

Le Président du Conseil de sécurité présente ses compliments aux membres du Conseil et a l'honneur de transmettre, pour information, le texte d'une **lettre datée du 2 juin 2020**, adressée au Président du Conseil de sécurité, **par le Représentant permanent du Soudan auprès de l'Organisation des Nations Unies**, ainsi que les pièces qui y sont jointes.

Cette lettre et les pièces qui y sont jointes seront publiées comme document du Conseil de sécurité sous la cote S/2020/480.

Le 2 juin 2020

The President of the Security Council presents his compliments to the members of the Council and has the honour to transmit herewith, for their information, a copy of a **letter dated 2 June 2020 from the Permanent Representative of the Sudan to the United Nations** addressed to the President of the Security Council, and its enclosures.

This letter and its enclosures will be issued as a document of the Security Council under the symbol S/2020/480.

2 June 2020



## Republic of the Sudan

Permanent Mission to the United Nations  
New York  
The Permanent Representative

جمهورية السودان  
البعثة الدائمة لدى الأمم المتحدة  
نيويورك  
المنذوب الدائم

NO: SUN/201/20

June 2, 2020

Excellency,

*Upon instructions from my Government, I have the honor to convey to Your Excellency the attached letter from H.E. Ms. Asma Mohammed Abdalla, the Minister of Foreign Affairs of the Republic of the Sudan, dated June 2nd, 2020, with regard to issues pertaining to the Grand Ethiopian Renaissance Dam (GERD).*

*I would be grateful if you, kindly, circulate this letter and its attachments as a document of the Security Council.*

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

Omer Mohamed Ahmed Siddig  
Permanent Representative

H.E. Mr. Nicolas de Riviere  
President of the Security Council  
Secretariat Bldg. Room S-2472  
United Nations, NY

# Republic of the Sudan

Ministry of Foreign Affairs

*The Minister*



جمهورية السودان  
وزارة الخارجية  
القاهرة

June 2, 2020 (v.1)

Excellency,

At the outset, please allow me to sincerely congratulate you on assuming your responsibilities as the President of the Security Council for the month of June. I do trust that with your illustrious leadership qualities and expertise, you will be able to competently steer the work of the Council and confidently navigate through these prodigious times of Covid-19 which represent a global health crisis. With our collective efforts we can succeed in defeating the virus and bringing life back to normalcy.

I am writing to you with regard to the issues pertaining to the Grand Ethiopian Renaissance Dam (GERD) which were raised in the letters sent to the Security Council by the Arab Republic of Egypt and the Federal Democratic Republic of Ethiopia on May 1<sup>st</sup>, 2020 and May 14<sup>th</sup>, 2020, respectively. The Republic of the Sudan is an important riparian country to the Blue Nile, the immediate downstream country to the GERD, and thus stands to be impacted the most by the GERD. Accordingly, Sudan feels obligated to inform the Security Council of its position, and views on the issues raised in these two letters, and the details of the initiative Sudan has taken to suggest the immediate resumption of the negotiation process.

Attached to this letter is an Annex containing Sudan's Position Paper which details the facts surrounding GERD as they pertain to Sudan and our positions on the issues at hand, as well as a detailed account of our efforts throughout the negotiations process. The Annex concludes with specific recommendations. However, in the following few paragraphs I will try to capture the main points and messages underlining our position.

Excellency,

The Blue Nile is a sacred river our region is blessed with. It is shared by the three countries of Egypt, Ethiopia, and Sudan, and serves as the lifeline for the 250 million people who live in these countries. Therefore, the Blue Nile is an inseparable part of the history, culture, economy, and conscience of the people of our region.

For Sudan, the Blue Nile is the lifeline for most of Sudan's 40 million people. It serves 70% of the irrigated land in the country, and as such represents the heart of the agricultural activities on which the country's population and economy are largely dependent.

Therefore, Sudan has always believed in and advocated regional cooperation and partnership over the Blue Nile as well as the Nile River as a whole. This is demonstrated by Sudan's positions and actions since its independence as a leader in all regional initiatives and programs around the Blue Nile and the Nile River as wholes.

