\% a year and is projected to reach 859 million in 2025 (up from 245 million in 1990), is likely to exacerbate the water scarcity in the Nile Basin area” (Tekuya 2019).

The Nile does not possess complex regulatory acts recognized by the states laying in the basin. Such a situation is explained by the different interests and needs represented by the states. Two states – Egypt and Sudan – are totally dependent on the Nile. Having no other choice Egypt has founded her economy, electricity, and agriculture on the Nile waters since ancient times till now. One sentence: The Nile is Egypt and Egypt is the Nile explains a lot (Brunnee & Toope 2002). More than 97 percent of Egypt’s freshwater emanates from the Nile (Wiebe 2001). Almost all of the fresh water comes from the river and the state has a minimal possibility to dif-
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ferentiate its water resources. The situation is similar in Sudan. The legal status of the Nile currently is not comprehensively regulated, but some legal instruments which were adopted in the past are still in force, being the reason for conflict between riparian states. Although the Nile does not fully fall under the definition of an international river, on the basis of numerous theories it can be characterized as a common river (Winiarski 1922), i.e. one whose management should be the subject of arrangements between riparian states.

History

The oldest international agreements whose aim was to regulate Egypt’s access to water were concluded not by Egypt on her own initiative, but rather by Great Britain. In the XIX\textsuperscript{th} century Egypt was officially a part of the Ottoman Empire, but the political situation in the region dramatically changed when the Suez Canal was opened in 1869\textsuperscript{4}. At the beginning the British government was not interested in the project, but due to the reform of the status of India even partial control over the canal became of great significance to the Crown. Keen to preserve its grip on the Suez Canal, Great Britain (like Egypt), believed that control over the Nile River was indispensable to the achievement of greater strategic depth in the region (Azarva 2011). The key element in that puzzle was Egypt, over which Great Britain established in 1882 an unofficial protectorate, which survived till 1922. Great Britain was politically and military present in Egypt until 1956.

It was obvious for Great Britain that Egypt and Sudan had, since ancient times, depended on the Nile. In the XIX\textsuperscript{th} century the Crown, being the master of that part of the globe, was focused on widening and strengthening its interest in the region. Having in mind the importance of the Suez Canal, the main goal of British policy became stability in Egypt. The British government began to regulate the status of the Nile with special attention placed on the Egyptian interest, ignoring the needs of other British colonies in the region. Egypt’s access to the waters of the Nile was also secured by numerous hydrological works carried out by the British (Garretson 1960). Their projects were carried out by the Egyptian authorities after regaining independence. Great Britain had also concluded many international agreements with European and non-European powers in which the latter accepted the limitations on using the Nile and its inflows\textsuperscript{5}. The Nile became the sole source of irrigation for Egypt and all engineering works provided by British
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were focused on that aspect, even to the detriment of Sudan (Helal 2013). In 1922 the political situation in Egypt changed, because the new government announced a declaration of independence on February 28. This act ended the informal British protectorate but, pending negotiations, reserved some matters to the British government’s discretion. These were: the security of imperial communications, defense, the protection of foreign interests and minorities, and the position of Sudan as a British and Egyptian condominium. The Nile again became a crucial element in the relationship between the two states.

In 1929 a quite unusual agreement was concluded in the form of an exchange of notes. The government of Egypt (still under British domination) and Great Britain formally participated in this act on behalf of Sudan and other of her colonies. The main goal of the agreement was to secure the waters of the Nile exclusively for Egypt. In this agreement, it was confirmed that there would be no initiatives taken in Sudan which might reduce the volume of the Nile’s water. The parties agreed that, with the exception of the prior consent of the Egyptian Government, “no irrigation or power works or measures are to be constructed or taken on the River Nile and its branches, or on the lakes from which it flows, as far as all these are in the Sudan or in countries under British administration, which would, in such manner as to entail any prejudice to the interests of Egypt, either reduce the quantity of water arriving in Egypt, or modify the date of its arrival, or lower its level.” It was equal to the self-limitation of Great Britain, who ruled in Sudan, and could have very serious consequences for the future of other dependent territories. Sudan was deprived of its right to build any dams or any other installations which might be necessary for future development if they could threaten the water security of Egypt. Most important for the whole agreement was provision 4a, which granted to Egypt the exclusive right to control and to block any installations planned in the future by any riparian states which, if in the opinion of Egypt, may violate her interests. Additionally, the Agreement of 1929 granted representatives of the Egyptian Irrigation Service in Sudan the liberty to cooperate with the Resident Engineer at the Sennar Dam to monitor discharges.

**Agreement of 1959**

The agreement of 1929 was in force until 1959 when, due to the process of decolonization, the political situation of the region changed. It is worth noting that the agreement of 1929 did not arouse admiration among the
countries of the region. The Ethiopian government objected to the agreement (Azarva 2011). Even Sudan, just two years after independence and internal disturbances, and which acquired an annual share of 4 billion cubic meters, did not hesitate to challenge the lopsided 22:1 allocation ratio the agreement ordained, and rejected it in 1958 (Mekonnen 2010). In the opinion of the Sudanese government, the agreement of 1929 was intended to be “neither a real nor a dispositive agreement”. It was rather “a political armistice (...), a practical working arrangement for the engineers to administer the Nile until the politicians could determine its destiny”, thus not lending any support for claims about its continued validity and binding force (Mekonnen 2010). For this reason, Sudan began new negotiations with Egypt, which were completed in 1959.

Despite the announcement, in general terms the provisions of the Agreement of 1929 were reaffirmed by Sudan as an independent state, and by Egypt, in 1959. This new agreement, which was the first to be signed between Nile riparians in the post-colonial era, includes a preamble and five parts (Helal 2013). Once again, Egypt and Sudan did not take into account the interests of the areas located in the upper reaches of the White and Blue Nile then under the colonial control of Great Britain, dividing the resources of the river among themselves (McKenzie 2012–2013). The anomaly of that agreement lies in the fact that “while it is purely bilateral, it seeks to apportion the entire flow of the Nile to Egypt and the Sudan, excluding the interests of any other riparian, notably Ethiopia” (Mekonnen 2010).

