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## ***The Nile River Question and the Riparian States: Contextualising Uganda's Foreign Policy Interests***

### **Introduction**

Uganda is one of the countries that border the Nile River. The other countries are Burundi, Democratic Republic of Congo (DRC), Egypt, Eritrea, Ethiopia, Kenya, Sudan, Tanzania and Rwanda. Since the 1980s, Uganda has been involved in numerous bilateral and multilateral diplomatic initiatives to resolve the long-standing dispute over the usage of the Nile River. Egypt, one of the countries heavily dependent on the waters of the Nile, has on several occasions threatened to wage war in order to protect its national interests regarding the Nile waters. This is against the background that it has maintained its monopoly over the Nile River for more than half a century following its signing of a treaty with Britain, the colonial power, in 1929. Regionally, Egypt signed an agreement with Sudan in 1959 whereby Cairo was granted eighty seven percent of the waters of the Nile River. This was done without the consent of the other riparian countries.

These and related problems mean that Uganda has a stake in the Nile waters, which by implication, directly impacts on its national interests. Uganda maintains that it is its sovereign responsibility to safeguard its national interests and core values to survive in the anarchic international system. Uganda, therefore, questions the validity and relevance of the 1929 and 1959 treaties in the eyes of today's international law. Uganda, like the other riparian states after independence, declined to be bound by the Nile water agreement between Egypt and Britain. Yet stability in the region is in the interest of Uganda and the other riparian states. Uganda, therefore, supports the East African Community (EAC) position on the question of the Nile waters.

The cardinal objective of this article is to examine policy issues pursued by the various governments of Uganda since the country's political independence in 1962 with the view to providing conflict resolution mechanisms in the region for the sake of peace and stability.

Methodologically, this article takes into account two sets of variables. First, there are regional variables such as ethnicity, religion, political, economic and class struggles. Second are variables external to the region such as imperialism, neo-colonialism and globalisation. We, therefore, follow an historical approach that recognises constant interaction between political, economic and social factors as they emanate from society in general and as they affect regional integration in Africa. We situate the article within a particular theoretical framework.

**Foreign and national Security Policy and Regional Stability in the Riparian States: A Theoretical Framework**

The behaviour of a state in its regional backyard is determined by its foreign policy. This is perceived as a goal or problem-oriented programme, designed by decision-makers and directed towards entities outside their political jurisdiction. It is a programme whose objective is directed towards addressing a certain problem or the pursuit of certain goals towards external entities (Herman, 1990: 300-301). In this sense, it is a means through which the state's national interest is pursued and acquired. Foreign policy in this sense must take into cognizance the objectives the state seeks to pursue and the means it must have at its disposal to realise the same. This position mirrors Modelski's functionalist perception of foreign policy as a process through which the state minimises adverse effects while maximising on the advantageous ones (Modelski, 1962: 3). Policy, in this sense, is not a charted course but a calculated response to external challenges. J. Frankel takes a sociological perspective by defining foreign policy as a combination of aims and interests pursued and defended by a given state and its ruling class and its relations with other states and methods and means used by it for the achievement and defence of these purposes and interests (Frankel, 1968: 20).

This can be via peaceful means which presupposes the availability of a critical component of a competent diplomatic core and leadership with an understanding of the domestic needs of a state and how these can be met through the process of external interaction. The realisation of these presupposes the presence of an organised institutional framework. The same can also be pursued when needs be by the use of armed coercion. The use of armed force here brings in the connection between security and foreign policy. But more important is the role of coalitions that make up a government and how these inform the type of foreign policy interests to be pursued by the state. As Utete observes, the objectives and interests a state pursues and safeguards in its dealings with other states must be premised on its internal social structure and power configuration (Utete, 1985: 43). In specific terms, a class that controls and wields power necessarily shapes foreign policy. To this extent, foreign policy can be defined as a means through which a state extracts resources from its external environment to satisfy demands made by the regime's domestic constituencies critical to the consolidation of its domestic power base.

Foreign Policy here constitutes the means through which national interest is pursued. The national interest is determined by the decision-makers and is presumably arrived at after an aggregation of divergent pressures through a consensus-building process (Morgenthau, 1967). The national interest encompasses the core values such as the sustenance of state sovereignty and the guarantee of its territorial integrity at one level and the insurance of its economic interests at another. There is also what K. J. Holsti refers to as the routine foreign policy matters, or rather the middle-range objectives of the state that involve economic and commercial activities (Holsti, 1977: 51).

