STUDY GUIDE

AFRICAN UNION

Hamburg Model United Nations
‘Speak Up, Stand Up – Be the Change’
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Letter of Welcome

Dear Delegates,

It is my great pleasure to welcome you all to the Hamburg Model United Nations (HAMMUN) Conference 2018. Before giving you an idea of what you can expect and what we all hope to achieve during the Conference, I would like to introduce myself. My name is Njeri Kiunjuri and I come from Nairobi, Kenya. I am currently studying at University of Nairobi doing L.I.B (Bachelor of Laws) degree with a specialisation in International Law and Democracy.

We shall be simulating A.U which is a regional body in Africa. We shall be looking at the relationship between the A.U and the U.N with a focus on the African Court of Justice which seeks to somewhat replace the I.C.C (International Court of Justice).

Topic 2 shall cover the distribution of water between the Riparian states. This is due to the fact that the largest hot desert lies in Africa, The Sahara which covers most parts of Northern African States. We shall be seeking how to fairly share the available water resources and exploring the viability of both topics.

We shall be chairing the A.U Committee together with my able co-chairs Ms. Lauren Wright and Mr. Khalid Yassin. On behalf of our Committee, African Union (A.U), I would to personally welcome you to this exciting committee.

Njeri Kiunjuri,
Committee Director,
African Union.
TOPIC 1
The relationship between the African Union and United Nations. (Is the African Court of Justice Efficient?)

1.0 Introduction
The AU emerged from the Organisation of African Unity (OAU) which was established in 1963 with a charter signed by 32 countries in Addis Ababa. The OAU was considered a bit of an “old dictator’s club” by many in Africa and was criticised for not acting against coup plotters. The AU replaced the OAU in 2002 with 51 members and said it was going to work for closer political integration among African countries. It has set about distancing itself from the OAU by often suspending coup leaders.

WHAT DOES IT DO?
It was developed along the lines of the European Union and has ten commissioners overseeing departments including political affairs, agriculture and peace and security. Its founding charter mandates it to work for “democracy, human rights and development”, while it also promotes investment in the continent and sends peacekeepers to trouble spots.
Its first military intervention in a member state was the May 2003 deployment in Burundi of a peacekeepers from South Africa, Ethiopia and Mozambique. When that mission ended, Burundi became a contributor to AU peacekeeping forces.
The AU also sent peacekeepers into Sudan’s Darfur region in 2004 and, at its height, that force was 7,000 strong. It was replaced by a U.N. peacekeeping mission at the end of 2007.
The AU currently has 5,000 Ugandan and Burundian troops in Somalia’s capital Mogadishu.

IS THE A.U EFFECTIVE?
This question is debatable. The AU often has trouble mustering enough troops for its peacekeeping missions. It is also underfunded, with many of its members never paying their annual dues.
But analysts say it has grown teeth in recent years, suspending countries that have suffered coups, sending envoys to mediate between governments and rebels and genuinely promoting
investment. Although its AMISOM peacekeepers in Somalia are under serious pressure, they are the only thing preventing the Horn of Africa’s U.N.-backed government from falling.

2.0 United Nations - African Union Cooperation

Cooperation between the United Nations and the African Union in the maintenance of peace and security has greatly intensified in recent years, as demonstrated by numerous collaborative efforts in conflict prevention, mediation and peacekeeping.

- Enhancing the partnership for a peaceful Africa

UN assistance to the African Union operates under the umbrella of the Ten-Year Capacity-Building Programme for the African Union, a framework agreement (A/61/630) reached between the two organizations in 2006. UN support is organized around numerous thematic "clusters", with the Department of Political Affairs leading UN efforts in the area of peace and security.

In January 2015, the African Union Assembly endorsed a new 50-year long Agenda 2063 for the continent which aims at achieving an "integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the global arena". The Department works closely with the Peace and Security Department and the Department of Political Affairs of the AU Commission as they undertake ongoing peacemaking efforts and work to operationalize key components of the African Peace and Security Architecture as well as the African Governance Architecture (based on the African Charter on Democracy, Elections and Governance, the African Charter on Human and People’s Rights and the Algiers Declaration on Unconstitutional Changes of Government).

The Department strives to align the priorities of both the United Nations and the African Union in the area of peace and security so that their efforts become more efficient and effective in Africa.

