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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by ArabEuropean Forum for Dialogue and Human Rights, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2021]

* Issued as received, in the language(s) of submission only.



The Renaissance Dam is a threat to the right to life in Egypt and the Sudan

The Egyptian and Sudanese people are facing an imminent threat to their right to life and development due to the unilateral measures taken by the Ethiopian government and the policies of the Renaissance Dam, which is located at the source of the Blue Nile, which feeds the Nile. This is a clear violation of the rules and principles of international law with regard to cross-border rivers between states and regional agreements related to the river.

The right to development is a right guaranteed to all peoples under United Nations conventions, and Ethiopia has the right to development and to exploit its natural resources to achieve prosperity for its people, but not at the expense of the lives of the Egyptian and Sudanese people.

The National Council for Human Rights in Egypt has called on the international community to stand firm against the Ethiopian behavior that is violating the right of millions of people in Egypt and Sudan to life and depriving them of its only source of water, the Nile River.

The Arab Human Rights Committee affirmed that the human right to water is a right associated with other rights embodied in the International Bill of Human Rights, the most important of which is the right to life and human dignity, which is a prerequisite for the implementation of other human rights, and an indispensable necessity for living a decent life.

The Commission noted that under international human rights law the obligation to respect and fulfill the right to water requires that states refrain from interfering, directly or indirectly, with engaging in any practice or activity that denies or limits equal access to adequate water, or arbitrarily interfere with customary or traditional arrangements for water allocation, or unlawfully reduce or pollute water, or do not respect the enjoyment of this right in other countries. States therefore recognize the essential role of international cooperation and assistance and of joint action to achieve the full realization of the right to water, and no activities undertaken within the legal jurisdiction of a State should deprive another State of the ability to realize the right to water for the persons under its jurisdiction.

The committee pointed out that what the Republic of Ethiopia is doing regarding the construction and filling of the Renaissance Dam from the Nile River without reaching a legal agreement regulating the rules of filling and operation with Egypt and the Sudan, which would prejudice all rights and freedoms guaranteed by international human rights covenants. At the forefront of which is the right to life for millions of people living on the water of the Nile, in addition to the fact that the individual and coercive Ethiopian measures violate the historical and stable water rights of the Egyptian and Sudanese peoples. This leads to the formation of creative environmental conditions that threaten the right to international peace and security, in addition to the effects related to possible forced displacement as a result of the drought that will affect large areas of land, which will directly affect the right of the indigenous people not to leave the lands on which they grew up, or to obliterate their identity or cultural heritage. Ethiopia is also in violation of Convention No. 169 concerning Indigenous and Tribal People adopted by the General Conference of the International Labour Organization of 1989 and the set of rights contained in the United Nations Declaration on the Rights of Indigenous Peoples / 2007, which are the rights guaranteed by the International Covenant on Civil and Political Rights, and articles 7 and 8 of the Rome Statute consider forced displacement as a war crime.

The unilateral Ethiopian move is also a violation of the African Charter, which stipulates those African countries' pledge, individually or collectively, that the exercise of the right to dispose of their natural wealth and resources is aimed at strengthening African unity and African solidarity.

With its unilateral move, Ethiopia violated the international law that regulated the sharing of waterways between the riparian countries, especially the Geneva Convention of 1923, which included:

A - Not to prejudice the rights of other countries in international rivers.

B - Every country enjoys, within the limits of the provisions of international law, the generation of electric power.

C - The necessity of negotiations on regulating the exploitation of international waters.

D - The need for an organization to monitor and supervise public security in the international river basin.

As well as the Declaration of the American States in 1933 and included several principles:

A- Admitting the right of countries to exploit their sovereignty over the water of international rivers industrially and agriculturally.

B - No country has the right to change the course of the international river without the consent of the other river countries.

C- Any work related to international water; the states should notify the concerned states.

D - In the event of disagreement, diplomatic and mediation methods must be resorted to.

Among the most important principles arising from treaties and agreements in the use of international water:

1- It is forbidden for the river basin countries to undertake engineering constructions on the watercourse that would harm the water shares of other riparian countries.

2- Respecting the acquired rights of each country in the waters of international rivers.

3- The importance of consultation and agreement between the countries of the river basin to take into account the rights of all countries.

4- Avoiding individual rights and preventing abuse of the right.

The Ethiopian dam affects the Egyptians' right to life and development, as Egypt is one of the countries that suffers from water stress related to population growth. This makes it a serious threat to the lives of Egyptians, their livelihoods and the stability of their businesses. It is expected that things will get worse in light of the effects of the Grand Ethiopian Renaissance Dam.

Egypt highly depends (more than 90%) on the waters of the Nile; To meet drinking water and irrigation, and it has historical rights to the river under the 1929 and 1959 agreements that not only give Egypt the right to approve irrigation projects in upstream countries, but also the right to Veto any projects that affect the amount of water flowing into Egypt. Those agreements were deposited with the United Nations with the Sudan.

The matter gets worse if the dam is operated without Egypt's approval of the program for operating and filling the dam, as the Egyptian side has been trying for years to convince the Ethiopian side of the need to fill the dam over the longest possible period of time, which should not be less than five years, and in the event of drought it is extended for two additional years; For a total of seven years instead of three. As the Ethiopian side demands, after the first stage of mobilization, the Egyptian side should flow at least 40 billion cubic meters of dam water annually, while Ethiopia proposes 35 billion cubic meters.

A number of international experts warned that the dam's issue goes beyond the right of usufruct to threaten the lives of people. The abundance of water may turn into a drought that deprives Sudan of the cultivation of one cycle, let alone two cycles, and even electricity may be lost if the Ethiopians decide to use the dam as a weapon in their attempt to seize the other resources of the Sudan, where Ethiopia refused to include any paragraph in the Declaration of Principles on its commitment not to harm the interests of the downstream countries. The dam also causes the loss of Sudan's water rights, with the loss of half of the agricultural lands irrigated by the flooded Nile on which the poor depend on the pretext of increasing agricultural rotations.

International reports said that Ethiopia controls the headwaters of a number of rivers, including

The Omo River, which is the source of 80% of the waters of Lake Turkana, and Ethiopia built dams on the river, displacing half a million Kenyans who used to live on the lake, and Kenya sought help from the terrible damage.

Ethiopia was not satisfied with that, but it began concluding regional agreements to sell water, through a water pricing project. Turning water into a commodity, something that threatens the lives of millions of people threatened by thirst due to the inability of their countries to buy water.

The United Nations Human Rights Council should move to save the lives of millions of people in Egypt and the Sudan and convince the Ethiopian government of the need to abide by the rules of international law regulating the sharing of international water, which states:

- 1- The governments of countries do not use water as a political weapon.
- 2- The riparian countries should divide the waters on a fair basis based on scientific

Arab Network for Digital Media and Human Rights, NGO(s) without consultative status, also share the views expressed in this statement.