

**Security Council**

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Letter dated 16 April 2021 from the Permanent Representative of Ethiopia to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to transmit herewith to you the letter from Demeke Mekonnen, Deputy Prime Minister and Minister for Foreign Affairs of the Federal Democratic Republic of Ethiopia (see annex), in response to the letters by the Sudan and Egypt dated 12 and 13 April 2021, respectively, regarding the trilateral negotiations between Ethiopia, Egypt and the Sudan on the Grand Ethiopian Renaissance Dam.

I would be grateful if the you would kindly have the present letter and its annex circulated as a document of the Security Council.

(Signed) Taye Atske-Selassie **Amde**
Ambassador
Permanent Representative



Annex to the letter dated 16 April 2021 from the Permanent Representative of Ethiopia to the United Nations addressed to the President of the Security Council

I wish to congratulate you on your assumption of the presidency of the Security Council for the month of April. I would like to take this opportunity to assure you of Ethiopia's full support and cooperation in the effective discharge of your heavy responsibilities.

I am writing to you in relation to the tripartite negotiation on the Grand Ethiopian Renaissance Dam. Particularly, I wish to refer to the letters addressed to you by the Ministers for Foreign Affairs of the Sudan and Egypt dated 12 and 13 April 2021, respectively. In this connection, I would like to explain Ethiopia's position on the issue at hand so that members of the Security Council have a better appreciation of the ongoing tripartite negotiation process on the dam.

As you would recall, the Security Council discussed the issue of the Grand Ethiopian Renaissance Dam in June 2020 under the item "Peace and security in Africa". During the meeting, members of the Security Council welcomed the African Union initiative to facilitate a negotiated solution to all outstanding issues in the tripartite negotiation on the dam in the spirit of finding "African solutions to African problems" and expressed their full support for the African Union-led process. They also urged the parties to continue the negotiation in good faith and make the necessary concessions with a view to reaching a mutually beneficial outcome.

Accordingly, the African Union has been seized of the matter, thus giving renewed impetus to the tripartite negotiation process. Every possible effort has been made by the outgoing Chairperson of the African Union, President Cyril Ramaphosa and the current Chairperson, President Felix Tshisekedi and our continental organization to assist the parties in trying to bridge their differences on some of the remaining outstanding legal and technical issues. It is in this context that a series of meetings have been held over the past seven months under the auspices of the African Union-led process, although it was repeatedly interrupted by the Sudan and Egypt. The tripartite negotiation has also been augmented with the participation of observers. Furthermore, the African Union designated a team of experts to assist the tripartite negotiation who submitted a draft proposal that Ethiopia accepted as a working document for the ongoing negotiation.

Unfortunately, Egypt and the Sudan have not been interested at all to continue the negotiation in good faith and make the necessary concessions to reach a mutually beneficial outcome. Instead, they have been engaged in scuttling the tripartite negotiation and internationalizing the issue on the Grand Ethiopian Renaissance Dam to exert maximum pressure on Ethiopia. Their repeated attempts to interrupt the negotiation are a clear testament to their obstructionist approach to derail the process. Lately, they have also been escalating the rhetoric, particularly in light of the impending schedule for the second-year filling of the dam this coming rainy season. In this regard, they have not only started beating the war drums but also signed a defense pact to send Ethiopia "a stern warning" over what they call "its intransigence" on the tripartite negotiation on the dam.

In doing so, Egypt and the Sudan clearly showed not only their lack of fidelity to the Pan-African spirit of finding African solutions to African problems but also their ill intention to destabilize regional peace and security if they could not maintain the status quo under their unjust and exclusive 1959 treaty. This kind of posturing and rhetoric is obviously unhelpful for building mutual trust, which is necessary for sustainable regional peace and cooperation. That is why Ethiopia felt the need to

notify the United Nations of this unfortunate development through its letter dated 11 March 2021, addressed to the Secretary-General.

Notwithstanding these unnecessary obstructions by the two countries, the South African chairmanship deserves to be commended for its indefatigable efforts in trying to move the negotiation process forward. In this regard, it is worth mentioning, the two communiqués adopted by the bureau of the Assembly of the African Union in assisting the three countries to reach a win-win outcome. South Africa handed over the file to the Democratic Republic of the Congo, which has assumed the rotating Chairmanship of the Africa Union since February 2021. We appreciate the continued role of South Africa as an observer together with the United States and the European Union.