Most foreign policy issues revolve around these middle range objectives, yet as values, the middle range objectives are critical to sustaining internal social cohesion. They constitute one of the core bases for helping the state consolidate its legitimacy in the public realm. For developing countries like the riparian states, these values revolve

around the need to respond to the crisis of underdevelopment and poverty. To the extent that a state cannot provide services such as education, health, security and the enabling socioeconomic framework that can undergird job creation, its legitimacy realm may be increasingly eroded, and in the process, a threat engendered to national cohesion. A third component of national interest is what Holsti refers to as the long-range objectives of the state. These tend to be philosophical aspirations and include the pursuit of international peace and continent unity. Although the docket of foreign policy and security are state-dominated, it is possible for social forces to influence and shape the orientation of a state's foreign policy. Such influences form part of lateral pressures engendered by commercial interests, welfare needs and external threats. These can in turn re-orient the state towards the necessity to build both military force and the technological capacity to respond to internal challenges.

As Choucri and North observe, population increase engenders demand. Technological advancement equally engenders an increased appetite for resources. Such demand can only be satisfied through a certain external policy behaviour that requires either external extraction of those resources or internal extraction (Choucri and North, 1975: 15-17). In other words, a state that has been undergoing a nation-state crisis would be driven by lateral pressures to pursue an activist foreign policy. Nation-state crises here are manifested by the inability of state institutions to penetrate the society, the crisis of identity, the crisis of resource distribution and allocation, the crisis of participation and the crisis of conflict resolution and management. A state like Uganda with the vast majority of its citizens living below poverty line is no doubt in need of a foreign policy that can address this problem. Other than the need to address economic concerns, there is also the question of internal security threats especially posed by the Lord's Resistance Army (LRA) that has been fighting the Museveni government since 1986. Other cases of internal security threats include opposition political pressure for multiparty politics and external threats in the form of international terrorism. A combination of a weak economic base and the traditional forms of insecurity threaten not only a state's sovereignty but also its territorial integrity. It is indeed these elements that bring about the connectivity between foreign policy pursuits for domestic ends and national security. Either way, a state like Uganda, for instance, cannot address its internal economic, security and political concerns without addressing the regional components of these aspects. Any internal economic expansion presupposes a regional market. This has to be sustained by a strong security position internally and at a regional level.

Whatever the type of policy adopted by the state, its pursuit is influenced by several factors. These include the societal character of the state. Here, elements such as the availability of resources, the level of technological advancement, population size and density, and ethnic and racial cohesion are critical. Also important are environmental elements such as the geographical location, terrain, climate and natural resources. Equally important is the world system and the space for manoeuvre it gives to a given state and the nature and type of the political structures in existence. The argument here is that certain types of structures provide various state and non-state actors spaces within which they can influence each other and indeed take certain actions. More importantly, they help facilitate mobilisation and maximisation of resources more effectively than others. Notably the leadership element and how it interprets the

environment either as a constraint or as an opportunity is critical. The central question is that of how an actor opts to perceive constraints as either obstacles or opportunities. Where the former is the case and state leaders opt to work towards responding innovatively to them, the said state is likely to mobilise its resources effectively. Notably the leadership element must be present at all levels to think through relevant innovative institutions at regional, state and local level to engender associational life for resource mobilisation. The very essence of leadership is the enhancement and the insurance of the state's survival. This is what state security policy seeks to address itself to. Yet one must seek to respond to the question, 'security against what and whose security?' The general perspective is to perceive security in state-centric terms and to emphasise external threats. This is what Azar and Moon refer to as the physical protection of the state from external threats (Azar and Moon, 1986: 1-13). While the first question responds to physical security, the second finds its response in the re-conceptualisation of security to include concerns in the domestic realm, especially the need to maintain societal cohesion while also ensuring the survival of the regime. The first presupposes security of the core values such as sovereignty and territorial integrity. These are shared by all and are expected to survive regime change. The second has to do with other existential values that the state must provide to win legitimacy and loyalty to its citizens. Most Third World States face a crisis of legitimacy and domestic vulnerability resultant from the state's inability to engender good governance. This in turn causes regime insecurity. To survive, regimes turn to violence in a bid to maintain control. The absence of critical institutions for conflict resolution and management, interest articulation and elite consensus on social and political issues generates erosion of legitimacy and regime threats (Ayoob, 1986: 10). Notably the tendency has been that of equating regime insecurity to state insecurity.