Excellency,

Ethiopia is currently in the final phases of constructing the GERD which is being built across the Blue Nile merely few kilometers upstream from the Sudanese-Ethiopian border. With a storage capacity of 74 Billion Cubic meters (Bm<sup>3</sup>) and installed capacity 6450 MW of hydropower. Once completed, the GERD will be the largest in Africa, and among the largest 15 hydropower plants in the world. As such, this gigantic dam will be a towering permanent structure presence with the potential of bringing both positive and negative impacts to Sudan.

The potential positive impacts of the GERD on Sudan emanate from regulating the water flow of the Blue Nile. This regulation of flow will reduce the annual floods during the rainy season, and enable Sudan to better manage its irrigation system. It will increase the hydropower generation from existing hydropower plants. In addition the GERD will increase the navigation depth along the Blue Nile and main Nile rivers.

On the negative sides, the GERD will completely change the flow regime of the Blue Nile by flattening its hydrograph. With this gigantic size, the GERD risks causing significant negative impacts on Sudan if not properly designed, constructed, filled and operated. These impacts range from threatening the lives and safety of millions of Sudanese citizens living directly downstream the GERD, to the operational safety of the Sudanese dams, to the flood plain agricultural system of the country, and to the socioeconomic and environmental impacts along the Blue Nile and downstream the main Nile River all the way up to the border with Egypt.

However, it is important to emphasize that for the positive impacts to be realized and for the negative impacts to be mitigated there has to be an agreement in place with Ethiopia on how to fill and operate the GERD, otherwise, the GERD stands to cause substantial risks to Sudan.

Therefore, while Sudan recognizes the right of Ethiopia to develop its water resources for the benefit and well-being of its citizens, it is vital that Ethiopia does so while ensuring that any potential negative impacts are properly addressed and mitigated in close consultation and coordination with the downstream riparian countries.

### **Excellency,**

The discussions and negotiations with Ethiopia over the GERD started since 2011. Sudan has engaged - in good faith - in all the stages of the GERD negotiations including organizing the main trilateral negotiations rounds in Khartoum (2013-2015) that culminated in the successful conclusion of the Agreement on the Declaration of Principles on the GERD (DoP). The DoP was signed by the leaders of the three countries in Khartoum on 23rd March, 2015. The current round of negotiations has started in 2018, and in November 2019 the United States and the World Bank joined the negotiation process as observers to support the three riparian countries reaching a final comprehensive agreement on the filling and operation of the GERD. Despite the fact that major progress has been achieved throughout the negotiations process, up to until February 2020, it is unfortunately that negotiations have stalled since February 2020 with escalation in rhetoric statements from both Egypt and Ethiopia.

Sudan currently is leading an initiative to convince Egypt and Ethiopia to resume negotiations to reach a final and fair deal before starting the filling of the dam. Within this context, the Prime Minister of Sudan held bilateral (online) meetings with the Prime Ministers of Egypt and Ethiopia on May 19 and 21, 2020 respectively. All the three leaders confirmed their willingness to resume the negotiations with the objective of concluding a fair and comprehensive agreement. They also instructed the Ministers of Irrigation and Water Resources of the three countries to resume the technical discussions immediately. Since then, several bilateral meetings have taken place and we hope that the tripartite negotiations will resume soon.

**Excellency,**

Sudan believes that that the 1997 United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses (UN Convention) reflects and codifies the basic principles of customary international water law which must be adhered to in order to resolve the remaining differences on the GERD. The overarching principle of international water law is cooperation of the riparian states of the shared watercourse. The UN Convention lays down, in detail, four main principles to which Sudan fully subscribes: the principle of “equitable and reasonable utilization”; the “obligation not to cause significant harm”; “notification and exchange of data and information”; and the “peaceful settlement of disputes”.

Sudan believes that the three countries are close to concluding a comprehensive deal. Accordingly, with the strong political will and commitment from the three parties we can address the few remaining differences.