On the issue of the “quartet” approach, I want to make it clear to members of the Security Council that Ethiopia received no formal communication on the matter, although Egypt and the Sudan were communicating through the media and engaging others in their proposal. This is not only strange but completely inappropriate as Ethiopia is the owner of the Dam and the major stakeholder of the GERD negotiation. Whatever proposal that they may have, the right thing to do would have been to bring it to the appropriate forum, namely, the African Union-led tripartite negotiation process for discussion among the three countries. There are proper rules and procedures guiding the negotiation process and no party can simply impose its views and opinions against any of the other parties.

It should be understood that the tripartite negotiation process has been conducted on the basis of the Declaration of Principles signed by the leaders of the three countries in 2015. The Declaration of Principles clearly stipulates what needs to happen if the three countries could not manage to bridge their differences arising out of interpretation or implementation of the Declaration of Principles through consultation and negotiation. According to principle 10, the three countries “may jointly request for conciliation, mediation or refer the matter for the consideration of the Heads of State/Head of Government”.

In addition, what Egypt and the Sudan did to push for the so-called quartet approach was not in keeping with the letter and spirit of the Declaration of principles. In fact, it was aimed at undermining the African Union-led tripartite negotiation and politicizing what is clearly a negotiation over technical issues. This was absolutely unacceptable as far as Ethiopia is concerned. By signing the Declaration of Principles, the leaders of the three countries demonstrated their firm commitment and good faith in their tripartite negotiation on the Grand Ethiopian Renaissance Dam, with a view to finding a win-win solution. Therefore, by pushing for this agenda, Egypt and the Sudan were in essence reneging on the commitment they have entered into under the Declaration of Principles. Let me underline here that Ethiopia remains fully committed to the Declaration of Principles as a guiding principle for the conduct of the tripartite negotiation. Anything outside this framework will only serve to undermine the trilateral negotiation process and drag what has been achieved thus far to square one. This clearly will not be in the best interest of the three countries.

It is against this backdrop that the chairmanship of the Democratic Republic of the Congo, after having undertaken the necessary consultation with the outgoing South African chairmanship and the three parties, convened a meeting in Kinshasa from 4 to 6 April 2021, to facilitate the resumption of the tripartite negotiation. But Egypt and the Sudan came to the meeting with one clear agenda, namely, to declare the failure of the African Union-led process and pave the way for the issue of the Grand Ethiopian Renaissance Dam to be brought before the Security Council. That is why they did everything possible to make sure that the Kinshasa meeting would get bogged down with unnecessary procedural issues to lay the blame on Ethiopia for the

failure. In fact, Ethiopia agreed to the draft communiqué presented by the Democratic Republic of the Congo. The basic elements in the draft communiqué were the declaration of the resumption of the African Union-led trilateral negotiations, the understanding of the three countries to enhance the role of observers and an agreement on the African Union Chairperson's use of resources at his disposal for the discharge of his facilitation function. However, both Egypt and the Sudan rejected these elements with the sole aim of ensuring the failure of the African Union process by trying to impose their wishes on Ethiopia.

However, Ethiopia attended the meeting with an open mind to substantively engage in good faith in a negotiation to make progress on the remaining outstanding issues. It went the extra mile, well beyond what is expected of it under international law, to accommodate the concerns of Egypt and the Sudan. The only thing Ethiopia rejects is the preservation of the status-quo established by a colonial era treaty that Ethiopia did not sign and has persistently objected to. Egypt and the Sudan are pushing for maintenance of this unjust status-quo in the pretext of concluding a binding comprehensive agreement, which forecloses Ethiopia's water use upstream of the Grand Ethiopian Renaissance Dam. That is why Ethiopia cannot agree to such unfair terms that intend to elicit its endorsement for a colonial-era treaty and maintain the monopoly of the Nile waters by Egypt and the Sudan.

Therefore, if there is any impasse in the negotiation, the blame lies squarely on both Egypt and the Sudan, which have been busy trying to undercut the African Union-led tripartite process. Even though their wish is for the African Union-led tripartite negotiation to fail, it is not their call to make that judgement. It is up to the African Union to do so as facilitator of the ongoing tripartite negotiation process. I wish to take this opportunity to express Ethiopia's profound appreciation to President Felix Tshisekedi for his able leadership in this regard. Ethiopia wishes to reiterate its unwavering commitment to the African Union-led process, which it believes is the only viable option for the three countries to reach a win-win outcome.

