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**Secretariat General
Secretariat of Arab
League Council Affairs**

**Outcome of
the Extraordinary Session of the Council of
the League of Arab States at the
Ministerial Level**

**Doha
Tuesday, 15 June 2021**

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The Ethiopian Renaissance Dam

The Council of the League of Arab States at the ministerial level convened in an Extraordinary Session on Tuesday, 15 June 2021 in Doha,

- *Having been briefed by* the Foreign Ministers of the Republic of the Sudan and the Arab Republic of Egypt on the developments of the Grand Ethiopian Renaissance Dam (GERD) and the outcome of the most recent rounds of negotiations under the auspices of the African Union with the aim of reaching a binding agreement on the rules for filling and operation of the GERD,
- *Recalling* the relevant Resolutions adopted by the Arab League Council, the most recent of which was the Resolution by the Extraordinary Session of the Arab League Council at the Ministerial Level, which was convened on 23 June 2020 and the Resolution by the 153rd Ordinary Session of the Arab League Council at the Ministerial Level on 4 March 2020 respectively,
 - 1- *Emphasizes that* the water security of the Republic of Sudan and Arab Republic of Egypt is an integral part of the Arab national security; *and rejects* any action or procedure that affects their rights in the waters of the Nile River;
 - 2- *Expresses appreciation for* the efforts exerted by the Republic of South Africa during its presidency of the African Union in facilitating the successive rounds of negotiations on the GERD; *and expresses gratitude for* the role of HE President Félix Tshisekedi, President of the Democratic Republic of the Congo; the current Chairperson of the African Union, in reaching a just settlement of the question of the GERD;
 - 3- *Emphasizes* the importance of negotiation, in good faith, to urgently reach a fair, balanced and legally binding agreement on the question of GERD that achieves the common interests of the three countries and preserves the water rights of Egypt and Sudan;
 - 4- *Expresses concern over* the impasse in the negotiation process under the auspices of the African Union due to Ethiopia's positions, particularly during the Ministerial Meeting convened on 4-5 April 2021 in Kinshasa, the Democratic Republic of the Congo;

Unofficial Translation

- 5- *Expresses grave concern over Ethiopia's declaration of its intention to continue filling the GERD reservoir during the upcoming flood season in the summer of 2021, which constitutes a unilateral action that violates the customary and conventional international law, particularly the Declaration of Principles signed by the three countries in Khartoum on 23 March 2015; thus threatening to inflict serious damage on the water interests of Egypt and Sudan, especially the water facilities in Sudan, the most important of which is the Roseires Dam;*
- 6- *Urges Ethiopia to refrain from taking any unilateral measures that harm the water interests of Egypt and Sudan, including the filling of the GERD reservoir without reaching an agreement on the rules for the dam's filling and operation;*
- 7- *Takes note of the letter addressed by the Minister of Foreign Affairs of the Arab Republic of Egypt to the United Nations Security Council (attached); and agrees with what the letter contained concerning the ramifications that could threaten international and regional peace and security as a result of the failure to reach a just settlement of the GERD question;*
- 8- *Calls on the Security Council to bear its responsibilities in this regard by holding an urgent meeting to discuss this issue and to undertake the necessary measures to initiate an effective negotiations process that ensures, within a specific time frame, a fair, balanced and legally binding agreement on the GERD that considers the interests of the three countries;*
- 9- *Calls upon the Arab Member of the Security Council (the Republic of Tunisia), as well as the Follow-up Committee formed pursuant to the Resolution adopted by the Extraordinary Session of the Arab League Council convened on 23 June 2020 to follow up the developments of this question and coordinate with the Security Council in this regard, which consists of Jordan, Saudi Arabia, Morocco, Iraq and the Secretariat General, to intensify its efforts and continue in close coordination with the Republic of Sudan and the Arab Republic of Egypt on future steps concerning this matter.*

(R. 8661 – Ex. S. - 15/06/2021)

(Annex)



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Cairo, 11 June 2021

Excellency,

I am writing further to my letter addressed to the President of the United Nations Security Council dated 13 April 2021 on the question of the Grand Ethiopian Renaissance Dam (GERD).

It is regrettable that I find it necessary to, once again, inform the U.N. Security Council that negotiations on the GERD are at an impasse and that Ethiopia remains intent on imposing a *fait accompli* on Egypt and Sudan by continuing to impound the waters of the Blue Nile to fill the GERD reservoir. The failure of negotiations on the GERD, the unilateral filling and operation of this dam, and its potential adverse effects on downstream states and communities could precipitate a situation that threatens peace, security, and stability throughout the Nile Basin and the Horn of Africa.