Key areas of work

The strategic engagement between the two organizations is manifested in the multiple consultative mechanisms on multifaceted peace and security challenges in Africa, including on early warning, conflict prevention and mediation. The UN, the AU as well as the Regional
Economic Communities more and more work together at different levels, from capacity development and policy design to short-term crisis response operations. Some examples of current support and cooperation from DPA include:

- **The annual joint consultative meeting between members of the UN Security Council and the AU Peace and Security Council.** Since 2006, the UN Security Council and the AU Peace and Security Council hold consultative meetings on an annual basis to coordinate actions of the two councils in Africa. In addition, DPA is providing assistance to the Secretariat of the AU Peace and Security Council, building on the Department's own experience in providing support to the UN Security Council. Assistance includes advice on the establishment of a sanctions committee, for building institutional memory, and for the work of the AU Gender Directorate in the areas of peace and security.

- **AU-UN Joint Task Force and desk-to-desk exchanges.** DPA officials maintain constant senior level interaction (bi-annual Joint Task Force on peace and security) and working-level interaction (annual Desk-to-Desk meetings) with AU counterparts in assessing and discussing political regional developments and responses on the prevention and management of conflicts since 2008. The meetings bring together UN and African Union officials for information sharing, coordination, and the strengthening of the partnership.

- **Capacity building for mediation.** Assistance is being provided at the strategic (policy development), institutional (knowledge management, lessons learned and tools), and operational levels (direct support and cooperation). Examples include UN assistance in the development of an African Union mediation strategy and in making operational the AU Panel of the Wise.

- **Electoral assistance.** DPA is helping the African Union build its capacity to provide electoral assistance to AU Member States. Current support is directed at strengthening the Democracy and Electoral Assistance Unit of the AU Department of Political Affairs. This includes assistance for the establishment by the African Union of a database of African electoral management bodies, experienced election observers and experts, and non-governmental organizations who work on elections.
3.0 United Nations Office to the African Union

In 2010, the UN General Assembly established the United Nations Office to the African Union (UNOAU) to enhance the partnership between the United Nations and the African Union in the area of peace and security, provide coordinated and consistent United Nations advice to the African Union on both long-term capacity-building and short-term operational support, and streamline the United Nations presence in Addis Ababa to be more cost-effective and efficient in delivering United Nations assistance to the African Union (A/64/762).


The Secretary-General and Chairperson acknowledged the significant progress made in strengthening mechanisms for collaboration between the United Nations Secretariat and the African Union Commission over the recent years and pledged to strengthen and deepen the partnership between the United Nations and African Union. The meeting underscored the importance of the strategic partnership between the two Organizations in efforts to promote good governance, sustainable development, peace and security, as well as human rights on the continent.

The Secretary-General and the Chairperson discussed the need to promote the significant synergies and complementarity between the 2030 Agenda for Sustainable Development and Agenda 2063, emphasizing that both agendas take a holistic and integrated approach to the important nexus between development, peace and security and good governance.

The meeting underlined the need for a comprehensive approach to sustaining peace, particularly through collaboration on prevention, addressing the root causes of conflict, strengthening the rule of law and promoting sustainable development. While underscoring the significant value of sustainable development and good governance in and of themselves, discussions particularly highlighted their vital importance for conflict prevention and sustaining peace.
The two organizations agreed to work together towards the implementation of the African Union initiative on Silencing the Guns by 2020 and to ensure coherence with Sustainable Development Goal 16. The Secretary-General and the Chairperson also reviewed a number of peace and security challenges on the continent, including the Central African Republic, the Democratic Republic of the Congo, Burundi, the Lake Chad Basin, Libya, Mali/Sahel, Somalia, South Sudan and Western Sahara, with a view to identifying, as appropriate, joint initiatives and approaches to address the challenges.

They paid particular attention to the humanitarian implications of some of the crises, such as drought and famine, including in Somalia, South Sudan and the Lake Chad Basin, called on States to invest in disaster risk reduction and increase people’s resilience and national capacities to respond, and stressed the importance and need for the international community to urgently meet humanitarian needs in the affected countries.

Recognizing the complexity of peace and security challenges on the continent and the threat they pose to stability, the meeting acknowledged that preventing and resolving the challenges exceeds the capacity of any single organization. The United Nations and the African Union agreed to promote systematic, predictable and strategic approaches based on the principles of consultation, burden-sharing, complementarity and comparative advantage.