Regarding the second-year filling of the Grand Ethiopian Renaissance Dam, I want to inform members of the Security Council that it will be carried out as scheduled pursuant to the Declaration of Principles. The filling of the dam is indeed part of the construction process and the filling schedule – in July and August and in September if the hydrological conditions allow – has already been agreed by the three countries under the National Independent Scientific Research Group. In this context, Ethiopia has formally invited Egypt and the Sudan to designate dam operators to exchange data before the start of the second-year filling of the dam in the coming rainy season. This was done as a demonstration of Ethiopia's desire to work together on practical and important communication arrangements to build the necessary confidence among the three countries.

It is unfortunate that Egypt and the Sudan rejected this goodwill gesture by Ethiopia and continue insisting on their unreasonable demand that the second-year filling of the dam should not proceed without "a comprehensive agreement" forecloses Ethiopia's water use. It should be clear that this argument does not have any legal basis but, most importantly, it contravenes Ethiopia's inherent right to utilize its natural resources based on the principle of equitable and reasonable utilization and causing no significant harm. If the two countries want the second-year filling not to proceed without an agreement, then the best way forward is to agree to the compromise proposal by Ethiopia on the filling and related operation of the dam and to continue the negotiation to eventually reach a comprehensive agreement. The only viable platform to reach such an agreement is the African Union-led tripartite negotiation process, which is still ongoing. Any attempt to exert pressure against Ethiopia through diplomatic or other means will further undermine trust and

confidence among the three countries, which is absolutely the key to making progress in the tripartite negotiation process.

Ethiopia, therefore, would like to call upon members of the Security Council to urge Egypt and the Sudan to return to the tripartite negotiations and respect the African Union-led process – an important regional initiative which enjoyed the full support of the Security Council on the basis of the principle of complementarity and in the spirit of finding African solutions to African problems.

Finally, let me enclose herewith a note, which explains the progress made and challenges encountered in the ongoing African Union-led tripartite negotiation process and outlines in greater detail Ethiopia's position on the outstanding legal and technical issues. I would be most grateful if you would kindly circulate the present letter and its enclosure to the members of the Security Council.

(Signed) Demeke **Mekonnen**
Deputy Prime Minister and Foreign Minister

Enclosure

Explanatory note

A. The Grand Ethiopian Renaissance Dam

1. The Grand Ethiopian Renaissance Dam (GERD) is a hydroelectric dam project being built at a site that has three times less evaporation than the Aswan High Dam. Its reservoir is two and a half times smaller than the Aswan High Dam reservoir. It saves water and increases water availability in the Nile Basin. Owing to this, the Sudan will be able to expand its irrigation, and its electricity generation will be increased by 2,700 megawatts per year.

2. The GERD will be filled in stages and this, depending on hydrology, will take four to seven years. At all seasons of the filling starting from the second year, Ethiopia will apply a single-handed drought management measure. The first stage of the second-year filling will commence in the rainy season of 2021 pursuant to the stage-based filling schedule. This schedule was adopted by the National Independent Scientific Research Group, which is composed of 15 scientists from Ethiopia, Egypt and the Sudan. The stage-based filling also makes up one of the common elements across the text of the rules and guidelines for the dam by Ethiopia, Egypt and Sudan.

3. As stipulated under the Declaration of Principles signed by the leaders of the three countries in 2015 and as dictated by the design of the GERD, construction is a process inseparable from the filling of the dam. During the filling process in the forthcoming rainy season of 2021, the dam will retain 13.5 billion cubic metres of water. This comprises only 17.5 per cent of the average flow of 77 billion cubic metres that Ethiopia contributes to the Nile. At the conclusion of the second-year filling, the dam will complete the filling of its dead storage, thus enabling operation of all turbines to kick-start the long-awaited electricity generation.

4. It is disheartening to note the frequent complaints and unsubstantiated statements from Egypt and the Sudan with regard to the safety of the dam, while, on 8 June 2020, the Minister of Irrigation and Water Resources of the Sudan publicly declared that the “GERD is safer than the dams in Sudan and Egypt”. Egypt and the Sudan attested that the design and construction of the dam fulfils international standards during their participation in the international panel of experts. Egypt and the Sudan, under principle 8 of the Declaration of Principles, appreciated the measures taken by Ethiopia to ensure safety of the dam. In the ongoing negotiation, agreement has been reached on the provision stipulating the cooperation between Ethiopia and the Sudan on the safety of the dam. Therefore, the concerns being expressed by Egypt and the Sudan on the safety of the dam are based on false claims. Ethiopia certainly attaches great importance to the quality and lifespan of the dam.