Therefore, Sudan would like to request the Security Council to: (1) Encourage all the parties to refrain from taking unilateral actions including starting filling the GERD prior to reaching a comprehensive agreement, or taking any other action jeopardizes the regional and international peace and security; and (2) Support Sudan’s efforts and call upon all the parties to resume immediate negotiations in good faith with the objective of resolving the pending issues and concluding a final comprehensive agreement.

**Your Excellency,**

Kindly accept my sincere and highest regards.

Sincerely,

Asmaa Mohammed Abdalla  
Minister of Foreign Affairs  
Republic of the Sudan

To: H.E. Mr. Nicolas De Riviere,  
President of the Security Council,  
New York.

Annex  
Grand Ethiopian Renaissance Dam  
Sudan's Position

**Executive Summary:**

Ethiopia is currently in the final phases of constructing the Grand Ethiopian Renaissance Dam (GERD) which is being built across the Blue Nile, at 5 to 15 kilometers from the Sudanese-Ethiopian border; with a storage capacity of 74 Bm<sup>3</sup> and installed capacity 6450 MW of hydropower. Once completed, GERD will be the largest in Africa, and among the largest 15 hydroelectric plants in the world. The GERD located just 100 km upstream of our Roseires dam which is less than 10% the size of GERD.

The Blue Nile is the life line for most of Sudan's 40 million people; it serves 70% of the irrigated land in the country, and as such represents the heart of the agricultural activities on which the country's population and economy are largely dependent.

The GERD has the potential of causing both positive and negative impacts to Sudan as further explained below. However for the positive impacts to be realized and for the negative impacts to be mitigated there has to be an agreement in place with Ethiopia on how it intends to fill and operate GERD, otherwise the GERD stands to cause substantial risks to Sudan.

On the positive side, most the potential positive impacts will result from regulating the water flow of the Blue Nile which, in turn, will control the annual floods during the rainy season, and enable Sudan to better manage its irrigation system. Regulation of the flow will increase the hydropower generation capacity from the existing hydropower plants. Other positive impacts include longer life-time for Sudan's existing dams (with the decrease of sediment load), savings in pumping costs and increase of navigation depth.

On the negative side, the GERD will completely change the flow regime of the Blue Nile by flattening its hydrograph. With its gigantic size, the GERD poses substantial negative impacts on Sudan if not properly designed, constructed, filled and operated. These impacts range from threatening the lives and safety of millions of Sudanese citizens living directly downstream of the GERD, to the operational safety of the Sudanese dams, to the flood-plain agricultural system of the country, and to the socioeconomic and environmental impacts along the Blue Nile and downstream in the main Nile.

Therefore, while Sudan recognizes the right of Ethiopia to develop its water resources for the benefit and well-being of its citizens, it is vital that Ethiopia does so while ensuring that any potential negative impacts are properly addressed and mitigated in close consultation and coordination with the downstream riparian countries.

Since 2011, Sudan has participated in all stages of negotiations on the GERD, including organizing the main negotiations rounds in Sudan that culminated in the successful conclusion of the Agreement on the Declaration of Principles on the GERD (DoP). The DoP was signed by the leaders of the three countries in Khartoum, on 23<sup>rd</sup> March, 2015. The current round of negotiations started in 2018, and in November 2019 the United States and the World Bank joined as observers to support the three riparian countries to reach a final agreement on the filling and operation of GERD. Unfortunately, negotiations have stalled since February 2020 with escalation in rhetoric statements. Sudan currently is leading an initiative to convince the parties to resume the negotiations for reaching a fair, comprehensive and final agreement. In this context, the Prime Minister of Sudan held bilateral meetings with the Prime Ministers of Egypt and Ethiopia on May 19 and 21, 2020 respectively.

Sudan believes that the 1997 United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses (UN Convention) reflects and codifies the basic principles of customary international water law which must be adhered to, during the negotiations, to resolve the remaining differences on the GERD. The overarching principle of international water law is cooperation of the riparian states of the shared watercourse. Under this umbrella, the UN Convention lays down, in detail, four main principles to which Sudan fully subscribes: the principle of equitable and reasonable utilization; the obligation not to cause significant harm; notification and exchange of data and information; and the peaceful settlement of disputes.