According to Article 2(4) of the treaty, Egypt is allowed to take a share which is 55.5 billion cubic meters per year and 18.5 billion for the Republic of the Sudan. Moreover, the agreement grants the right for Egypt and Sudan to influence the decisions of the upper Nile states if they plan to build installations on the river. It is interesting that the 1959 Treaty did not address broader issues such as water quality, flood control, or environmental protection (Brunnee & Toope 2002). It can only be emphasized that the agreement gave Egypt a privileged position in relation to Sudan. Both states promised to cooperate, and to adopt a unified position during any negotiations with other riparian states. If such negotiations would lead to the allotting of shares of the Nile waters to other states, then “amount shall be deducted from the shares of the two Republics in equal parts, as calculated at Aswan” (Helal 2013).

Political changes in the heart of Africa, the emergence of a total of ten (eleven after the appearance of South Sudan in 2011) countries in the basin, have contributed to a different view of the Nile. From the 1950s on, territories in the Nile basin gained independence (Azarva 2011). Ethiopia
and the East African states did not participate at any stage of negotiations on the 1959 agreement. Looking at this from the point of view of the law of treaties, article 34, a treaty does not create either obligations or rights for a third state without its consent (Mengesha 2014), so the negative assessment of the Agreement of 1959 by the states is fully understandable. The government of Tanganyika also made its position clear, in notes addressed to the governments of Great Britain, Egypt, and Sudan, on 4 July 1962, on the 1929 Agreements, in the following terms: “The Government of Tanganyika has come to the conclusion that the provisions of the 1929 Agreement purporting to apply to the countries ‘under British Administration’ are not binding on Tanganyika” (quoted after: Okoth-Owiro 2004). Uganda and Kenya followed Tanganyika in rejecting the agreement as not binding upon them on the same grounds (McCaffrey 2001).

It was obvious that the legal regime developed by Egypt and Sudan was unacceptable for other riparian states, as it largely limited the right of newly emerged states to use their natural resources, and the Nile was considered as such. From the very beginning there were some basic differences in the approach to the regulation of the Nile between upper and lower riparian countries. States from the lower basin appeared earlier in the international area and fully based their economy on the Nile as the only river crossing their territory. The upper basin states depended on European Powers which showed only a limited interest in the development of the region. This certainly contributed to the emergence of two groups among the coastal states. The first demand protection for their “prior rights”, the second demand developmental equity (Mengesha 2014). Despite differences in the assessment of existing documents, the countries located in its upper reaches did not intend to deny Egypt the right to water, but considered the solutions adopted in the past to be clearly unfair. Hence, they called for the initiation of new talks regarding the regime on the Nile (Mengesha 2014). Nevertheless, the Nile was and is still one of the most important rivers in the world, because of its location and its importance for riparian states, but became a river without a uniform legal regime.

Other initiatives in the Nile basin after 1959

After the agreement was signed in 1959, there were a number of initiatives among the states of the Nile basin to undertake research on water quality, the possibility of further irrigation works, and the construction of new installations. The 1959 Agreement also called for the establishment of
a Technical Commission for knowledge sharing purposes, and, in the event of a decrease in the Nile’s yield, this Permanent Joint Technical Commission was entitled to determine the new water allotments (Worku 2016). The key problem was to investigate how to increase the Nile yield through the utilization of lost waters. They come to the conclusion that future projects should be divided equally between them and each of them should also contribute equally to the cost. The first common plan was the building of the Jonglei canal, which started in 1970; it was, however, halted due to security problems in 1983 (Wendl 2016). The PJTC is a bilateral body, and both states still claimed their rights to control the whole river and wanted to observe or even decide about any initiatives proposed by other riparian states.

Anyway, almost immediately after the 1959 Agreement entered into force, Egypt and the Sudan started consultations with upper riparian states on the joint management of the river. These discussions revealed the need to undertake studies to improve the available technical information on the hydrology of the Nile basin (Carroll 1999). All these works were supported by the United Nations and the World Bank and contributed to the establishment of Hydromet. This was a special program operating in the years 1967–1992 (Timmerman 2005) aimed at carrying out hydrological research in the Great Lakes area. Egypt, Tanzania, Uganda, Kenya, and Sudan joined the program, together with the UN Development Program. The main goal of Hydromet, mentioned in the Survey adopted in 1967, was to “collect and analyze data with the view to assisting the participant countries in water resources planning” (Helal 2013). Hydromet was a cooperative arrangement which grew in reaction to the dictates of nature, rather than the deliberate decision of the riparians involved (Mekonnen 2010). In the 1970s, Egypt and Sudan tried to establish a Nile Basin Commission under the auspices of Hydromet, but the other Nile riparian states refused to cooperate on anything beyond the collection and analysis of Nile data. They had no incentive to join allocation negotiations in which they may have lost rights to withdraw Nile water (Carroll 1999).

In 1983, the Undugu group – ‘brotherhood’ in Swahili (ndugu) – was established with broader objectives for achieving regional cooperation in the areas of environment, infrastructure, trade, and culture. Precipitated by a change in the domestic politics of Egypt, which introduced a much more cooperation-oriented policy towards Nile water issues, the official purpose of Undugu was to discuss, in annual ministerial meetings, such issues as the Nile waters, agriculture and resource development, and the promotion of economic, technical, and scientific cooperation among the riparians.
Undugu didn’t bring together all of the riparian states. The initiative was accepted by Egypt, Sudan, Uganda, Zaire (DRC), and the non-riparian Central African Republic; Burundi, Rwanda, and Tanzania joined in later on. Ethiopia and Kenya opted to have observer status (Mekonnen 2010). This project very often was evaluated as being unrealistic, because of its wide goals (Brunnee & Toope 2002). Undugu, which aimed at establishing the Nile Basin Economic Community (Knaepen & Byiers 2017), failed to lead to any meaningful and concrete riparian cooperation, due primarily to a lack of genuine commitment on the part of Egypt, which perceived the initiative “as an exercise in hegemonic influence” (Mekonnen 2010).