5. The Sudan keeps on complaining about the first-year filling of the dam and issues repeated unsubstantiated statements even after adequate explanation has been provided by Ethiopia. The allegations of water shortage in July and August 2020 could not be further from the truth. Ethiopia impounded 4.9 billion cubic metres of water – that is less than seven per cent of the flow of the Blue Nile in 2020. Ethiopia provided information to Egypt and the Sudan and asked both countries if they had any concern, but both expressed no concern whatsoever. During the period of the filling of the dam, the dam released 90 million cubic metres of water per day. At the same instance, the White Nile was at its highest flow level since the 1960s, thereby giving the Sudan excessive water supply. More importantly, the Sudan lost hundreds of lives and considerable agricultural terrain during the same time due to the unfortunate incident of flooding. While these were the facts, Ethiopia offered, during

the Kinshasa meeting, a joint fact-finding mission on the allegations of the Sudan on water shortage to allay the Sudan's concerns, but the Sudan declined this offer. Therefore, the allegation by the Sudan in relation to last year's filling does not hold any water as far as Ethiopia is concerned.

B. The African Union negotiation platform

6. The African Union has been seized of the GERD issue since June 2020. The Chairperson of the African Union designated a team of experts to assist in the negotiation process. The team of experts made a proposal, which Ethiopia accepted as a working document for the negotiation. However, Egypt and the Sudan have been busy interrupting the negotiations nine times since July 2020 (see table below). These acts of obstruction and the lame justifications proffered by the two countries clearly demonstrate their predisposition to seeing the African Union-led process fail.

7. The African Union, under the chairpersonship of South Africa, made every possible effort to reach a mutually beneficial outcome. The President of the Democratic Republic of the Congo, the current Chairperson, convened a meeting from 4 to 6 April 2021. Unfortunately, Egypt and the Sudan tried to push an agenda that would take the process out of the hands of the three countries as well as the African Union. In an unprecedented manner, they demanded that the United States Government and the European Union play a role similar to that of the parties themselves. They also made a proposal that replaces the role of the African Union Chairperson with that of the "observers". In addition, they attempted to sever the inherent institutional link and unity between the African Union Commission and the Chairperson of the Union. Furthermore, they ostracized the Republic of South Africa from its role as an observer.

8. Ethiopia took a position that corrected the unconstructive moves by Egypt and the Sudan and paved a way forward. Accordingly, South Africa returned to its observer role, the observers are now given a role of proposing solutions when jointly requested by the countries, and the African Union Chairperson has been allowed to use the African Union Commission and other resources at his disposal in support of his facilitation role. Ethiopia also reiterated its offer to conclude and adopt the filling-only rules, as there is consensus among the three countries. Moreover, Ethiopia offered a data exchange mechanism. Unfortunately, none of these concessions and good-faith efforts could satisfy the demands of Egypt and the Sudan, which were hell-bent on making sure that the Kinshasa meeting and the African Union-led process failed.

9. Judging from the declarations of and approaches followed by Egypt and the Sudan, it appears that both countries do not want to reach an agreement over the dam. The Egyptian Government continues to assure the Egyptian people of its resolve to preserve the "historic right" of Egypt. It is also threatening to take any measure against a country that touches a drop of the Nile waters. Ethiopia has no intention or willingness to even entertain the so-called "historic right or existing use" propagated by Egypt. On the other hand, the Sudan has been trying to tactically disrupt the negotiation process on the basis of its assumption that any agreement will likely affect its utilization of the Nile water without any limitation. The dispute over the dam, although usually presented as a dispute between Ethiopia and the two lower riparian countries, is actually a potential rift between the two lower riparian countries.

10. In this respect, the dam is only a cover that the two-lower riparian countries are using to advance their own hidden mistrust and feud. Ethiopia believes that even this altercation between the two countries behind the scenes has a solution: a rule-based

order on the Nile. Egypt and the Sudan reject this viable option and instead try to force Ethiopia to sacrifice its right to use the Nile.