Whereas states have tended to acknowledge the connection between foreign policy and security, the latter has tended to be perceived in the traditional militarist approach under which national security is predicated on the assumption that the principle threat emerges from other nations (Brown, 1982: 22). The urge here has been to build up weaponry (Ekppebu, 1980: 93). The problem with this orientation is that it assumes a purely militaristic orientation despite the fact that economics is an imperative given the threats posed by poverty to national security. Underlying the threat is the demand side of the acquisition of small arms as a means towards reversing deprivation. Economic security on the other hand is not possible outside the availability of energy and technology. Overall, much of the insecurity has tended to be driven by the prevailing underdevelopment situation (McNamara, 1968: 145-149). Thus, to modernise a society's security presupposes enhancing development. Development provides people with the inclination to defend the state. Underdevelopment and institutional incapacity ensure that the average African state can neither mobilise internal human resources nor the existing institutions to cope with adversaries, including natural disasters. Insecurity in this sense can be broadly said to include regime, state, government and personal security fears. To the extent that the state is incapable of addressing them at the domestic level, its own collapse would also threaten the security of its neighbouring states. The converse is also the case. The search for security can also stem from the attempts geared towards seeking to protect values previously acquired (Mwagiru, 2004: 6).

A nation is said to be secure to the extent to which it is not in danger of sacrificing its core values. To ensure its security, the state evolves national security policy. Such a policy presupposes dangers external and internal to the state. It is also possible for the pursuit of security to be driven by the state's desire and ambition to retain or create wealth and development for its citizens. Security can be acquired by the state on its own if it is endowed with enough resources or through alliance with others. This presupposes the establishment of regional frameworks that seek to address security concerns. Several reasons can incline states towards regional approaches. They include the quest by the state or regime to fend off threats either internal or external. Indeed, there are threats that assume a state-region-centric dimension and whose resolution or containment also presuppose a regional approach. On the other hand, a region-centric approach presupposes viewing crisis in neighbouring states as constituting a threat to the state's interest. It is in these contexts that past and present Nile water conflicts and cooperation within the riparian states can be studied.

#### **Nile Water Conflicts and Cooperation within the Riparian States**

Following the British conquest of Egypt in 1882, Britain became the primary colonial power in the Nile River basin, but was later joined by the Italians in Ethiopia and the Belgians in the Congo Free State. By the turn of the century, the European colonialists had subdivided the Nile basin into zones of influence, and Britain had recognised that the primary consideration of its imperium on the Nile and at Suez rested on the security of Egyptian Nile waters (Collins, 1990: 67). Nonetheless, the colonial powers recognised the hydrological unity of the basin in protocols and boundary agreements which prohibited any construction on tributaries that would interrupt the flow of the Nile to Egypt and Sudan without prior consultation and agreement (Collins, 1990:67).

In 1929, the Nile Waters Agreement was concluded through an exchange of notes between the British High Commission in Cairo and the Egyptian government. The agreement heavily favoured Egypt's 'historic rights', (Glassman, 1990: 150), allocating for Egyptian use 48 bcm per year, only 4 bcm for the Sudan, and leaving 32 bcm per year unallocated. Not only were other upstream riparians not included in this agreement, but it was stipulated once again that, so long as they were under British jurisdiction, upstream states could not undertake without permission any development on the tributaries or on the equatorial lakes that would alter Nile flows to Egypt.

After World War Two, the control of Nile waters once again became a central issue in regional politics as the self-determination and national liberation movements grew in strength. In Egypt, the rapid increase in population had led to an increase in water demand for irrigated agriculture and improvement of technological control of the Nile, and a limited increase in industrial water use (Ohlsson, 1995: 31-34). The Sudanese administration began preparing the case for an increase in its share of Nile waters following the Egyptian revolution in 1952 (Ohlsson, 1995: 35-40). The Sudanese administration revived plans to build the Jonglei canal through the Sudd swamps, thus reducing the immense amount of White Nile waters lost to evaporation, and developed new plans to increase the irrigated area and build the Roseries Dam on the Blue Nile. The new plans would have required an increase in allocated use of Nile waters above the amount stipulated in the 1929 agreement.