In the meantime, some initiatives focused on technical and environmental aspects of the Nile basin were analyzed by different riparian states with the cooperation of the United Nations and the World Bank. Sub-regional initiatives were also undertaken in the Nile valley. The East African Coordination Committee for the waters of the Nile was created in 1967 (Kagwanja 2007), but unfortunately, due to some political conflicts, this project collapsed ten years later. The same group established a new Committee in 1992, to promote development and protect the environment in the region (Caponera 1996). Burundi, Rwanda, Tanzania, and Uganda formed the Kagera River Basin Organization, a river that feeds the sources of the Nile and is part of the entire basin system. The KBO designed a number of projects, which were presented at a Donor Conference held in Paris in 1979. Although a UNDP report (1982) highlighted agriculture, energy, transport, environment, industry, and health sectors as priority areas of cooperation, a chronic shortage of money prevented the KBO from initiating projects (Kagwanja 2007). These agreements and institutional arrangements will, however, need to be substantially revised; especially if the conflict regarding the utilization of the Nile Basin waters is to be overcome (Caponera 1996).

There conflict has exacerbated between the states party to the 1959 Agreement and the upstream states. Even the relationship between strong allies, Egypt and Sudan, has become more complicated. The Republic of the Sudan, both prior to, and after, the secession of South Sudan, has made only moderate use of the resource so far, but has embarked on a program of agricultural expansion (Mengesha 2014). In 1981, the Gulf Council Corporation was created by some Arab states. The members of the GCC have, for a long time, been actively acquiring land in Sudan and Ethiopia and attracting foreign investment to also develop the countries in the aspect of irrigation. Egypt is now facing increased competition for access to the Nile River waters from the GCC countries and their investment projects in
Ethiopia and Sudan (Olanya 2017). Since the 1980s, other countries down the Nile have started projects to develop irrigation systems and thereby increase food production, in practice rejecting the Agreement of 1959.

In 1993, the riparian water Ministers reorganized Undugu and formed the Technical Cooperation Commission for the Promotion and Development of the Nile (TECCONILE) consisting of Egypt, Rwanda, Sudan, Tanzania, Uganda, and Zaire (DRC), with the other riparians participating as observers (Seide 2014). TECCONILE’s key focus was technical cooperation on environmental problems and water quality. It must be underlined that the TECCONILE was created as a transitional scheme for a period of three years with the hope that, on the expiry of the period, a permanent basin-wide institution would be established (Mekonnen 2010). Unfortunately, due to the divergence between the riparian states, the realization of the project within three years proved impossible. From 1993 to 2002, annual conferences were held under the umbrella of the TECCONILE, being at that time an institutional platform for debate (Woldetsadik 2017). However, none of these initiatives included all of the riparian states, so they could not offer a comprehensive institutional setting with a shared vision, aimed at sharing benefits for all (Knaepen & Byiers 2017).

**NBI and CFA**

Discussions on the new comprehensive regulations have taken a long time, but still it is necessary to underline that the Undugu project and TECCONILE should be considered as factors enabling further cooperation in a new shape. Finally, the Nile basin states launched the Nile Basin Initiative in 1999, which resulted in the development of 10 states of the Nile Basin Cooperation Agreement. Anyway, these two projects share the credit as the NBI’s progenitors, while being, at the same time, reminiscent of the past challenges passed onto, and lying dormant therein (Mekonnen 2010). The program was designed “to achieve sustainable socio-economic development through the equitable utilization of, and benefit from, the common Nile Basin water resources.” The NBI created the Nile Council of Ministers (Nile-COM), comprising water ministers from all of the riparian countries, as its highest decision-making body. The Nile-COM released a statement declaring, “[w]e all believe that by moving together to major joint development, we can look forward to peace and prosperity and not backwards to dispute and conflict” (Laudicina 2007). It must be mentioned that in February 1995, the Nile-COM undertook the first crucial step in the direction of the estab-
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Establishment of a unified legal regime for the Nile, adopting the Nile River Basin Action Plan, with the support of the Canada International Development Agency (CIDA) (Woldetsadik 2017). The NBI is an example of cooperative management by the Nile Basin countries to push for equal access to water resources, as well as promoting economic cooperation (Olanya 2017). Even Egypt and Sudan joined the NBI and rediscovered traction to the NBI’s common vision focused on the possibility of establishing one regime for all the states. Both states persevered to view the NBI’s core mission and its preoccupation with equitable use of the Nile waters, only in a context that it does “not affect” prior uses and rights. This approach on issues of common riparian welfare impelled serious doubts regarding their commitment to sovereign equality and the fundamental objectives which the NBI itself upholds (Woldetsadik 2017). To summarize, while the cooperative spirit under the NBI remained unprecedented, and the political implication of the undertaking has been duly acknowledged, the initiative and its legal architecture failed to complete the running course (Woldetsadik 2017).

For the next 10 years, tension between the states of the Nile basin continued to spread. The negotiations provided for within the framework of the NBI were never easy, especially in view of the intransigent position of Sudan and Egypt in their efforts to maintain the status quo. A strong declaration was made on February 12, 2002 by the Energy Minister of Kenya who rejected the binding force of the former agreement, declaring: “the three countries (Kenya, Uganda and Tanzania) were not independent and were under colonial rule. That is what makes the treaty unfair. Why should we be denied the use of our water in the name of conserving it for others downstream?” (Mengesha 2014). By this declaration Kenya refused to seek Egypt’s permission for planned hydroelectric and irrigation schemes on Lake Victoria in 2003. It was viewed by Egypt as a declaration of “war” thus increasing the tension in the region (Olanya 2017). The position of Uganda is recognized by many as unclear, because the state did not enter into the official conflict with Egypt and Sudan. Being a very active party of the negotiation, it has not officially contested the binding force of the prior agreements (Knobelsdorf 2006). The opposite was acting in compliance with the provisions of the 1929 Agreement, Paragraph 5 of the Owen Falls Agreement. It is noticeable that all upstream riparians, even without formal declarations, tended to allocate water according to local availability and custom, and tended to avoid development along the river due to lack of capacity or control over the resource (Knobelsdorf 2006). However, regardless of the actions taken, all riparian nations have expressed dissatisfaction with their current access to Nile waters (Laudicina 2007).
The negotiations on a new agreement lasted for many years. The biggest challenge was trying to annul all pre-existing legal arrangements. The most controversial were the colonial-epoch treaties that restricted the Nile River’s use upstream. The negotiators may only then come to the core of the future problems as to the structure of the new institutions, which would be empowered with a comprehensive legal instrument that ensures equal access and equitable uses across the basin. The basin states differed on the specific approaches that should be adopted in this regard. Notoriously, they espoused contrasting positions in relation to the fate of the “status quo”. Indeed, during the negotiations, the charge of accommodating, under the CFA, the seething conflict between “pre-existing arrangements” and “current rights of utilization” remained the most daunting challenge, hampering the whole diplomatic process in subsequent years (Woldetsadik 2017).

