



Security Council

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Letter dated 13 April 2021 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I would like to convey to you the attached letter from Sameh Shokry, the Minister for Foreign Affairs of the Arab Republic of Egypt, regarding the latest developments related to the Grand Ethiopian Renaissance Dam (GERD) (see annex).

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

(Signed) Mohamed Edrees
Permanent Representative of Egypt to the United Nations



Annex to the letter dated 13 April 2021 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council

13 April 2021

I am writing to apprise you, and the members of the United Nations Security Council, of the latest developments relating to the question of the Grand Ethiopian Renaissance Dam (GERD).

Since July 2020, Egypt has been actively engaged in an African Union-led process that was intended, in accordance with the mandate issued by the summit of the African Union Bureau on 21 July 2020, to facilitate the conclusion of a binding agreement on the filling and operation of GERD. Throughout these talks, Egypt has negotiated in good faith and endeavoured to reach a fair and balanced agreement that preserves the rights and equities of the three countries and upholds their common interests. This was reflected in the fact that Egypt consistently sought win-win solutions that guarantee that Ethiopia would achieve its developmental objectives by generating hydropower from GERD expeditiously and sustainably, while mitigating the adverse effects of this dam on downstream communities in Egypt and Sudan.

Regrettably, the African Union-led process has, thus far, proven fruitless. After over eight months of talks, we are no closer to an agreement on GERD. The positions of our three countries continue to diverge and efforts to bridge the gap on the outstanding legal and technical issues have been unsuccessful. Despite the flexibility that Egypt has shown and our sincere efforts to accommodate Ethiopian concerns and interests, our negotiations have not yielded any progress. This is due to Ethiopia's intransigent positions that reflect a lack of political will to conclude an agreement that takes into consideration the riparian rights of Egypt and the Sudan or that includes adequate measures to mitigate the potential harm that GERD could inflict on the two downstream States. Indeed, Ethiopia appears reluctant to become party to a legally binding instrument that establishes clear rights and obligations for the three parties and that includes robust mechanisms to ensure its effective implementation.

Moreover, during the latest trilateral ministerial meeting held in Kinshasa on 4 and 5 April 2021 under the leadership of the Democratic Republic of the Congo, which currently chairs the African Union, Ethiopia refused to re-engage in negotiations on GERD. This meeting was convened with the objective of relaunching negotiations according to an enhanced modality that would overcome the ineffectiveness of the negotiating format that had been adopted within the African Union-led process during the previous months and to ensure that these talks lead to fruition.

Unfortunately, however, Ethiopia rejected the multiple proposals and ideas presented by Egypt and the Sudan during this ministerial meeting to revisit and enhance the modalities of the African Union-led process. It rejected a proposal to establish an international quartet that would act as a mediator between the three parties and that would be led by the Democratic Republic of the Congo and include the European Union, the United States and the United Nations. Ethiopia also refused a proposal to negotiate under a format designated 1+3, which would emphasize that the negotiations would be led by the Democratic Republic of the Congo and that our three international partners would complement the efforts of the African Union Chair.

Similarly, Ethiopia refused to accept a proposal that underscored the leadership of the African Union Chair and underlined that the Democratic Republic of the Congo would facilitate the negotiations with the assistance of the European Union, the United States and the United Nations in order to formulate solutions to the

outstanding legal and technical issues. Then, finally, during the closing session of the ministerial meeting, Ethiopia rejected a proposal that reaffirmed that the Democratic Republic of the Congo would lead and facilitate the negotiations while reiterating that the African Union Chair may draw on the instruments and resources at his disposal to facilitate the process of reaching an agreement. Ethiopia even refused to include a reference in the final communiqué that was issued at the conclusion of ministerial meeting in Kinshasa that the negotiations were to resume with the purpose of reaching a legally binding agreement on the filling and operation of GERD. This is despite the fact that the summit-level meeting of the Bureau of the African Union held on 21 July 2020 had instructed the three countries to “expeditiously finalize the text of a binding agreement on the filling and operation of the GERD”.

Even more disconcerting is the fact that Ethiopia has repeatedly declared that it intends to execute the second stage of the filling of GERD regardless of whether an agreement is reached with Egypt and the Sudan. If undertaken unilaterally, this second filling, during which Ethiopia is expected to impound at least 13.5 billion cubic metres of water in the GERD reservoir, could cause significant, if not disastrous, harm to Egypt and the Sudan.

In particular, 20 million Sudanese citizens, who live downstream of GERD and Sudanese hydropower facilities, including the Roseriers Dam, will be directly impacted and threatened by the second stage of the filling and by the continued unilateral operation of GERD. Similarly, Egypt, which is entirely dependent on the Nile River for its livelihood and for the survival of its 105 million citizens, will be adversely affected by GERD, especially during periods of drought that might coincide with the filling and operation of this dam, which could cause significant water shortages in Egypt.

Furthermore, Ethiopia has recently suggested that the three countries establish a mechanism for the exchange of technical data on the process of filling GERD. While a proposal to exchange technical data may ostensibly be constructive, the reality is that the purpose of a data exchange mechanism in this context is to ensure compliance with the substantive terms of an agreement on the filling and operation of GERD. Without such an agreement, the establishment of a data exchange mechanism will become a vehicle for securing Egypt’s de facto recognition and acceptance of Ethiopia’s unilateral filling of GERD. The filling of the GERD reservoir must proceed according to the terms of a comprehensive agreement on the filling and operation of GERD, the execution of which should be monitored by, *inter alia*, a data exchange mechanism.

Accordingly, Egypt calls upon the international community to impress upon Ethiopia the importance of engaging, in a spirit of good faith, in negotiations to conclude an agreement on GERD within the upcoming months and to refrain from taking any unilateral action, including the execution of the second filling during the flood season that will begin during the summer of 2021, until an agreement is concluded.

Failure to reach this agreement, the infliction of harm on the riparian interests of the downstream States and jeopardizing their water security would result in the escalation and heightening of tensions throughout East Africa and the Horn of Africa and would constitute a serious threat to international peace and security. It would place Egypt in a strategically untenable position and would make the survival and livelihood of our peoples subject to the control of an upstream riparian that has demonstrated a lack of the political will to act as a responsible stakeholder and co-riparian.

I remain hopeful that a settlement can be reached on the question of GERD that ensures that this matter does not become a source of tension and instability. Indeed,

with the active engagement of the international community, a fair and balanced agreement can be reached on GERD that unlocks the potential for cooperation between our three countries and that charts a new course for the entire Nile Basin and East Africa.

(Signed) Sameh Shokry
Minister of Foreign Affairs
Arab Republic of Egypt