In June 2020, exactly one year ago, the U.N. Security Council convened a session under the agenda item titled "Peace and Security in Africa" to deliberate on the question of the GERD during which the international community recognized the dangers that inhere in the continued unilateral filling and operation of the GERD. The members of the Council also expressed optimism that negotiations led and facilitated by the African Union (A.U.) could produce a breakthrough and broker a settlement to the question of the GERD.

Unfortunately, throughout a year of faltering negotiations, the A.U.-led process was obstructed by Ethiopian intransigence. Despite the tireless efforts of H.E. President Cyril Ramaphosa of South Africa, during his tenure as Chairperson of the A.U., and the unwavering commitment of H.E. President Félix Tshisekedi of the Democratic Republic of the Congo (D.R.C.), the current A.U. Chairperson, to advance the negotiations, the A.U.-led process failed to generate any meaningful progress towards finalizing a text of a legally binding agreement on the filling and operation of the GERD. Indeed, over two months have elapsed since the last ministerial meeting on the GERD that was held in Kinshasa, D.R.C., on 4-5 April 2021, during which Ethiopia effectively prevented the resumption of negotiations.

More troublingly, Ethiopia has declared its intention to continue the filling of the GERD in the upcoming weeks. This is an act of unilateralism that Egypt categorically rejects, and which constitutes a serious breach of Ethiopia's obligations under customary and conventional international law, including the 2015 Agreement on Declaration of Principles, and is also inconsistent with the spirit of African solidarity and the principles of comity and good-neighborliness.

Excellency,

The responsibility for the failure of the A.U.-led process lays squarely with Ethiopia. Throughout the previous year, Ethiopia undermined the A.U.-led negotiations by adopting substantively intransigent positions and a procedurally unconstructive attitude. Ethiopia failed to comply with the decisions of the A.U. Bureau that clearly stipulated that the objective of the negotiations is the conclusion



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of a legally binding and comprehensive agreement on the filling and operation of the GERD. Specifically, Ethiopia continues to refuse to sign a legally binding instrument, and has proposed limiting the negotiations to agreeing to the filling of the GERD and suggested establishing a data exchange and technical cooperation mechanism instead of elaborating rules for the filling and operation of the GERD.

While these Ethiopian proposals may, *prima facie*, appear constructive, the reality is that these positions reflect a desire to reach an unbalanced, one-sided arrangement that secures all the benefits of the GERD for Ethiopia, while providing virtually no protections to the interests of downstream states. Reaching an agreement limited to the filling of the GERD would enable Ethiopia to impound 50 billion cubic meters of water and commence the production of hydropower, without instituting any effective mechanisms to mitigate the long-term adverse effects of either the filling or operation of the GERD. To prevent the infliction of harm on downstream states, it is essential to establish operational rules to mitigate the potentially ravaging impact of droughts and to ensure the safety of downstream hydropower facilities. In the absence of these technical elements, any agreement on the filling of the GERD would be patently unfair, iniquitous, and would imperil the interests of downstream states.

Similarly, it is implausible to establish data exchange or technical cooperation mechanisms in the absence of rules to govern the filling and operation of the GERD. Indeed, the very purpose of those mechanisms is to monitor compliance with the terms of an agreement and to ensure that the filling and operation of the GERD proceed in accordance with the technical rules governing these processes. Therefore, in the absence of agreed rules on the filling and operation, establishing data exchange or technical cooperation mechanisms would only serve to legitimize Ethiopia's policy of unilateralism and its filling of the GERD without an agreement with its downstream co-riparians.

Moreover, as I detailed in my letter of 13 April 2021, Ethiopia derailed attempts to relaunch the A.U.-led negotiations. During the latest ministerial meeting in Kinshasa, Ethiopia rejected every proposal tabled by Egypt and Sudan to augment the A.U.-led process and ensure its success by enabling the A.U. Chairperson and our international partners, namely the European Union, the United States of America, and the United Nations, to become actively engaged in the negotiations to assist the three parties in reaching an agreement. Despite claiming to support an enhanced role for the A.U. and our international partners, the reality is that Ethiopia refuses to engage in an efficacious process of negotiations that has the potential to yield positive results. Instead, Ethiopia is seeking to enmesh the downstream states in endless, ineffectual, and inconclusive negotiations while it unilaterally fills and operates the GERD and places Egypt and Sudan in the position of having to acquiesce to an irreversible *fait accompli*.