After many rounds of negotiations, the Upper riparian States opened the Nile Basin Cooperative Framework Agreement for signing in 2010, on May 14th. Challenging the legitimacy of this decision, and in a show of protest, the Sudanese delegation stormed out of the meeting, insisting that the matter should be referred to the Heads of State and Governments of the riparian countries (Mekonnen 2010). Egypt protested against the decision as well. The draft of the CFA was adopted by the other delegates, mainly representing the upper riparian states.

The treaty is focused on the current aspect of the Nile basin. States clearly confirmed their right to use the waters of the Nile for economic purposes, including the use of the river for agriculture, as well as the construction of infrastructure and hydropower plants. The whole agreement consists of 6 parts. Part I largely refers to well established customary principles of international water law as: the principle of equitable and reasonable utilization, the obligation not to cause significant harm, and the principle of protection and conservation of the river’s ecosystem. Part II outlines specific rights and obligations of State Parties, including obligations to regularly exchange data and information, to notify planned measures, and to observe the subsidiarity principle in the development and protection of the Nile. When planning their activities, States parties will also have to take measures necessary to protect the Nile’s environment. The document mentioned the problems of the content of article 14.b. The establishment of the Nile River Basin Commission is envisaged in Part III. The Commission, on the basis of art. 19, is supposed to be an international organization. It would comprise the following organs: the Conference of Heads of State and Government, the Council of Ministers, the Technical Advisory Committee, Sectoral Advisory Committees, and the Secretariat. The NRBC would succeed
to the rights, obligations, and assets of the NBI. Part IV introduces the possibility of the establishment of subsidiary institutions. Part V outlines the procedures of dispute settlement between parties and allows the conclusion of contracts between partners on the common subregional initiative along the Nile basin. Part VI is focused on technical aspects of the Treaty entering into force.

The creation of the NRBC is essential for the establishment of the uniform legal regime necessary for the management of the Nile. The Nile River Basin Commission’s purpose is to coordinate cooperation in the use of the river’s waters and the protection of the catchment area. One of the most important organs of the NRBC seems to be a Conference of Heads of State and Government which is composed of Heads of State and Government of Nile Basin States because all final policy-related decisions are made by it. It is important to mention that decisions on the principles of the CFA, including the application of the principle of fair and equitable utilization of the Nile River, will be taken by consensus (Chelkaba 2018). The contemporary international water law principle of fair and equitable utilization means that each Nile Basin riparian state has the right to use, within its respective territory, the waters of the Nile River Basin in an equitable and fair manner without causing significant harm (Chelkaba 2018).

The Treaty adopted in this shape claims to announce the rights of upper riparian States to use the waters of the Nile, which has been ignored in many previous agreements (Udobong 2016). Following the treaty, two Nile watercourses may be distinguished: the “Nile River Basin” (art. 2 a) and the “Nile River System” (art. 2 b). It defines the Nile River Basin as “the geographical area determined by the watershed limits of the Nile River System of waters; this term is used where there is a reference to environmental protection, conservation, or development”. The Nile River System is characterized as “the Nile River and the surface waters and ground waters which are related to the Nile River; this term is used where there is a reference to utilization of water”. It must be admitted that these definitions do not satisfy all states of the region (Chelkaba 2018). Egypt has persistently promoted a broader “territorial” concept which encompasses all water supply in the Nile basin – including tributaries, feeder streams, lakes – and even precipitation falling within a basin (Woldetsadik 2017).

The 2010 Agreement is a fairly young one. Based on the provisions contained therein, there is a clear departure from the traditional approach to rivers. In the countries through which the Nile flows, its navigability is limited; use of the water carried by the river is therefore the subject of the contract. The parties to the agreement obviously found the unfavorable so-
lutions not to be contrary to the norms of international law, and above all to the principle of equality. The international element is certainly the joint coordination of activities and the obligation to build only such installations that will not restrict access to the resources of the Nile by other countries, including Sudan and Egypt. The agreement is assessed as being modern, based on contemporary rules regarding the use of river catchments (Mekonnen 2010). It assumes comprehensive cooperation between the parties, and the coordination of activities which would be provided by the Commission, which is an international organization with a legal personality. The treaty may be a first step to counter and undo the hegemonic actions of Egypt in the region. It is predicted that while the agreement alone is unlikely to unseat Egyptian hegemony, it could turn the tide (Udobong 2016). The concerns of Egypt and Sudan are related to their fear of restricted access to water, which is connected with the belief that only the upstream riparian states can harm the downstream states by affecting the quantity or quality of water flowing to them. On the other hand, it is not generally realized that a downstream riparian can also harm an upstream riparian by foreclosing their future uses of water through the prior use of, and the claiming of rights to such water (Mengesha 2014).

For now, however, the fate of the deal is unclear due to the lack of cooperation between the Upper and Lower Nile states (Ndyabawe 2015). Egypt, as previously mentioned, did not accede to the Agreement, even threatening military intervention in countries that started work that could contribute to limiting the water supply to it (McKenzie 2012–2013). Moreover, Egypt’s position is considered archaic and unsustainable in the long run, but still has been a real threat for others (Mekonnen 2010).