Based on the above principles, and throughout the process, Sudan negotiated in good faith and believed in and advocated for a comprehensive agreement inclusive of all three riparian countries. That's why Sudan refrained from conducting trilateral negotiations in Washington in the absence of Ethiopia, the owner of the Dam. For the benefit of the process, Sudan also refused to endorse an Arab League resolution criticizing Ethiopia. In the same vain, Sudan rejected a proposal by Ethiopia for a partial agreement covering only the first stage filling as we believe any agreement has to be comprehensive and should cover all related issues to the filling and operation of the GERD.

Furthermore, Sudan strongly believes that reaching a comprehensive agreement on the guidelines and rules prior to starting the filling of GERD is extremely necessary and important for all parties; any unilateral decision on the timing and rules of filling GERD will put millions of lives and communities at risk.

Following the Washington phase of negotiations, Sudan believes that the three countries are very close to concluding a comprehensive deal. With a strong political will and commitment from the three parties they can address the few remaining differences. Therefore, Sudan would like to request the Security Council to:

- Encourage all parties to refrain from taking unilateral actions including filling of the GERD prior to reaching a comprehensive agreement, or taking any other action jeopardizes the regional and international peace and security.

- Support Sudan's efforts and call upon all parties to resume immediate negotiations in good faith with the objective of resolving pending issues and concluding a final comprehensive agreement.

## **I. Background**

1. Ethiopia is currently in the final phases of constructing the Grand Ethiopian Renaissance Dam (GERD), built across the Blue Nile, very close to the Sudanese-Ethiopian border. The two parts of the GERD, the saddle and concrete dams are located at a mere of 5 km and 15 km, respectively from the border of Sudan. The GERD comprises a 155m high dam and will create a reservoir with a surface area of 1,874 km<sup>2</sup> and a total storage of 74 Bm<sup>3</sup> (1.5 times the average annual flow of the Blue Nile); It has a total installed capacity of 6450 MW of electrical power. Once completed GERD will be the largest dam in Africa, and among largest 15 hydropower plants in the world.

2. The Blue Nile is the life line for most of Sudan's 40 million people; it serves 70% of the irrigated land in the country, and as such represents the heart of the agricultural activities on which the country's population and economy are largely dependent. About 70% of the Sudan's irrigation system is mainly supplied by two dams built across the Blue Nile, namely Roseires and Sennar dams. The Roseires dam, located just over 100 km downstream the GERD has a reservoir size of less than one tenth that of GERD, while Sennar dam, located at 210 km downstream Roseires, has a capacity of less than 1% of the GERD.

3. Located just by the border, with this gigantic size, the GERD poses substantial negative impacts on Sudan if not properly designed, constructed, filled and operated. These impacts range from threatening the lives and safety of about 20 million Sudanese citizens living just downstream the GERD, to the operation of the Sudanese dams, to the flood-plain agricultural system of the country, and to the socioeconomic and environmental systems along the Blue Nile, and downstream in the main Nile River, up to the border with Egypt. Therefore, while Sudan recognizes the right of Ethiopia to develop its water resources for the benefit and well-being of its citizens, it is vital that Ethiopia addresses and mitigates any potential negative impacts in close consultation and coordination with the downstream riparian countries.

4. Since notification of the GERD Project by Ethiopia, Sudan has been engaged - in good faith - in all stages of its negotiations. Sudan has been active in the International Panel of Experts (IPoE) that reviewed the initial design documents; Sudan has played a pivotal role in the activities of the Tripartite National Committee (TNC) formed to follow-up the implementation of the IPoE recommendations. Sudan has also actively participated in the trilateral negotiations rounds (2013-2015) that culminated in the successful conclusion of the Agreement on the Declaration of Principles on the Grand Ethiopian Renaissance Dam Project signed by the leaders of the three countries in Khartoum on 23<sup>rd</sup> March, 2015.



5. The current round of negotiations, actually started by the formation of the National Independent Scientific Research Group (NISRG) on May 2018, established by the nine-party committee (the ministers of foreign affairs, of water, and head of intelligence) from the three countries. While since November 2019 the United States and the World Bank joined the negotiation process as observers to support the three riparian countries reach a final comprehensive agreement on the filling and operation of GERD.