Excellency,

The negotiations on the GERD have, thus far, failed, not due to disagreements on technical matters or questions of dam engineering, but because the issue is ultimately political. Throughout a decade of negotiations, Ethiopia has neither shown nor exercised the requisite political will to conclude an agreement on the GERD that is fair, balanced, and mutually beneficial.



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This has been evidenced by Ethiopia's positions during the successive rounds of negotiations that have been held on the GERD. Ethiopia has consistently rejected Egypt's proposals that were predicated on the applicable principles of international law and that sought to reach an equitable, win-win agreement that ensures that Ethiopia will achieve its developmental objectives, while minimizing the harmful downstream effects of the GERD. Indeed, Egypt submitted countless proposals that guaranteed that Ethiopia will generate hydropower from the GERD expeditiously, efficiently, and sustainably in all hydrological conditions, including during periods of severe and prolonged droughts.

Ethiopia also rejected proposals and draft agreements developed by our international partners who attempted to assist the three countries in reaching an agreement. For instance, Ethiopia withdrew from the negotiations that were facilitated by the United States of America and the World Bank during 2020 and that led to the drafting of a comprehensive agreement on the filling and operation of the GERD that preserves the rights, equities, and interests of the three parties, which Egypt initialed as a show of good faith.

Failure to reach an agreement on the GERD due to Ethiopia's intransigence and its unilateral filling and operation of this mega-dam, which is the largest hydropower facility in Africa, could have significant, if not disastrous, socio-economic impacts on Egypt. As detailed in the attached *Aide Memoire*, despite Egypt's ongoing efforts to take precautionary measures to mitigate the deleterious effects of the filling and operation of the GERD, every aspect of life in Egypt could be adversely affected due to the cumulative impact of the unilateral filling and operation of the GERD. It is, therefore, imperative that a reasonable and equitable agreement is reached on the GERD that mitigates the impact of this dam and protects Egypt and Sudan against its potential effects.

Furthermore, it is deeply disconcerting that Ethiopia has sought to exploit the GERD negotiations in order to consecrate an unfettered right to unilaterally construct further waterworks and undertake future developments along the Blue Nile upstream of the GERD and across other transboundary rivers that it shares with its neighbors. For Egypt, all riparian states of the Nile Basin, including Ethiopia, have an inalienable right to enjoy the benefits of the Nile River. However, such a right must be exercised in accordance with the applicable rules of international law, especially the principles of prior notification and consultation, the equitable and reasonable utilization of international watercourses, and the obligations to protect the riparian ecosystem and to prevent the infliction of significant harm.

It is regrettable that Ethiopia's posture throughout a decade of negotiations indicates that it is determined to deploy the GERD in a policy intended to establish material control over the Blue Nile, even if to the detriment of downstream states, and to employ its position as an upstream riparian to exercise political influence in the region. This threatens to create a strategically untenable state of affairs in which Egypt's core national security interests are endangered. As a nation that is entirely dependent on the Nile River as its sole source of livelihood, Egypt cannot tolerate a situation in which its riparian rights and interests – indeed, its very survival – are threatened by an upstream riparian.



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Accordingly, Egypt has elected to, once again, bring this matter to the attention of the U.N. Security Council in light of its responsibility for the maintenance of international peace and security. The current lack of progress in negotiations, Ethiopia's continued intransigence, and its policy of unilateralism, which is embodied in its determination to fill and operate the GERD without regard to its impact on Egypt and Sudan, could have serious ramifications that threaten peace and security throughout the region. Averting this eventuality requires the active engagement of the international community to reach a peaceful settlement to this matter.

Please accept, Excellency, the assurances of my highest consideration.

Sincerely,

Sameh Shoukry

Minister of Foreign Affairs
Arab Republic of Egypt

*H.E. Ambassador Sven Jürgenson
Permanent Representative of the Republic of Estonia to the United Nations
President of the United Nations Security Council for June 2021*



Secretariat General
Secretariat of Arab
League Council Affairs

Communiqué by
the Extraordinary Session of the Council of the League of Arab States at the
Ministerial Level
Doha, 15 June 2021

The Council of the League of Arab States at the Ministerial Level, in its Extraordinary Session held in Doha on 15 June 2021, congratulated the United Arab Emirates on its election for the non-permanent membership in the UN Security Council for the 2022-2023 term.

The Arab League Council also thanked Tunisia for its efforts to defend the Arab causes and to seek to enhance cooperation between the League of Arab States and the United Nations during its membership in the Security Council for the term 2020-2021.

(Communiqué No 245 – Ex. O. S. - 15/06/2021)