**Current problems after the 2010 Treaty**

After the agreement was adopted, new challenges arose for states. So far, the agreement has not entered into force, as the required number of ratifications is missing. Until the CFA is adopted by all riparian states, the NBI is still the most important entity which gathers together all of the countries of the basin. It remains a regional coordinating body, with a collaborative governance framework that aims to ensure peaceful cooperation among its members (Knaepen & Byiers 2017). The absence of a unified legal regime and the unique geopolitical setting of the region may have a negative effect on the possibilities of integrated river basin planning and utilization (Mengesha 2014). This creates additional problems in the regional
and global spheres. It should be remembered that more than 160 million people currently live in the river basin, and by 2050 the population is expected to triple (Richards 2016). The population suffers from poverty, political instability, environmental degradation, and frequent natural disasters (Laudicina 2007). States have to do something in the nearest future as the current policies could lead to a shortage in access to drinking water and the possibility of its use by industry and agriculture. Food production in the region is also not carried out optimally, as experts point out the need to replace traditional cereals with others that require less water consumption. This ineffectiveness manifests itself, among other things, in that most of the countries of the river basin already import food from abroad (Azarva 2011).

It is natural that attention is also being drawn to the possibilities offered by the river and its tributaries in the construction of hydroelectric schemes, especially since the countries of this region are not able to produce energy from other sources.

The lack of ratification of the CFA has forced states to take unilateral actions and others based on agreements concluded in a smaller group (Worku 2016). States are also forced to develop their own electrical projects, which is particularly evident from the actions taken by Uganda and Ethiopia, who are interested in increasing their energy production. Both countries are likely to have a hydro-electric energy generating capacity that is greater than their energy needs. Still, together with Sudan, they lack adequate energy resources. It is obvious that they are interested in hydroelectric power generation in connection with the development of reservoirs for water storage in areas with minimal evaporation rates. In addition, all states in the region may became more prosperous economically through such developments (Carroll 1999). Ethiopia, in 2011, announced the construction of the Grand Ethiopian Renaissance Dam (GERD) (Olanya 2017). This scheme will generate 6000 MW of hydropower, making it Africa’s largest hydroelectric plant. Naturally, at the beginning, this caused tense diplomatic confrontations between Egypt, Ethiopia and, to a certain degree, Sudan (Mengesha 2014). Considering the enormous advantages it would get from the dam, Sudan immediately changed its position and started to support the construction of the dam (Tekuya 2019). Some threats declared by Egypt at the beginning have had a lasting impact on relations between the two states, especially since the government in Cairo was concerned about limiting the amount of water flowing to Lake Nasser from the Blue Nile. One can also consider the rather bitter observations of some commentators that “the fear that those who live upstream can command the lives of those downstream’ (Mekonnen 2010). Gradually, after painstaking nego-
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tiations, Egypt accepted the importance of the dam and the three States signed an Agreement of Declarations of Principles (DoPs) on the GERD on March 23, 2015. Some authors note that the construction of the GERD may lead to a role swap and that Ethiopia will become the new hegemon among the riparian states as the main producer of energy in the region (Cascão 2008). The interesting thing is that the GERD is intended for a typical non-consumptive-use-power-generation which does not involve flow reduction (Mekonnen 2017). But these and other initiatives are expected to go beyond these declarations, which might be directly connected with a large increase in the population of Ethiopia.

As was previously mentioned, initially Egypt and Sudan strongly opposed the 2010 agreement. This was manifested both in the official statements of the governments, which even resorted to the threat of using force, and in covert actions aimed at causing conflict in the states who are party to the treaty. Egypt considers that any change to the present status quo of utilization would violate the duty not to cause significant harm imposed on the Nile basin countries by virtue of the stipulations of international law (Mengesha 2014). The Egyptian government presented after the CFA the opinion that the Nile water treaties of 1929 and 1959 are still valid and binding on the successor states. It argued that Egypt maintains “natural and historical rights” that are “vested rights resting upon a solid legal basis furnished by the principle of prior appropriation as acknowledged in international law and applied by courts in international and quasi-international disputes” (Worku 2016). Egypt and Sudan negated all claims brought by the upper riparian states, on the basis that historical and existing uses are rights that are protected under international customary laws that should not be negotiated even if there is no agreement (Olanya 2017). So, the adoption of the CFA, in the opinion of the two states, simply violates their well-established right to the Nile. The threats to Sudan and Egypt might be real, but in order to find a solution in the Nile Basin, they are going to need to deal with some harsh realities. They are completely dependent on the mercy of up-stream states to provide them with water (Richards 2016). In the future, if no replacement for the CFA will be found, Egypt and Sudan are going to remain vulnerable to upstream abstraction of the Nile waters. Along these lines, the situation seemed to be quite serious when in June 2013 Egyptian politicians discussed in a televised meeting the possibility of using force to protect their interests in the Nile. Such strong arguments could have been a part of the political debate conducted in connection with the work on the new national constitution, which does not alter the fact that the document itself (adopted in 2014) requires the state to preserve Egypt’s
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“historical rights” to the Nile\textsuperscript{20}. In this regard, the former executive director of the Nile Basin Initiative has said: “The seven countries don’t want to fight Egypt because of water. And there is no need for Egypt to fight other countries because of water. They cannot fight against seven countries. Better for them is cooperation. That is, join the six countries which have signed the cooperative framework agreement” (Richards 2016). Other authors stressed that: “it is also evident that in the 21\textsuperscript{st} century, a long-term security to the legitimate claims of downstream states could not be procured through political manipulation, diplomatic altercations or belligerent threats; any such sanctuary must be sought within the frame of comprehensive institutional platforms and integrated water resource development strategies framed through the involvement of all stake-holders” (Woldet- sadik 2017).