6. Despite the ups and downs during this long journey of the negotiations since notification of the GERD in 2011, major consensus has been reached among the three countries on a number of key issues, in particular during the last five meetings in the region, and the other six meetings in Washington.

## II. Potential Impacts of the GERD on Sudan

6. Since the GERD is 1.5 times bigger than the annual flow of the Blue Nile, it will completely change the flow regime of the river by flattening its hydrograph. This will create large impacts on the river hydrology, water resources and sedimentation. In turns, these will have direct impacts, on infrastructure, land use, people and ecosystem along the Blue Nile and the main Nile. Some of these impacts are positive and some are negative, as briefly explained below.

7. The positive impacts of the GERD results mainly because of flow regulation of the Blue Nile, i.e., the flow of the Blue Nile will be more steady with much less seasonality compared to the condition without the GERD. The positive impacts include:

- **Electricity Supply:** An increase of the hydropower generation from the existing hydropower plants in Sudan (Roseires and Merowe), as well as expected future supplies from the GERD.
- **Irrigated Agriculture:** The reliability of water supply to the existing and future irrigation schemes will improve, enhancing irrigated agriculture in the country.
- **Other Positive Impacts:** these include longer lifespan of our dams (with the decrease of sediment bed load), reduction of damages caused by exceptionally high floods, saving in pumping cost, and increase of navigation depth along the main Nile.

8. However, for the above potential benefits to materialize, closer coordination and cooperation is a prerequisite in the way GERD is operated, otherwise, all the positive impacts will be jeopardized. In addition, GERD has the capacity of causing substantial negative impacts on Sudan which can be summarized in the following:

- **Dam Safety:** failure of a dam of such a huge size as the GERD will cause devastating damages to lives, properties and agriculture in Sudan. For this reason, all dam safety

measures during filling and operation stages of GERD must be in place, active, updated and followed up carefully. Emergency preparedness and planning for the GERD and the Sudanese dams should be well coordinated, jointly planned and checked, and continuously updated and tested.

- **Social Impacts:** millions of farmers rely mainly on the flood plain agriculture in the Blue and main Nile. However, the regulation of the flow of the Blue Nile will reduce the flood irrigated land by about 50%, thus affecting the farmers if this impact is not properly addressed and mitigated.
- **Sediment Reduction:** the annual sediment carried by the river flood is a good natural fertilizer, the quantity and quality of the sediment will be significantly reduced.
- **Environmental Impacts:** these include change in river water quality, morphological changes, fisheries, flood forests, and health issues.
- **Filling and Long-Term Operation of the GERD:** Sudan storage facilities are of small size, and depend entirely on the annual flow pattern of the Blue Nile. Therefore, the mode of the GERD operation during dry years, or prolong drought, greatly impacts the Sudanese storage facilities both on operation and maintenance to meet the needs of the agricultural and hydropower sectors.

9. It is important to note that the above socioeconomic and environmental impacts have not yet been fully studied and quantified by Ethiopia. Therefore, the Independent Panel of Experts recommended and the three counties agreed to as stated in the Declaration of the Principles to finalize these transboundary socio-environmental studies. Sudan believes that these negative impacts could be greatly minimized, if properly quantified, and a sound regional cooperation resulting in optimal management of the shared water resources is achieved.

### III. International Law Principles Governing the GERD Issues

10. Although not yet a party to the United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses (UN 1997 Convention), Sudan accepts the view that the UN Convention reflects and codifies the basic principles of customary international water law. It is Sudan's firm belief that these principles must be adhered to, during the negotiations, to resolve the remaining differences on the GERD, in as much as they have been followed for resolving the earlier main differences.

11. The overarching of these principles of international water law is cooperation of the riparian states of the shared watercourse. The UN Convention affirms the importance of international cooperation and good neighborliness, and requires the riparian states to "*cooperate on the basis of*

*sovereign equality, territorial integrity, mutual benefit and good faith in order to attain optimal utilization and adequate protection of an international watercourse.*” Under this umbrella, the UN Convention lays down, in detail, four main principles to which Sudan fully subscribes: the principle of equitable and reasonable utilization; the obligation not to cause significant harm; notification and exchange of data and information; and the peaceful settlement of disputes.