C. Progress of the negotiation

11. The negotiation on the guidelines and rules on the first filling and annual operation of the dam has been under way since the end of May 2018. In September of that year, the scientific research group consisting of five representatives from each of the three countries concluded its report that Egypt refused to accept. Until August 2019, Egypt was incommunicado despite the repeated calls by Ethiopia for the continuation of the talks.

12. From the very inception of the trilateral process, upon Ethiopia's initiative, to the current stage of the negotiation, Ethiopia negotiated with Egypt and the Sudan in good faith. All progress that has been made in the negotiation is an outcome of Ethiopia's initiative. Since August 2019, all efforts have also been made by Ethiopia to accommodate the demands of Egypt, including the involvement of third parties as observers.

13. In the substantive talks, Ethiopia has made relentless effort to satisfy the ever-changing negotiating positions and increasing demands of Egypt and the Sudan. Although the dam could be filled in three years, Ethiopia agreed to an extended stage-based filling that takes up to seven years. Although the Declaration of Principles demands the designation of a focal point for cooperation, Ethiopia offered the establishment of a coordination mechanism consisting of a technical and ministerial committee. Ethiopia provided the Sudan and Egypt with data on water release for preparatory works for the second-year filling and is prepared to share data on the filling process. It should be noted that Egypt refused to reciprocate data exchange with a clear motive of its water-wasting schemes and illegal out-of-basin transfers. Ethiopia also agreed to provide drought management measures during the filling and operation of the dam. Ethiopia went the extra mile, well beyond what is expected of it under international law, to accommodate the concerns of Egypt and the Sudan. The only issue Ethiopia rejected is the position of Egypt and the Sudan to preserve the status quo of unilateral water use in their respective territories and the self-claimed water quota that divides the entire flow of the waters of the Nile between the two countries and evaporation, leaving zero share to Ethiopia and other upstream countries. Ethiopia cannot accept any pressure to subject it to a colonial-era treaty that it not only did not sign up to but persistently objected to. The agreement that the Sudan and Egypt are seeking, if one still thinks they are indeed committed to concluding one, is a legal text that potentially forecloses the water use of Ethiopia upstream of the dam. Although it has shown the maximum flexibility and compromised a great deal on the matter of the dam, Ethiopia will not agree to such unfair terms aimed at eliciting its endorsement of a colonial-era treaty that seeks to maintain the hydro-hegemony of Egypt and the Sudan.

14. The negotiation on the dam could not be concluded due to Egypt and the Sudan's effort to preserve the apparently illegal and unjust "historic right" or colonial-based "water share". As indicated above, Egypt has been reaffirming its commitment to make sure no one take "a drop of water from their share". On the other hand, the Sudan repeatedly scuttles the negotiation and blocks any progress in the negotiation, making one believe that the country does not want a clear and rule-based engagement over the matter. It is critical to note that, as provided under article 5(1) of the 1959 agreement, Egypt and the Sudan have a pact to advance a common position while negotiating with the other riparian countries of the Nile. This is the main stumbling block in the trilateral talks.

D. Egypt and Sudan's approach

15. The Nile issue is a matter that concerns 11 countries. The resource is shared among a population of more than 500 million. Egypt and the Sudan claim they are firstcomers in terms of utilizing the river and building infrastructures. However, the rest of the riparian countries that are the source of 100 per cent of the water have no obligation whatsoever to be restrained by the self-claimed and asserted monopoly of the resource by the two downstream countries.

16. The two countries are the ones that concluded a treaty for the “full control” of and monopolistic utilization of the Nile waters. The plea they are making now is for the international community to endorse this unjust stance to the detriment of nine countries, mainly Ethiopia that contributes 86 per cent of the water that makes up the Nile River.

17. The key to unlocking the Nile question is in the hands of Egypt and the Sudan. The solution is to establish a treaty framework and regional mechanism that adheres to the principles of equitable and reasonable utilization and the obligation of not causing significant harm. To this end, Egypt and the Sudan will need to reverse the significant harm they have already caused to Ethiopia through their unilateral and monopolized use of the resource. Egypt and the Sudan are threatening to disrupt international peace and security in the absence of any tangible threat to peace and security. The hyperbole and name-calling do not have any justifiable basis.