In the meantime, Egypt was developing the highly controversial plan to build the Aswan High Dam for over-year storage and regulation of floodwaters. The construction of the dam would create a reservoir extending 150 kilometres into the Sudan, submerging the old town of Halfa and displacing fifty thousand people (Pearce, 1994: 29).

The period 1954-1958 was characterised by political conflicts between Egypt and the Sudan over sharing of the Nile waters. Sudan achieved independence in 1956 and its first Prime Minister immediately reiterated that the 1929 agreement had to be revised, just when Gamal Abdel Nasser of Egypt was contemplating the creation of a massive new dam at Aswan (Nhail, 1995: 1-3). Further complicating the situation was the international attention given to the Aswan High Dam Plan. The Western countries and the World Bank had originally offered technical and financial support for the dam, but environmental and socioeconomic concerns led to the withdrawal of this support (Pearce 1994: 28). Egypt then turned to the Soviet Union for support and nationalised the Suez Canal in retaliation against the West, leading to the Suez Canal Crisis.

Tensions increased between Egypt and the Sudan in 1956-1958, as the Sudan voiced further objections to the Aswan High Dam and continued demanding a renegotiation of the 1929 agreement. Egypt subsequently withdrew its support for the Sudanese project to build a reservoir at Roseires on the Blue Nile, and Sudan unilaterally declared its non-adherence to the 1929 agreement. In a show of force, Egypt moved units of its army to the border with Sudan (Nhail, 1995: 3).

In November 1958, three weeks before the Soviet Union formally offered financial assistance to Egypt for the Aswan High Dam (Pearce, 1995: 29), there was a military takeover in Sudan and the establishment of a regime more open to negotiation with the Egyptian government. Within a year, the two countries re-negotiated the 1929 agreement and developed the 1959 Agreement between the Republic of the Sudan and the United Arab Republic. The new agreement set Egypt's share of Nile waters at 55.5 bcm per year and allocated to the Sudan an allotment of 18.5 bcm per year. The remaining 10 bcm flow per year was allocated to evaporation and seepage loss, and it was agreed that any additions to annual flow through conservation or discovery be split equally between the two countries (Nhail, 1995: 2). Plans to move ahead on the Aswan High Dam and the construction of the Roseires reservoir were also approved.

The new water agreement most notably did not include other riparian states and allocated the entire flow to Egypt, Sudan and natural loss. Ethiopia in particular emphasised its rights to the waters originating from its territory, and began to work with the United States Bureau of Reclamation to study and assess its water resources and irrigation and power potential. In 1970, Egyptian President Anwar Sadat had threatened war with Ethiopia over the proposed construction of a dam on Lake Tana on the Blue Nile (El-Khodary, 1995: 1), yet despite the obvious displeasure of Egypt, Ethiopia subsequently refused full participation in basin-wide cooperation efforts prompted by the 1959 Agreement (El-Khodary, 1995: 2). Egypt and the Sudan expressed concern in 1978 over a reported series of feasibility studies in Ethiopia, to which Ethiopia replied with a series of terse and non-conciliatory responses directed largely to Egypt and in part, to the Sudan (Postel, 1992: 1-23).

Construction of the Aswan High Dam started in 1960 and continued until 1971. During this time, relations were favourable between Egypt and the Sudan.

Accordingly, in return for helping [Sudanese President] Nimeiri to remain in power, Egypt obtained a number of concessions from the Sudan, notably permission to construct the Jonglei Canal in 1976 (Ohlsson, 1995: 178). The Jonglei Canal would circumvent the swamps of the Sudd in Southern Sudan, increasing the flow of the Nile by 5 bcm annually. Under the 1959 Agreement, this would be split equally between the two neighbours. Despite international controversy over the impact of the canal on the swamps and the people the canal would displace and disturb, work commenced on the canal in 1978. Construction of the canal halted in 1984 after a series of violent attacks by the Sudanese People's Liberation Army, and the civil war in Southern Sudan made any further work impossible. Egypt and the Sudan's relations remained friendly during the early 1980s, and in 1982, the two signed an agreement including plans for the future integration of policy and programmes (Postel, 1992: 1). After the ouster of Sudanese President Nimeiri, the new regime in Khartoum, faced with rapid population growth and increased food needs, began demanding re-negotiation of the 1959 Agreement. The Sudan began the construction of small dams and developed plans for further irrigation as well. Relations between the two further deteriorated in 1989 as the Islamic fundamentalist regime unilaterally abolished the cooperation agreements and began supporting anti-Egyptian forces in its territory (Postel, 1992: 3).