In that regard, the Secretary-General and Chairperson endorsed and co-signed a Joint United Nations-African Union Framework for Enhanced Partnership in Peace and Security. The Framework outlines priority areas for cooperation between the two Organizations from early warning, prevention, mediation, conflict management, and working together to sustain peace and address climate change, in line with the Paris Agreement. The Framework also underscores the inextricable link between peace and security, human rights and development. It emphasizes the inclusion of women and youth in national processes to ensure lasting peace.

The Secretary-General and the Chairperson expressed concern at the growing threats posed by terrorism, the spread of illicit arms, in particular small arms and light weapons, and the
linkages between terrorist organizations and transnational organized criminal groups. They agreed on the need to strengthen the partnership between the African Union Commission and the United Nations Counter-Terrorism Implementation Task Force (CTITF).

The Secretary-General and the Chairperson also discussed ongoing efforts to secure sustainable, predictable and flexible funding for African Union-led peace support operations authorized by the Security Council. The Chairperson briefed the Secretary-General on progress made in the implementation of the decision of the African Union Assembly in July 2016 on financing of the African Union, including the operationalization of the African Union Peace Fund. The meeting welcomed the close cooperation between the Secretariat and the Commission in developing modalities to strengthen cooperation and collaboration between the two Organizations in peace operations. The Secretariat and the Commission will report and update the Security Council in May, in line with Security Council resolution 2320 (2016) on planning, mandating and financing of African Union peace support operations. The Secretary-General and the Chairperson agreed to enhance political consultation in the lead up to the consideration of the issue by the African Union Peace and Security Council and the United Nations Security Council.

The Secretary-General and Chairperson reiterated their strong commitment to working hand in hand towards achieving the continent’s development goals, including the focus on empowering youth to harness the demographic dividend, and acknowledged the critical role of the Regional Coordination Mechanism for Africa. They also highlighted the need to strengthen shared efforts, including through joint use of global and regional mechanisms for implementation and reporting, enhanced support for the African Peer Review Mechanism and strengthened support for resource mobilization.

They acknowledged that the ongoing transformational reform of both institutions to make them more fit to meet the challenges of the next decade will reinforce implementation at the country level. In this context, it was decided that the two organizations would work together to prepare a joint framework on sustainable development focusing on the implementation of the 2030 Agenda and Agenda 2063, to be signed at the next high-level meeting between the organizations.
The Secretary-General and the Chairperson agreed to convene the next United Nations-African Union Annual Conference in April 2018. They also agreed to meet on the margins of the General Assembly and African Union summits to take stock of progress in the United Nations-African Union partnership.

4.0 DISAGREEMENTS BETWEEN THE AU AND THE UN

1. A complicated joint mission in Darfur
In 2007 the UN and the AU launched the UN–AU Mission for Darfur (UNAMID), which created a unique opportunity for cooperation. However, UNAMID has been beset with problems, as pointed out by ISS experts in an article in July this year. ‘The experience in Darfur showed that the problems of joint peace operations between the AU and UN are good in principle. But in reality, there has been critical challenges in ensuring that the implementation of the mission goes smoothly,’ said de Carvalho. ‘This has a lot to do with the ownership of the mission, but also with the ability of the two organisations to jointly plan and implement together. I think that the UNAMID case shows how much more the organisations still have to do in order to ensure there is a truthful partnership between the two.’

2. Conflict over funding of AU peacekeeping operations
The AU’s ‘subsidiary’ relationship with the UN also comes into play in the UN’s funding of AU peacekeeping operations. This is a sore point, especially since African leaders and AU Commission Former Chairperson Nkosazana Dlamini-Zuma are eager to take charge of Africa’s conflict-prevention strategies. Dlamini-Zuma’s term at the commission, which started in 2012, has been marked by an increased commitment to find ‘African solutions to African problems’.

At the last AU summit in Johannesburg, in June 2015, AU leaders decided to increase their funding of the AU overall and to contribute at least 25% of the budgets of peacekeeping
operations. Observers in Addis Ababa speaking to the PSC Report say if this were to happen, the UNSC, especially the United States (US), would be more inclined to allow direct funding by the UN of AU missions.

At the moment funding is distributed and managed by the donor countries, which at times causes friction and does not allow the AU to make decisions independently.