E. The Grand Ethiopian Renaissance Dam is not a matter of a national or regional security threat

18. The matter referred to the United Nations Security Council by Egypt and the Sudan concerns a hydroelectric dam project, an unfinished, non-water consumptive project, that is under construction in the territory of a Member State which contributes 86 per cent of the Nile waters.

19. Furthermore, the issue of the dam is under negotiation between the three countries. The African Union has been seized of the matter, and the current Chairperson launched the resumption of the talks in Kinshasa in early April 2021. Ethiopia has been consistently and without fail expressing its unwavering commitment to the tripartite negotiation with a view to reaching a win-win solution for all.

20. Ethiopia has been a staunch advocate of multilateralism and a vanguard of international peace and security. Its principled position in this regard has passed the test of time. Ethiopia's utilization of the Nile water resource is in complete adherence to the principles of equitable and reasonable utilization and the obligation of not causing significant harm. Furthermore, Ethiopia created a negotiation platform and did its part to ensure cooperation.

21. The insistence by Egypt and the Sudan for the Security Council to force Ethiopia to stop filling the dam originates from a misinterpretation of the roles and mandates of the Council. Principle 10 of the Declaration of Principles provides for the right of any country to invoke the dispute resolution clause and seek mediation, conciliation or referral to Heads of State and Government. The Sudan and Egypt have the right to do so. However, in the usual dubious manner, Egypt and the Sudan orchestrated a political and public relations campaign, by seeking the formation of the so-called “quartet” without notifying or consulting Ethiopia. To date, Ethiopia has not received an official request for the so-called quartet arrangement from Egypt and/or the Sudan.

During the Kinshasa talks, both countries dropped the so-called quartet and mediation without much consideration.

22. Ethiopia made a great effort to make the trilateral negotiation succeed. It would not want to lose the progress made in the negotiation by resorting to a dispute settlement mechanism. Nevertheless, if the two lower riparian countries seek to resort to this course of action, Ethiopia will also make its case and present its claims to reach the desired outcome.

23. Filing the matter of the dam with the Security Council is absurd due to the obvious reason that the matter under discussion does not fall within the mandates of the Council. In addition, it shows on the part of both Egypt and the Sudan a lack of fidelity to the pan-African spirit of finding African solutions to African problems. Their attempt to convince the Council that the dam poses a threat to international peace and security is an exercise in futility. The dam is and should be a source of cooperation rather than conflict. With the necessary political will and commitment, it has enormous potential to unlock greater possibilities for cooperation and regional integration.

24. As has been repeatedly pronounced by members States of the Security Council in the discussions on “water and international peace and security”, the solution to the global water problem is cooperation. This is all the more true in relation to the Nile Basin, and the solution is to establish a strong and reliable regional mechanism and normative framework. The Council cannot and should not interfere in a matter of a technical nature that has to be resolved by the concerned countries themselves. The Council also cannot impose a mechanism of negotiation that involves third parties on a Member State. Ethiopia has the sovereign right to choose the negotiation platforms of its preference or the third parties it seeks to involve and their mandate.

F. The second-year filling of the Grand Ethiopian Renaissance Dam

25. As Ethiopia is preparing to conduct the second-year filling, the filling of the dam and annual operating rules are under negotiation. In the upcoming 2021 rainy season, Ethiopia will impound 13.5 billion cubic metres of water from the Blue Nile, 17.5 per cent of the 77 billion cubic metres of water that Ethiopia contributes to the entire Nile Basin or 16 per cent of the annual flow of the Nile. The time of the filling – in July and August, and in September if the hydrological conditions allow – is also agreed by the three countries. Furthermore, as can be clearly seen under principle 5 of the Declaration of Principles, the filling of the dam is part of the construction process.

26. On 8 April 2021, Ethiopia took the initiative to provide Egypt and the Sudan with data and information on the preparatory works and the actual filling in the second year. This measure is taken despite the blindsiding approaches followed by Egypt and the Sudan with respect to their infrastructures. It is indeed unfortunate that both Egypt and the Sudan opted to reject the data exchange channel that Ethiopia offers to establish in a sign of goodwill to enhance confidence.