Despite increased emphasis on water cooperation in the early 1990s, water rights remained an issue of great concern in the region as population growth stretched the Nile to its limits in Egypt and Sudan. In October 1991, Egyptian Defence Minister, Lieutenant-General Mohammed Hussein Tantawi remarked in *al-Ahram* that his country would not hesitate to use force to defend its control of the Nile River, and predicted that future Middle East wars could result from water scarcity issues (Postel, 1992: 4). He said, 'I do not actually expect an impending control of the Nile River by a foreign country, but we consider it a possibility and are planning our military strategy accordingly' (Postel, 1992: 5). Boutros-Ghali is reported also to have talked of war over the Nile waters (Butts, 1997: 1).

Tensions between the Sudan and Egypt remained high for political reasons as well. In June 1995, Egyptian President Hosni Mubarak narrowly escaped an assassination attempt in Addis Ababa in which Sudanese Islamic militants were the suspects. Egypt took control of a disputed area on the Sudanese border and the aftermath of this included the issuance of threats and continued tension (Butts, 1997: 2).

Present and potential conflict over water in the basin stems from the increased food and agricultural needs generated by a rapidly growing population in the riparian states. All three of the major players – Egypt, Sudan and Ethiopia – publicly stated as recently as February 1997 that their share of the water was insufficient and demanded the right to use the water as they saw fit (Butts, 1997: 3).

Egypt is desperately trying to meet its food needs through dramatically expanding the number of acres under irrigation. On October 26 1997, the Al Salam Canal, or Peace Canal, was opened by Egyptian President Mubarak. This canal transports Nile waters under the Suez Canal into the Sanai desert, adding 6200 acres of arable land and allowing 5.5 million Nile Valley residents to resettle there. The \$1.62 billion project was partly financed by Kuwait (Butts, 1997: 5). In 1998, work started on the Toshka, or New Valley Project, which is to extend a canal from Lake Nasser above the Aswan Dam westward into the desert. The Nile Water is to be supplemented by groundwater

extraction from a number of desert oases, allowing a total of a million new acres to be formed (Butts, 1997: 6). Although the first phase of the New Valley Plan, the canal, will cost about \$2 billion, the further projects in agriculture, industry and tourism bring the total estimated cost to \$88 billion (Butts, 1997: 7).

Both of these plans have been heavily criticised by water resource experts (Butts, 1997: 7). Egypt is at or above its allocation of Nile water under the 1959 Agreement, and some sources claim that it is taking up to 2bcm more than its share (Arlosoroff, 1996: 28). Magdy Sobhy, of the Al-Ahram Centre for Political and Strategic Studies, criticised the Toshka project as unrealistic because it was based on Nile flows during periods of higher-than-average floods. He cites other projects, such as wastewater reclamation and different agricultural techniques, which could increase Egypt's water supply for irrigation instead (Arlosoroff, 1996: 28).

However, pressures are high on Egypt to continue to expand its agricultural production. Even though it uses its full allocation, it still imports over half its food, including ten million tons of grain a year. Moreover, it has been suggested that Mubarak is pushing the New Valley project in part to deal with domestic political problems created by overcrowding and unemployment, which stands at about twenty percent (Lowi, 1996: 6). The New Valley project could attract as many as seven million people to jobs in the desert while increasing the country's food production.

Ethiopia is the new unknown in the conflict equation, as the end of the Ethiopian civil war has opened the doors to new development. Rapid population growth and the need to establish food security after the famines of the 1980s have prompted Ethiopia to press ahead with plans to divert Nile waters for irrigation. In 1990, Egypt blocked an African Development Bank Loan to Ethiopia for new irrigation projects (Lowi, 1996: 7), but Egypt's political dominance in the region was further weakened with a 1991 agreement between Sudan and Ethiopia to cooperate over the use of Nile Water (Lowi, 1996: 8). Ethiopian farmers are already building small earthen dams on the tributaries of the Blue Nile, which, although permitted by the 1959 Agreement, are restricting the flow to Sudan and Egypt by as much as 2-3 million cubic metres per year (Lowi, 1996: 8). It has been reported that Ethiopia is planning to implement a significant irrigation project, and that several hydropower projects are being developed (Kinfе, 2002:7).