There is opposition to directly paying money into the account of the AU Peace and Security Department (AUPSD) as the US Congress, for example, does not want to create a precedent where the UN allocates funding to regional organisations such as the AU or others, thereby allowing them to act on their own initiative. This might lead to situations where operations are launched or managed in a way that is contrary to the interests of some countries. The US has, however, directly supported contingents deploying to AU missions, as in the case of Burundi’s deployment as part of AMISOM.

In Africa, generally, the international community is more than willing to hand over the job of peacekeeping and rapid reaction to crises to the AU. The AU is more flexible than the UN and can react through a decision of the AU Assembly or the PSC when there is an outbreak of violence. In the case of fighting the Nigerian terrorist group Boko Haram, for example, the AU mandated the Lake Chad Basin Commission (Nigeria, Chad, Niger, Cameroon and Benin) to launch a Multinational Joint Task Force in January this year. The AU is still waiting for UN funding, but in effect boots are on the ground, mainly through bilateral agreements between these countries.

3. The unknown African soldier policy.

AU missions are also more robust and African troops are willing to put themselves in the firing line to make peace, not just to keep the peace, which is what UN operations are mostly mandated to do in Africa. AMISOM is a good example, where hundreds of Ugandan, Burundian and other troops have lost their lives in the fight against the terror group al-Shabaab. Kenya and Ethiopia also have troops in Somalia as part of AMISOM, although they deployed at separate times.
However, Unlike the UN, the AU is unwilling to release the number of AMISOM casualties. It claims that this might serve as a propaganda tool for al-Shabaab. Dlamini-Zuma has suggested that a statue for ‘the unknown soldier’ be erected in Addis Ababa to honour those who have died to keep Africa safe. But this might not be enough.

In contrast, figures are available for the number of African troops who have died in UN peacekeeping missions. In Mali, for example, the Multidimensional Integrated Stabilisation Mission for Mali (MINUSMA) has lost 56 troops, many of them African. Chad lost 36 soldiers in Mali before it became part of the UN mission. It is now also suffering huge losses in the fight against Boko Haram.

Some experts say that not releasing the casualty figures could undermine AU missions. A number of countries refuse to deploy their staff to AU missions as a result of this.

4. UN review of peacekeeping missions

The UN understands that the nature of conflicts has changed and that instead of countries’ armies facing off, Africa today instead has to deal with civil wars, coups, insurgencies and terrorism. A review of UN peacekeeping operations was done by the High-Level Independent Panel on UN Peacekeeping Operations (HIPPO), led by Jose Ramos-Horta of Timor-Leste, following on the earlier Brahimi report. Here again is an example of improved AU–UN relations. ‘Horta came to see us several times, while [Lakhdar] Brahimi didn’t,’ said an AU official.

‘The African consultation with the UN on the HIPPO review in February was an important opportunity for Africa to showcase its views and expectations about the relationship with the UN,’ said de Carvalho. ‘The engagement between the two organisations dominated the discussions and the AU provided a position paper to the panel, which delineates its expectations on what should change in UN peacekeeping to better assist conflicts in Africa’.

The findings of the review were released in June this year, and placed a strong emphasis on support to regional arrangements, especially in relation to the AU. Importantly, the report recommended that the UN have more predictable funding mechanisms to AU missions, but there is still uncertainty on what this would entail. The UN secretary general report following the review, which is expected in the next few weeks, will provide more clarity on the kind of engagement that is expected from the UN in this regard.
5. **The ICC is perceived as targeting African States**

One of the Major issue between the AU and the UN concerns the International Criminal Court (ICC) and international justice in general. The AU has been at loggerheads with the ICC since it issued an arrest warrant for Sudanese President Omar al-Bashir in 2009, and also opposed the indictments of Kenyan President Uhuru Kenyatta and his deputy William Ruto. ‘We think peace should come before justice, but others in the international community disagree,’ said the AU-official.

This also led to the establishment of **The African Court on Human and Peoples’ Rights** came into power in January 2004, with the sole aim to act as a supervisory organ of the African Charter to ensure representation and equality are maintained. It can decide any cases submitted concerning the interpretation of such Charter. Mirroring that of the European system, court decisions are monitored by the African Union Political bodies.