12. During the negotiations to conclude an agreement on the GERD in 2015, Sudan worked closely and diligently with Egypt and Ethiopia to ensure that these basic and cardinal principles of international water law are incorporated and fully reflected in the “Agreement on Declaration of Principles between the Arab Republic of Egypt, the Federal Democratic Republic of Ethiopia and the Republic of the Sudan on the Grand Ethiopian Renaissance Dam Project, concluded in Khartoum on 23 March 2015. To underscore its importance, the DoP was signed by the Presidents of Egypt and Sudan, and the Prime Minister of Ethiopia, themselves.

13. Walking on the footsteps of the UN Convention, the DoP emphasizes the principle of cooperation in the first of its Articles, and requires the three states “*To cooperate based on common understanding, mutual benefit, good faith, win-win, and principles of international law.*” Furthermore, the same Article requires the three states “*To cooperate in understanding upstream and downstream water needs in its various aspects.*” The DoP then goes on to embrace and elaborate the four ensuing and basic principles of international water law, namely: (i) The Obligation not to cause significant harm, (ii) Equitable and reasonable utilization, (iii) Exchange of Information and Data, and (iv) Peaceful Settlement of Disputes.

14. With regards to the principle “*not to cause significant harm*”, and in line with the UN Convention, Article III of the DoP requires the three states to “*take all appropriate measures to prevent the causing of significant harm in utilizing the Blue/Main Nile.*” Where significant harm is nevertheless caused to one of the three states, Article III requires the state whose uses cause such harm, to take all appropriate measures “*to eliminate or mitigate such harm and, where appropriate, to discuss the question of compensation.*”

15. Article VII of the DoP deals with the “*Principle of Exchange of Information and Data*” and requires each of the three states to “*provide data and information needed for the conduct of the TNC joint studies in good faith and in a timely manner.*”

16. With regards to the Principle of Peaceful Settlement of Disputes, Article X of the DoP requires the three states to settle disputes arising out of the interpretation or implementation of the DoP “*amicably through consultation or negotiation in accordance with the principle of good faith.*” Failing that, the DoP states that the parties “*may jointly request for conciliation, mediation, or refer the matter for the consideration of the Heads of State/Heads of Government.*”

17. In addition to incorporating and elaborating these basic principles of international water law as codified in the UN Convention, the DoP sets forth in Article V the “*Principle to Cooperate in the First Filling and Operation of the Dam.*” This Article requires the three states to “*implement*

*the recommendations of the International Panel of Experts (IPoE), respect the final outcomes of the Tripartite National Committee (TNC) Final Report on the joint studies recommended in the IPoE Final Report throughout the different phases of the project.”*

18. Moreover, Article V of the DoP requires that the three states “*in the spirit of cooperation, will utilize the final outcomes of the joint studies, to be conducted as per the recommendations of the IPoE Report and agreed upon by the TNC to: (i) Agree on guidelines and rules for the first filling of GERD which shall cover all different scenarios, in parallel with the construction of GERD; (ii) Agree on guidelines and rules for the annual operation of GERD, which the owner of the dam may adjust from time to time*”; and *(iii) Inform the downstream countries of any unforeseen or urgent circumstances requiring adjustments in the operation of GERD*”. Article V adds “*the time line for the above-mentioned process shall be 15 months from the inception of the two studies recommended by the IPoE.*” Article V, thus, underscores the need for, and importance of, the two studies recommended by the IPoE, and agreed upon by the three parties.

19. With regards to the Principle of Dam safety, Article VIII of the DoP recorded appreciation of the three parties for “*the efforts undertaken thus far by Ethiopia in implementing the IPoE recommendations pertinent to the GERD safety*” and requires that “*Ethiopia shall in good faith continue the full implementation of the Dam safety recommendations as per the IPoE report.*”

20. It is worth adding that the Memoranda to the Security Council of both the Arab Republic of Egypt, and the Federal Democratic Republic of Ethiopia (dated 1 May 2020, and 14 May 2020, respectively) have reconfirmed their full commitment to the DoP.