Ethiopia's willingness to demand a greater share of the Nile waters was echoed in a February 1997 policy paper, presented during a four-day annual conference on the use of Nile River waters. It stated, 'The stark inequity currently prevailing in the Nile Basin cannot remain in the future since only the downstream riparian states (Egypt and Sudan) are exclusively utilizing the Nile waters while upstream countries have not been able to secure their equitable right' (Kinfе, 2002: 8). Furthermore, it is not only Egypt that has been issuing threats to Ethiopia. Sudan accused Ethiopia in 1996 of sponsoring attacks by Sudanese opposition forces in order to dam the Blue Nile in Ethiopia and deprive the downstream riparian of water, but Ethiopia denied the charges (Kinfе, 2002: 9). Otherwise Ethiopia's aim is to achieve food security by not depending on rain-fed agriculture but by utilising available water for irrigation. In this regard, Ethiopia encourages Nile River riparians to commit themselves to real, fair, equitable and just outcomes in what cannot be a zero-sum game (Kinfе, 2002: 10). It is in this context that Uganda's foreign policy interests can be analysed.

### Conceptualising Uganda's Foreign Policy Interests

Uganda's foreign policy interests regarding the utilisation of the Nile waters fall within matters of security which arise from the post-Cold War definition of security. These foreign policy interests fall within the overall East African Community (EAC) security issues that have to do with not only military security, but economic security too. The most disturbing aspect of the latter is the need to equitably share the Nile waters whose source can be traced to Lake Victoria. This is a security issue that Uganda and the other member states of the EAC must address jointly with the other stakeholders. Indeed, for over ten years now, the riparian countries have been negotiating a treaty on how to share the Nile river. The Nile basin holds three hundred million people whose countries are also members of the EAC, the Intergovernmental Authority on Development (IGAD), and the Common Market for Eastern and Southern Africa (COMESA) (Kaiza, 2004: 15).

The Nile Water Agreement of 1929, granting Egypt the lion's share of the Nile waters, has been criticised by Uganda, Kenya and Tanzania as a colonial relic. The treaty, which Britain signed on behalf of its East African colonies, forbids any projects that could threaten the volume of water reaching Egypt. The agreement also gives Cairo the right to inspect the entire length of the Nile (Vasagar, 2004: 1). The 1929 treaty was contested and the 1959 treaty reviewed the quotas of water to be used. It was assumed that the upper riparian countries did not need the waters of the Nile and the British colonial regime failed to predict that with population expansion these countries would need more water in future.

When the East African countries became independent, these treaties were nullified. Julius Nyerere's Tanzania for one declared that all old treaties entered into by the British on behalf of Tanzania were null and void, but he stated that Tanzania was ready to renegotiate. The sentiments were the same in Uganda and Kenya. Unfortunately the other two countries did not take Nyerere's words as a legal statement (Kaiza, 2004: 15). Despite this, the East African countries, under the umbrella of the EAC, are now focusing on the way forward and are tackling population pressure and environmental degradation as major security issues that are part of their foreign policy interests.

The matters concerning the Nile basin have been in a legal limbo. Unfortunately, of the major rivers in the world only the riparians of the Nile are not adequately cooperating on the use of its waters. This is what gave rise to the Nile Basin Initiative (NBI) in 1995 (Global Water Intelligence, 2000). Currently the NBI is pursuing two tracks: the development track by the NBI and the Nile Basin Cooperative Framework (Kaiza, 2004:15). The EAC countries involved in the NBI are designing institutional arrangements acceptable to all the concerned countries for a permanent solution through these two approaches.

Because the Nile is not the only river shared internationally – there are the Mekong, Limpopo, Danube and Rhine among others – the NBI can learn something from them. The riparian countries are squabbling precisely because they want to share the Nile fairly. These countries need to develop a vision and also to understand each other's interest.

When one travels on the Rhine, one hardly notices that it is an open channel with no borders. Countries can easily make use of such a shared resource to move towards economic integration. The Rhine is playing an important and catalytic role in bringing

European countries together. The Nile can do the same in bringing together the African countries using its waters, especially in terms of development. The EAC member states stand to gain immensely from the Nile, but only if they cooperate and unlock the potential in their part of the river. This is to where their foreign policy interests should indeed be channelled. This is what Egypt is trying to do: it has adopted dialogue and understanding as the best ways of coping with changes in the political and regional configuration in East Africa and the Great Lakes region. Among the most significant developments in the region is the general trend in Uganda, Ethiopia and Eritrea away from the legacy of Arab/Islamic culture, and towards European-American plans that at times conflict with Arab interests (Hammad, 2000: 2).