However, meeting quite strong resistance from the upper riparian states and also due to Egypt’s and Sudan’s internal problems (the Arab Spring in Egypt, the Uprising of South Sudan, Darfur, and the Al-Bashir case), they gradually have rearranged their attitudes by starting to cooperate with other parties. The easing of the position of these countries is manifested, for example, in their joining the GERD project, or in changing their rhetoric, which has become more balanced. However, it is difficult to guess whether this is temporary, or a real policy change. In the case of Sudan, it is more visible since 2012, when the government stated that there was no other option than to rejoin NBI and to develop the basin-wide cooperation between all of the Nile countries (Knaepen & Byiers 2017). During the last decade, Egypt has conducted very intensive diplomatic activities in the countries of the region. In 2017, Egypt signaled its intent to re-engage with the NBI by sending lower-level officials to meetings\textsuperscript{21}. It is not known yet what the effect will be, but Egypt is tempering its harsh language somewhat, for international consumption.

It is impossible not to mention the negative environmental effects caused by the activities of countries in the Nile basin to date. It is also noted that the provisions of the CFA do not sufficiently regulate the cooperation of states in the field of environmental protection. There are also no rules for periodic monitoring of possible climate change in the region (Tekuya 2019). By building numerous installations limiting the free flow of the Nile waters, on the one hand, countries improve the possibilities of using water, and on the other, they forget about the negative effects of their activities. They may disturb the balance of the ecosystem of the entire river basin. The salinity of the Nile waters is increasing (Carroll 1999), the quality of the water is dramatically decreasing due to the lack of infrastructure, which leads to the
uncontrolled transporting of organisms harmful to human life and health. Sudan, and especially Egypt, owe the harvest in the basin also to periodic flooding, when the waters carry minerals enriching the soil with them. Due to dams, the natural transportation of these nutrients for the soil has been simply disappearing. Two dams – the Owen Falls and the Aswan, have contributed to significant changes in the region’s climate. The Owen Falls Dam raised the water level of Lake Victoria (Sutcliffe & Petersen), which contributed to the destruction of many villages on the shores of the lake and to an increase in pollution of the basin. Lake Victoria is the White Nile’s major source, but due to the pollution, “has become the toilet for East Africa. People are doing all sorts of things in the lake – including urinating [and] passing stools” (Laudicina 2007). The artificial lake of the Aswan Dam, Lake Nasser, which is used by both Egypt and Sudan, loses a significant amount of water through evaporation (Carroll 1999). Additionally, Egypt itself creates severe pollution problems downstream from the Aswan High Dam. A recent report estimates that 500 million cubic meters of industrial waste are dumped into the Nile by Egyptian factories (Wiebe 2001). One wonders what effect GERD will have on the functioning of this reservoir. People living in the Nile basin cannot safely use Nile waters domestically without extensive treatment. The United States Agency for International Development (USAID) has invested over two billion dollars in urban water and wastewater infrastructure in Egypt alone, but the situation remains dire, especially in urban areas (Wiebe 2001). Some authors have come to the conclusion that the scarcity of water resources, the environment, poverty, health, and sanitation should serve as the new priorities of the Nile River governance. A heavier focus should be placed on water management and pollution-prevention in a basin-wide cooperation, instead of the old disputes over allocation and ownership rights (Udobong 2016).

The political situation in the region is very dynamic, and the states have repeatedly been parties to armed conflicts and have suffered from internal unrest. As a result of the national-liberation struggle in 2011, South Sudan emerged as a new independent state. It was created as a result of the division of the Sudan. However, in the agreement defining the future borders of the newly created state with Sudan, cooperation on the Nile was not mentioned at all, which, especially from Sudan’s point of view, seems to be quite a neglect. Due to its location, South Sudan may in the future play a key role in the use of the White Nile, as it lies between the upper and lower reaches of the river. The country does not have as many water problems as the Sudan and Egypt, and several regions have marshy areas. The most famous are specially protected areas of the Al Sudd, which are fed by the waters
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of the Nile flowing from Lake Victoria and on which a very rich ecosystem has developed. Almost 90% of the whole territory of South Sudan lies in the watercourse system of the White Nile, therefore it seems correct to say that: “South Sudan is where the White Nile loses and later consolidates itself” (Wendl 2016). Until now the government has not unequivocally expressed as to the legal regime to which the Nile flowing through the territory of the state would be subjected. Although a desire to join the CFA was expressed at the beginning of its existence in 2013 (Wendl 2016), so far, mainly due to internal problems, this agreement has not been signed or ratified. The state authorities have not specifically commented on the possible succession of obligations under the 1959 agreement. It could be recalled here that, based on the provisions of this agreement, in the case of South Sudan as a successor, the obligation to complete the construction of the Jonglei canal through the protected areas of the Al Sudd would have to be continued, and this would most likely contribute to the degradation of this unique ecosystem. Since in 2020, officially, for some time, there was a ceasefire between the opposing parties, perhaps in the near future South Sudan will finally decide to take a clear position on this issue.

Opinions about South Sudan’s possibilities regarding the 1959 agreement are divided. Very often it is underlined that the state has an internationally recognized right to dispose of natural resources on its territory based on the principle of the clean slate doctrine or tabula rasa (Worku 2016). On the other hand, some authors have come to the conclusion that South Sudan is a case of secession to which the rule of treaty continuity applied. This means that the Republic of South Sudan inherited the treaty obligations contracted by the Republic of the Sudan, including the 1959 Nile Waters Agreement (Helal 2013). This is explained also by the fact that South Sudan has to deal with the subject matter as a new independent state within the context of state succession (Worku 2016). In this situation, it is worth remembering that, although Egypt and the Sudan still strive to fully respect the agreements of 1929 and 1959, they were concluded under the colonial regime and some say that “the 1929 and 1959 Nile water agreements come under the extensive list of treaties that can be nullified at any time” (Worku 2016).

Conclusions

When Boutros-Ghali indicated in the 1990s that the next armed conflict in the Nile basin would be a war over water in the next 50 years (Lau-
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dicina 2007), he based his claim on the rather confrontational policies of the countries in the region. These claims seemed to corroborate the official statements of the states, amongst which Egypt appeared to be the most aggressive. It is commonly known that the Egyptian military’s high command had established a “standing Nile force” and developed contingency plans for armed intervention in every basin country in the event of a direct threat to the Nile’s flow. Ethiopia even claimed that in preparation for conflict in the upstream riparian states, Egypt has trained troops in the art of jungle warfare (Azarva 2011). Today, this narrative is a thing of the past, but the situation in the region remains tense.