21. For these reasons, Sudan remains fully committed to the DoP, and believes firmly that its provisions afford adequate, fair and appropriate grounds for resolving the remaining differences on the filling and operation of the GERD, and its safety, as well as the two studies, and for reaching a full and final (and not a partial) agreement on the GERD. Accordingly, Sudan believes and calls for the immediate resumption and continuation of the trilateral negotiations on the remaining differences on the GERD on the basis of the DoP, as well as good faith and cooperation, as the DoP itself stipulates.

#### **IV. Sudan’s Position throughout the Negotiations Process**

22. Sudan’s long-standing policy is that cooperation would optimize the returns and benefits for all, and that benefits from large infrastructure projects should be enhanced in order to address water and power scarcity and shortages in the region. Historically, Sudan has constructively contributed to all cooperative projects in the Nile. For example, the HYDROMET project (1967 to 1992), was mainly focusing on hydrological measurements at the Equatorial Lakes. Next, there was the Technical Cooperation Committee for the Promotion of the Development and Environmental Protection of the Nile Basin (TECCONILE) from 1992 to 1998. The Nile Basin Initiative (NBI) established in 1999 and is continuing up to date. Sudan considers that without

cooperation, unilateral actions will result in an exceedingly harmful situation that jeopardizes the regional security.

23. Committed to the significance of the River Nile as the source of livelihood and the major resource to the development of the three countries, and affirming Ethiopia's right to benefit from the Nile, similar to the two downstream countries, Sudan explicitly and officially supported the GERD, at the highest official level (the President, Minister of Foreign Affairs, Minister of Water Resources and Irrigation), and held a number of meetings with water authorities of the neighboring countries, which culminated in establishing the International Panel of Experts (IPOE), the Trilateral National Committee (TNC), the nine Party Committee, and the National Independent Scientific Research Group (NISRG).

25. From 2011, Sudan supported bringing the parties together for GERD trilateral talks including high level diplomatic visits. Accordingly, Sudan organized the main trilateral negotiations rounds in Khartoum (2013-2015) that culminated in the successful conclusion of the Agreement on the Declaration of Principles on the GERD signed by the leaders of the three countries in Khartoum, on 23<sup>rd</sup> March, 2015.

26. Putting the DoP into effect, Sudan has been instrumental in establishing the NISRG whose mandate includes *"Discussing means of enhancing the level of understanding and cooperation among the three countries with regard to GERD, including discussing and developing various scenarios related to the filling and operation rules in accordance with the principle of equitable and reasonable utilization of shared water resources while taking all appropriate measures to prevent the causing of significant harm"*.

27. Recalling all the above commitments to regional cooperation, and recognizing the right of Ethiopia to develop its shared water resources without causing significant harm to other Blue Nile riparian countries, Sudan is firmly committed to conclude a comprehensive agreement on the filling and operation of the GERD. The main areas of concern are: the dam safety, filling plans, variability and minimum release from the GERD, data and information sharing, operation during normal and dry years, the coordination mechanism, and the socio-economic and environmental impacts resulting from the implementation of the GERD project.

28. The NISRG has conducted five rounds of negotiation held rotationally in the capitals of the three countries. Major achievement that has been made is the agreement on the GERD first filling to be in stages, as well as studying different scenarios for the initial filling. While, details of initial filling, long term operation, and the coordination mechanism remained the main issues of disagreement between the countries at that stage.

29. Upon the request by Egypt to include the US and World Bank representatives as observers to the negotiations process, the ministers of foreign affairs and water resources and irrigation in the three countries, met in Washington, in the presence of the observers, on the 3<sup>rd</sup> November, 2019 and agreed on the way forward. Consequently five Ministerial and several technical sessions

were held in Washington, plus one meeting in Khartoum. In the meetings held on February 12<sup>th</sup> and 13<sup>th</sup>, 2020 in Washington there was a major breakthrough where the three parties reached consensus on most of the issues on the negotiations table; and agreed to discuss and finalize the remaining issues during the next meeting to be held on 28<sup>th</sup> -29<sup>th</sup> Feb, 2020 in Washington.