With such cooperation and the negotiations that have been going on, there should be no fear or worry that the Nile waters could bring conflict. Such fears were intense over ten years ago. Then, experts in the region never talked about the Nile. Today, all the concerned countries are discussing it, not only talking about technical issues, but also joint projects. Moreover, today the EAC countries also enjoy considerable support from the donors. Besides, there is a lot of positive talk in the Upper Nile countries about the colonial treaties (Kaiza, 2004: 15).

Threats, anger, acrimony and polarisation had, in the past, marked negotiations for the repeal of the 1929 treaty. Initially, the hostility was between Egypt, which continues to enjoy the lion's share of the Nile waters, and Ethiopia. The two countries almost went to war after Ethiopia threatened to obstruct the Blue Nile from flowing into Egypt in the early 1980s following Egypt's proposal to export the river's water to Israel's Sinai Desert. This was in the context of the historic Camp David peace agreement between Israel and Egypt (Mbaria, 2004: 6).

But lately the animosity has been between Egypt and the three East African countries which now want more water for their own needs. Indeed, while Uganda and Kenya have merely been talking about repealing the treaty, Tanzania publicly ignored it in March 2004 and went ahead to implement the \$27.6 million Shinyanga Water Project. The project involves pumping water from Lake Victoria to irrigate farmlands in Kahama area of Shinyanga region (Mbaria, 2004: 6; Nkrumah, 2004: 1). According to Tanzania's Minister of Water Resources, 'The water we get from Lake Victoria is such a small amount of water anyway and it does not affect water coming to Egypt' (Nkrumah, 2004: 1).

As Tanzania was implementing the project, Egypt was warning Kenya that an attempt to withdraw water from the Lake for irrigation would be tantamount to a declaration of war. Though many of Kenya's biggest rivers – Sondu, Yala, Kuja, Nzoia and Nyando – empty into Lake Victoria, Kenya seems to have adhered to the 1929 treaty as it has not engaged in any major irrigation or hydroelectricity project. Indeed, the yet-to-be complete Sondu-Miriu Hydro Power Project was designed in such a way that the need for the construction of a big water reservoir along the Sondu river was avoided (Mbaria, 2004: 6).

Uganda's interests were succinctly captured by the journalist Charles Onyango-Obbo when he wrote: 'Egypt can't enjoy the benefits of having access to the sea, while blocking a landlocked country like Uganda from profiting from the fact that it sits at the source of the Nile' (Quoted in Vasagar, 2004: 2). Indeed, Uganda is keenly interested in developing its hydroelectric potential and is currently studying several projects in

collaboration with Egyptian water engineers. This despite the fact that under the agreement between Egypt and Sudan, and likewise under the 1929 treaty, Egypt assumed the right to vet any construction projects that would adversely affect its interests. This reflects current Egyptian diplomacy with Uganda. Of late, President Hosni Mubarak has been dispatching his foreign affairs officials to President Yoweri Museveni for urgent consultations on water security. These consultations provide the government of Uganda with the opportunity to articulate its foreign policy interests regarding the use of the Nile waters. Uganda recognises the fact that the hydro-politics of the Nile have long dogged the riparian countries and that disputes over water utilisation are becoming more problematic and, therefore, it cannot afford to be a disinterested party. This despite the fact that Uganda is technically less dependent on the waters of the Nile for its agricultural development projects since it enjoys favourable climatic conditions that endow it with plenty of rainfall. Uganda has, therefore, of recent made a U-turn from its earlier position that the sharing of Nile waters was an awkward subject to discuss, and that it was too unsavoury for it to be debated publicly. The government of Uganda shared this view with most governments of the Great Lakes region (Nkrumah, 2004: 1). Uganda has started speaking openly about the challenges it faces as it tries to equitably share out the river's resources, and to abrogate outdated colonial treaties that have, for decades, governed the use of the Nile waters. Uganda supports the stand taken by the other two member states of the EAC to reach an agreement to establish a new legal framework governing the sharing of the Nile waters. The government of Uganda recognises that the political fallout could turn out to be nasty, observing that failure to come to a consensus would undoubtedly express how hollow calls for regional integration ring (Nkrumah, 2004: 2).