The Nile is the only river of such great importance to the region which does not have a single legal regime. The unique character of this river for the countries located within its basin is undeniable, but the states are not yet able to decide on its future. The river requires uniform solutions, not only in terms of regulating access to and rules for using water, but also deepening cooperation in the field of using energy from both projected and already existing hydrological installations and coordinated activities in the field of environmental protection. The lack of comprehensive regulations results in undertaking initiatives in smaller subgroups, with the support of external entities whose interests may also be contradictory.

Analyses of the adopted or proposed solutions presented above show significant discrepancies between riparian states. However, this does not change the fact that in the nearest future it will become necessary to change the positions of many of them. States should agree that the Nile is their common good, and that the management of this unique river is to serve them all. States ought to abandon the rhetoric that has its roots in colonial regulations, and to achieve joint success, they should focus on three basic aspects of further cooperation. It is crucial for all of them to establish fair access to water, taking into account the needs of Egypt and Sudan, which are completely dependent on the Nile. It is also dictated by the increase in the number of people living in the basin. To this end, the technical infrastructure should be strengthened, mainly in terms of the possibility of balanced water storage and improvement of access to electricity, necessary for the development of the riparians. In order to implement these demands in a proper manner, it is necessary now to undertake works aimed at improvement of water quality and environmental protection. It can be stated unequivocally that, in principle, all conflicts will be of no importance if the Nile becomes so polluted that it is too dangerous for people to use it.

The events of recent years have certainly proved that any attempt to maintain in force the solutions adopted back in the 19th century, when
African states were not independent and European states secured their interests in the region (Udobong 2016), cannot be treated seriously. Riparian cooperation in the Nile basin used to be a post-colonial phenomenon, enormously influenced, and somehow predetermined by the hydrological and hydro-political legacies of the colonial era (Mekonnen 2010). As they became independent, riparians adopted a broad spectrum of positions that reflected their different hydrological interests (Helal 2013). Post-colonial states, due to divergent positions and a much weaker economic situation, were not able to achieve a coherent and acceptable solution to all problems. The reality which they will soon meet will force them to do so. First of all, Egypt’s demands to guarantee its own win-win solutions will have to be redefined. The governments must understand that the time when they could interfere in the affairs of other states with impunity and restrict their access to the Nile is over. More and more, countries from outside the region, as well as international, regional, and universal organizations, are involved in the activities undertaken in the Nile basin. It seems to be obvious that, “the basin states will inevitably face serious challenges to sustain the “historical shares” of downriver communities and simultaneously cater for “future irrigational water requirements” of the upriver population – unless more waters could be availed through wide ranging conservation works” (Woldetsadik 2017). All this will put more and more pressure on the countries of the region, which in the situation of growing internal and international problems will have to adopt solutions that would satisfy all and respect the rights of all.

NOTES

1 Although some researchers contend that Nile is the second: first is the South American system of Amazon and Ucayali rivers.

2 http://www.basin-info.net/river-basins/nile-basin-research-n-africa/climate

3 The Nile’s annual discharges constitute 2% of that of the Amazon, 15% of that of the Mississippi, and 20% of that of the Mekong.

4 France (with private capital) and Egypt were the main participants in the project at the beginning. In 1875, financial troubles compelled the new viceroy to sell his holding, which was at once bought by the British government. Until that year, shares had remained below their issue price of 500 francs each. – Source Britannica internet: https://www.britannica.com/topic/Suez-Canal/International-status, access 17.02.1021.

5 Great Britain regulated that issue with France and Italy, Com.: M.S. Helal, M. S. Helal, Inheriting International Rivers: State Succession to Territorial Obligations, South Sudan and the 1959 Nile Waters Agreement, Emory Law Review vol. 27, 2013, p. 916–917. Altogether 5 agreements were concluded with European Powers guaranteeing a special position to Egypt in the exploitation of the river. Protocols Between the Governments of Great Britain and Italy, for the Demarcation of Their Respective Spheres of Influence in Eastern Africa, Protocol No. 2, Italy-Gr. Brit., Apr. 15, 1891, Brit. & For. State Papers 83, p. 21;
Treaty between the United Kingdom and Ethiopia, and between the United Kingdom, Italy, and Ethiopia, relative to the frontiers between the Soudan, Ethiopia, and Eretria. Signed at Addis Ababa 15 May 1902, source internet: http://treaties.fco.gov.uk/docs/pdf/1902/TS0016.pdf, access: 10.07.2016; Agreement and Declaration between Great Britain, France, and Italy, respecting Abyssinia, Dec. 13, 1906, source internet: http://digicoll.library.wisc.edu/cgi-bin/FRUS/FRUS-idx?type=turn&id=FRUS.FRUS1907v01&entity=FRUS.FRUS1907v01.p0691&isize=text, accessed 10.06.2016; Agreement Between Great Britain and His Majesty King Leopold II, Sovereign of the Independent State of the Congo, Independent State of the Congo-Gr. Brit., May 9, 1906, source internet: http://gis.nacse.org/tfdd/tfdddocs/40ENG.pdf, accessed 10.07.2016; Exchange of Notes Between the United Kingdom and Italy Respecting Concessions for a Barrage at Lake Tsana and a Railway Across Abyssinia from Eritrea to Italian Somaliland, Signed at Rome 14 and 20 December 1925, source internet: http://www.internationalwaterlaw.org/documents/regionaldocs/lake-tsana.html, accessed 10.06.2016.

6 Exchange of Notes between His Majesty’s Government in the United Kingdom and the Egyptian Government in regard to the Use of the Waters of the River Nile for Irrigation Purposes, Cairo, May 7, 1929, Treaty Series No. 17 (1929), London: Printed and Published by His Majesty’s Stationery Office, 1929.