27. Egypt and the Sudan oppose the second-year filling not because they have technical or legal justifications. This is part of their futile attempt to maintain their self-claimed hegemony over the Nile. Ethiopia has only one conclusive response to this: it has a right to proceed with the filling of the dam, and it will certainly continue with the development of its water resource and the construction of any other water development project based on the principle of equitable and reasonable utilization and of causing no significant harm. Egypt and the Sudan are opposing Ethiopia’s use of the Nile water, citing the perceived harm they will sustain to a self-claimed water share and unilaterally imposed claim over use of the water of the Nile. All of the water development projects in Egypt and the Sudan, including the Aswan High dam (more

than double the reservoir size of the Grand Ethiopian Renaissance Dam) are built in an absolute unilateral act, rejecting the plea for consultation by Ethiopia. Conversely, Ethiopia's dam is discussed and scrutinized by the two countries and international experts. The filling of the dam and the operation rules are discussed in detail. Ethiopia stands tall, as it applied every effort to reorient the unilateral and unjust approaches of Egypt and the Sudan that characterized the history of water use over the Nile.

28. Finally, Ethiopia would like to reaffirm its unswerving commitment to completing the construction of the dam and accelerating its all-out effort to ensure dignified livelihoods for its people. Egypt and the Sudan would be better served if they desisted from war rhetoric and engaged in good-faith negotiation within the framework of the African Union-led trilateral process, which is the only viable option to finding a mutually beneficial outcome for all.

Disruptions of the African Union-led negotiation process

<i>Date</i>	<i>Responsible State</i>	<i>Excuse</i>
1. 13 June 2020	The Sudan	<p>In the midst of the negotiations, the Minister of Irrigation and Water Resources of the Sudan disrupted the process, citing the need for him to report to the Prime Minister of the Sudan.</p> <p>The negotiation stalled until 27 June 2020 – after the first extraordinary meeting of the Bureau of the Assembly of Heads of States and Government held on 26 June 2020.</p>
2. 27 July 2020	The Sudan	<p>The Sudan requested a suspension of the negotiations for one week, claiming that they needed to have internal consultations.</p> <p>The negotiation stalled until 4 August 2020.</p>
3. 4 August 2020	The Sudan	<p>The Sudan, later supported by Egypt, requested a postponement of the negotiation indefinitely.</p> <p>The negotiation stalled until 26 August 2020.</p>
4. 14 September 2020	The Sudan	<p>In the midst of encouraging work to consolidate a single text, the Sudan requested for suspension of the exercise. Understanding was reached for the Sudan to call for the meeting on 14 September 2020. The Sudan failed to call for the meeting for unexplained reasons.</p> <p>The negotiation stalled until 3 November 2020.</p>
5. 3 November 2020	Egypt and the Sudan	<p>Following a joint meeting of the Ministers for Foreign Affairs and of Water Affairs of the three countries on 27 October 2020, agreement was reached to continue the negotiation for one week and finalize the procedural issues. The Sudan insisted on changing the modality. Ethiopia offered terms of reference; Egypt rejected the change in the modality and the meeting was suspended.</p> <p>The negotiation stalled until 19 November 2020.</p>

	<i>Date</i>	<i>Responsible State</i>	<i>Excuse</i>
6.	21 November 2020	The Sudan	<p>Per the consensus reached between the Ministers for Foreign Affairs and of Water Affairs on 19 November 2020, Ethiopia called for the trilateral meeting. However, the Sudan failed to appear while Egypt, the observers and the African Union team were present. The negotiation was interrupted until 3 January 2021.</p> <p>The negotiation stalled until 4 January 2021.</p>
7.	4 January 2021	The Sudan	<p>The Ministers for Foreign Affairs and of Water Affairs agreed on 3 January 2021 to conduct a meeting to take stock of the progress in the negotiation. The delegation of the Sudan did not show up at the meeting on the grounds that it needed to hold a bilateral meeting with observers and the African Union experts.</p> <p>The negotiation stalled until 10 January 2021.</p>
8.	10 January 2021	The Sudan	<p>The Ministers for Foreign Affairs and of Water Affairs meeting accepted Sudan's request to meet with the African Union-assigned experts. On 10 January 2021, the Sudan refused to accept its own proposal and failed to participate in the process.</p> <p>The negotiation stalled until 4 April 2021.</p>
9.	4 April 2021	Egypt and the Sudan	<p>Egypt and the Sudan demanded application of a format that contravenes the Declaration of Principles that gives the observers a role in replacement of the three countries and compromises the African Union-led track by making the African Union an onlooker to the actions taken by the observers. The two countries rejected the proposal of the Democratic Republic of the Congo to resume the negotiation on 20 and 21 April 2021.</p>