The talks held in March 2004 in the Ugandan capital, Kampala, took place under the NBI. They highlighted how important it is for the Nile Basin countries to act together in order to ensure the rejuvenation and development of the vast region. Given its severe economic and political problems, the region is still trying to come to grips with the finer workings of the NBI. But Uganda, like the other EAC member states, realises that without the NBI, tensions might spiral out of control (*New Vision*, 2004: 1).

Uganda, therefore, encourages continued dialogue and building of cooperation through understanding of the resources in the sub-region and coming up with guidelines. Indeed, during the NBI twelve Nile Basin Council of Ministers' meeting held in Nairobi in March 2004, Uganda and the other riparian states compromised on the usage of the Nile waters. Egypt for one, made an about-turn on its earlier stand by stating that it had no problem with the other riparian countries using the Nile waters (Mbaria, 2004: 6). Generally, countries that had adopted hard-line positions were ready to compromise. This was in line with diplomatic niceties that dictate that Nile Basin countries, keeps up a semblance of friendliness and political closeness. Thus, when Uganda's Minister of State for Water, Mary Mutagambwa, visited Egypt in April 2004, she stressed that Uganda had reached a 'full understanding' with Egypt (Nkrumah, 2004: 3). Her Tanzanian counterpart, while visiting Cairo a week later, concurred, saying that there was no fundamental problem over sharing Nile waters with Egypt (Nkrumah 2004: 4).

Uganda's foreign policy interest is that cooperation over the Nile waters should form the basis for other joint ventures among the concerned countries. In fact, this is already happening through the basin-wide shared programme. There are also two subsidiary programmes being implemented at sub-basin level. They are the Nile equatorial lakes subsidiary action programme and the eastern Nile subsidiary programme. These programmes are implementing joint investment projects. The Nile equatorial projects have already taken the whole Kagera basin, Mara basin, river Malaba-Sio-Malakisi, between Uganda and Kenya. Even before full implementation of some of these projects, the NBI countries are talking about scaling up investment projects so that the expectations of the people are quickly met (*New Vision*, 2005:18). These people are some of the poorest in the world today.

### **Conclusion**

Uganda's foreign policy interests are to ensure that the Nile waters are equitably shared by the riparian states for their development. The government of Uganda advocates the view that water demand management is the key to improving the balance of supply and demand and mitigating conflict in the future. It is in the best interest of Uganda and the other riparian states to promote policies with the potential to reduce water scramble and water resource scarcity. The best approach for reducing demand may be through an integrated demand management system instituted by a government or regional commission. In this regard, the NBI is best suited to undertake this exercise. The policy that Uganda supports looks at demand across all uses (agricultural, industrial and urban), and uses incentives such as pricing, investment credits, and penalties to promote efficient water use.

In addition to demand management, several other steps could be taken by the riparian states to reduce the potential for conflict. One is to encourage the development of an international body of laws concerning Nile water resources that would be capable of gaining acceptance and be put into practice by all the riparian states.

With current population trends in the riparian states, Nile water utilisation will increase tremendously. One can thus expect heightened competition for Nile waters – hence regional instability and conflict. In such an environment, certain concepts should be of importance to strategists. Geopolitical thinking will increase in importance in the post-Cold War environment, where regional issues such as water security seem destined to remain the chief concern of the riparian states' security interests. In today's milieu, as far as the regional security of the riparian states is concerned, geographical variables punctuated by Nile water demand can be ignored at the peril of national and regional strategists.

The status quo of the 1959 Agreement must be repealed and new agreement must be signed to accommodate the interests and development agendas of all Nile countries. In fact, the 1959 Agreement stipulates that Egypt and the Sudan must reduce their use of the Nile waters if the upstream countries begin to use the Nile for development. Thus, although Egypt is suffering from 'water stress' phobia, it has no choice but to share the Nile with the other riparian states. Egypt must also respect the interests and the needs of the Ten Nile riparian states which want to use the Nile for their respective socioeconomic development. For a peaceful use of the Nile, the United Nations development agencies like the United Nations Development Programme must be

involved and if possible finance the development endeavours of respective riparian nations. The development of the Nile will then benefit all, resolve the contradictions between Egypt and other Nile countries, and should Egypt make the mistake of resorting to the use of force and war, it is the one which stands to suffer and lose most.

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