7 Exchange of Notes between His Majesty’s (Great Britain and Egypt)...., 4(b).

8 Agreement between the United Arab Republic and the Republic of Sudan for the full Utilization of the Nile Waters, Signed at Cairo, November 8, 1959, and Protocol Concerning the Establishment of Permanent Joint Technical Committee signed at Cairo, January 17, 1960, source internet: http://www.internationalwaterlaw.org/documents/regionaldocs/UAR_Sudan1959_and_Protocol1960.pdf, accessed 4.10.2015.

9 Agreement between the United Arab....: 1. In case any question connected with Nile water needs negotiations with the governments of any riparian territories outside the Republic of Sudan and the United Arab Republic, the two Republics shall agree beforehand on a unified view in accordance with the investigations of the problem by the Committee. This unified view shall then form the basis of instructions to be followed by the Committee in the negotiations with the governments concerned. Should such negotiations result in an agreement to construct works on the Nile in territories outside the two Republics, the Permanent Joint Committee shall then assume the responsibility to contact the concerned authorities in those territories, in order to lay down all the technical details in connection with the execution as well as the Working Arrangements and maintenance of the works in question. After agreement on these points with the governments concerned, the Committee shall supervise the execution of the technical provisions of such agreements.”

10 The Nile has been a central element in the evolution of regionalism in East Africa, going back to the early 1920s, when the British colonial territories of Kenya, Uganda, and Tanganyika united to form, first, a free trade area, and later (1927), a customs union. The Nile featured in the development debates of the original EAC, which was created in December 1967. However, tensions between the three East African states following the community’s ignominious collapse in 1977, removed the Nile question from the political agenda for the next two decades.

11 Agreement for the establishment of the Organization for the Management and Development of the Kagera River Basin (with attached map), Concluded at Rusumo, Rwanda, on 24 August 1977, Rwanda, Burundi and United Republic of Tanzania, source UN: https://treaties.un.org/doc/Publication/UNTS/Volume%201089/Volume-1089-I-16695-English.pdf, accessed 10.08.2015. The agreement was joined by Uganda.

12 The Gulf Cooperation Council (GCC) was founded on May 1981 by Their Majesties and Highnesses from the United Arab Emirates, the State of Bahrain, the Kingdom of
Saudi Arabia, the Sultanate of Oman, the State of Qatar and the State of Kuwait who met in Abu Dhabi, the United Arab Emirates, 25th May 1981, source internet: https://www.gcc-sg.org/en-us/AboutGCC/Pages/Primarylaw.aspx, access 12.02.2021.

13 The Nile Basin Initiative (NBI) is an intergovernmental partnership of 10 Nile Basin countries, established in 1999. The NBI Secretariat is based in Entebbe, Uganda. The Council of Ministers of Water Affairs of the Nile Basin Countries (Nile-COM) is the highest decision-making body of the NBI, source internet: https://www.waternet.be/nile-institutions, accessed 10.12.2021.

14 Agreement on the Nile River Basin Cooperative Framework, opened for signature at Entebbe, Uganda 14th of May 2010. https://nilebasin.org/images/docs/CFA%20-%20FrenchVersion.pdf, accessed 20.02.2016.

15 On the basis of this Agreement, that the Uganda Electricity Board was obliged to not take any measures that “entail any prejudice to the interests of Egypt in accordance with the Nile Waters Agreement of 1929 and does not adversely affect the discharges of water to be passed through the dam.” It is noteworthy that this agreement continues to be applied and respected by Egypt and Uganda, which succeeded the United Kingdom to the Owen Falls Agreement (Helal 2013).

16 Agreement on the Nile River Basin Cooperative Framework, opened for signature at Entebbe, Uganda 14th of May 2010. https://nilebasin.org/images/docs/CFA%20-%20FrenchVersion.pdf, accessed 20.02.2016.

17 Article 19 Legal Status 1. The Commission is established as an intergovernmental organization and shall enjoy international legal personality, with such legal capacity as may be necessary for the performance of its functions, in particular, the capacity to enter into agreements, to incur obligations, to receive donations, and to sue and be sued in its own name. 2. The Commission and its officials shall, in the territory of each Nile Basin State, enjoy such privileges and immunities as are necessary for the performance of their functions under this Framework. 3. The privileges and immunities referred to under this article shall be provided for in detail in a Protocol to this Framework.

18 Report 271 / Africa 20 March 2019, Bridging the Gap in the Nile Waters Dispute, https://www.crisisgroup.org/africa/horn-africa/ethiopia/271-bridging-gap-nile-waters-dispute, access 10.03.2021.

19 Grand Ethiopian Renaissance Dam: Declaration of Principles Agreement Signed by the Arab Republic of Egypt, the Federal Democratic Republic of Ethiopia, and the Republic of the Sudan (Full Text in English and Arabic), 18 Y.B. Islamic & MIDDLE E. L. 479 (2013–2015).

20 Article 44 of the new constitution states: “The State shall protect the River Nile, preserve Egypt’s historical rights thereto, rationalise and maximise its use, and refrain from wasting or polluting its water. The State shall also protect groundwater; adopt necessary means for ensuring water security; and support scientific research in that regard”. “Constitution of the Arab Republic of Egypt 2014” (unofficial translation), 18 January 2014.

21 Report 271 / Africa 20 March 2019, Bridging the Gap in the Nile Waters Dispute, https://www.crisisgroup.org/africa/horn-africa/ethiopia/271-bridging-gap-nile-waters-dispute

22 South Sudan Declaration on Independence, 9th July 2011, Juba, http://orgsouthsudan.org/wp-content/uploads/2020/09/FULL-TEXT-OF-DECLARATION-OF-INDEPENDENCE-NCE-2011.pdf, access 10.03.2021.

23 Convention on Wetlands of International Importance especially as Waterfowl Habitat, Ramsar, Iran, 2.2.1971 as amended by the Protocol of 3.12.1982, and the Amendments of 28.5.1987. text internet: https://www.ramsar.org/sites/default/files/documents/library/current_convention_text_e.pdf
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