30. However, Ethiopia did not attend the February 28<sup>th</sup> 2020 meeting in Washington. In line with its commitment to reach a comprehensive agreement, Sudan sent its negotiations team to Washington. However, Sudan refused to take part in any bilateral negotiations in the absence of the third party, because Sudan strongly believes that meaningful negotiations can only be conducted in the presence of the three parties.

31. Sudan also believes that the three countries can bring about the necessary, fair and just agreement. Therefore, despite being an important member of the Arab League, Sudan declined to endorse a resolution by the Arab League on the issue of the GERD. Sudan felt, despite the body's good intentions, that the resolution will be counterproductive to the process and not in the best interest of encouraging finding a solution to the pending issues that is acceptable to all three countries.

#### V. Sudan's Views and Efforts on Finding Solutions

32. In November 2019 the United States and the World Bank joined the negotiations process as observers. Their constructive and supportive role to the riparian countries helped to accelerate the frequency of the meetings and accordingly the three countries made significant progress in the negotiations which led to the start of drafting a comprehensive legal agreement.

33. However, it is worth noting here that the process of drafting the legal agreement was entirely led and driven by the riparian countries themselves. The kick-off meeting of the legal teams of the three countries was held in Khartoum, on January 22<sup>nd</sup> -23<sup>rd</sup>, 2019 and the discussions and drafting process continued in Washington D.C. in various sessions on January 28<sup>th</sup> to February 13<sup>th</sup>, 2020. By the last session concluded on February 13<sup>th</sup>, 2020 a draft agreement was in a very advanced stage with 90% of the issues agreed upon, and only few differences remained to be resolved.

34. Throughout the process Sudan negotiated in good faith, believed in and advocated for a comprehensive agreement inclusive of all three riparian countries. For this reason when Ethiopia was unable to attend the last meeting which was supposed to be held on February 27, 2020, Sudan refrained from holding any talks that did not include all three parties. Similarly, when Ethiopia, later, proposed a partial agreement addressing the initial filling stage, Sudan again insisted that a comprehensive agreement addressing all issues is the only tenable way forward.

35. Thus, Sudan strongly believes that signing a partial agreement covering only the first stage filling will not be tenable because there are many other technical and legal issues which should be

included in any agreement related to the filling and operation of the GERD. These include, but not limited to, the coordination mechanism, normal operation, data exchange, dam safety measures, and the pending environmental and social impacts studies.

36. Furthermore, Sudan strongly believes that reaching an agreement on the guidelines and rules for the first stage filling, prior to starting the filling of the GERD is extremely necessary and important for all parties, as GERD is a huge dam, built just 15 km from the border, with millions of Sudanese people living downstream along the river banks. Most importantly, GERD is only 100 km upstream of the Roseries Dam which is one-tenth smaller in size. Any unilateral decisions on the timing and rules of filling the GERD will put millions of lives and communities at risk.

37. The Prime Minister of Sudan held bilateral meetings with the Prime Ministers of Egypt and Ethiopia on May 19<sup>th</sup> and 21<sup>st</sup>, 2020 respectively. The objectives of these meetings were to bring all the parties back to the negotiations table with the view of finding solutions to the few pending issues. Sudan is grateful that both governments have agreed to resume negotiations and instructed their respective Ministers of Irrigation and Water Resources to start planning for the resumption of the tripartite meetings.

38. Based on the above mandate, the Sudanese Minister of Irrigation and Water Resources held several bilateral talks and meetings with his counterparts from Egypt and Ethiopia to start planning for the resumption of the trilateral negotiations

## VI. Conclusions and Recommendations

39. Sudan believes that the three countries are close to concluding a comprehensive deal. With the political will and commitment, the three parties can address the few remaining issues. Therefore, Sudan would like to request the Security Council to:

- Discourage all parties from taking unilateral actions including filling the GERD prior to concluding a comprehensive agreement; and
- Support Sudan's efforts and call upon all parties to resume negotiations in good faith immediately