However, in June 2008 the African Union Assembly decided to propose the motion of a merge, for the African Court on Human and Peoples’ rights with the African Court of Justice of the African Union. Thus, forming the African Court of Justice and Human rights, which was to become the main judicial organ of the African Union. This would mean that the court would have jurisdiction over all cases and legal disputes, which are covered by the Constitutive Act, Union Treaties, The African Charter and International Law.

So Far, this has yet to take place as currently, only six out of the fifteen ratifications required have been achieved, by the states of Benin, Burkina Faso, Congo, Libya, Liberia and Mali.

5.0 **The problem facing the African Court on Human and Peoples’ Rights**

The AU has adopted the report formed at the Ministers of Justice General meeting from 14-15 May 2012, which created amendments to the African Court’s Protocol. This was to include crimes such as genocide, crimes against humanity and war crimes, but also to create a financial and structural study, to see any implications. This created the idea that the protocol had been created by an anti-ICC sentiment, due to a rising tension between African States, the UN Security Council and the ICC. With many situations between the African Union and the
UN Security Council, where the African Union believed that the UNSC did not act fairly such as sending the President of Sudan for trial in the Hague for Crimes against Humanity, but not sending the leaders of Israel or Syria. It was no surprise that the belief that African leaders should not be held account by a non-African court became a popular one.

However, whilst this Anti-ICC feeling did cause great friction, and did massively affect the development of the court, the lack of ratification also came about due to 60 per cent of the African Court members are in fact treaty members of the ICC, meaning that many couldn’t join or ratify the African Court of Justice and Human Rights. A list of those members is below,

| 1. Senegal, 02 February 1999 | 18. United Republic of Tanzania, 20 August 2002 |
The States Parties to the Rome Statute

Green: Party
Yellow: Signatory that has not ratified
Orange: Signatory that has announced it does not intend to ratify
Red: Non-state party, non-signatory

Along with the lack of support other issues have got many experts wondering whether the court could ever exist. As if the ICC is any evidence of the sort of difficulties a court this size could face, there is a question of whether the African Union has the resources to deal with it:

1. Lack of Funds

In 2009 the financial cost of a single trial for an International Crime in 2009 was estimated to be around $20 million. Which was more than double the original budget allocated to the African Court and Commission. In 2011 The AU’s Budget was around $260 million of which the African Court on Human and Peoples’ Rights was allocated nearly $10 million. However the ICC was given $134 million in the same year. This creates the question

source: https://en.wikipedia.org/wiki/States_parties_to_the_Rome_Statute_of_the_International_Criminal_Court
of where will the money come from? Will International Partners help? How will this affect the priorities of the AU?

2. Holding of Detainees and Prisoners

The African Court will need to implement and establish facilities that have the capability to provide the needed services for such people. This will add on to the increasing cost of the African Court, which will put more stress onto the importance of finding the right resources. If this is unaffordable is there a system to be created between countries in order to hold the prisoners? How will this be agreed? Will be a shared burden, or a sole states problem? How do you guarantee safety for the individuals?

3. Safety and Protection

The court will also need to guarantee the safety and protection for any victims or witnesses that may testify or just be in danger. They also need the facility to collect and preserve any evidence needed for trial. Which comes into question whether the Court will rely on states law enforcement to help with investigation, or fully run its own? Will this mean a body of police force will be created, similar to the UN Peacekeepers or Interpol?

4. Legal Fund

The need for a defence or legal aid fund to be allocated, to ensure all human rights are met and kept fair, and who this should be allocated too. Should victims, witnesses and the defence all have access to the fund? And should this fund be used for anything else, such as previously suggested in the Protocol, to benefit the families of such victims?

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This has made it very hard for many nations to ratify the idea of such a court, as the many issues that it sees in the foundation and establishment of the court, are fundamental and may lead to many economic or political crisis. This has meant that even the access to funding is hard, as many view it as a poor investment, that is doomed to fail.
5.1. Bloc Positions

As previously mentioned the countries of Burkina Faso, Mali, Ivory Coast, Rwanda, Ghana, Tanzania and Malawi have all ratified the protocol.

Kenya has withdrawn from being a member of the ICC, in hope that they can push the foundation of the African Court, but as of March 2017 were yet to sign.

Many countries are worried about undermining the International Court, such as Uganda who is fully co-operating with the ICC after rebel leader Dominic Ongwen was delivered to the Hague.

Nations that had signed but not ratified can be found on the link below:

6.0 Useful Links

- The Protocol and statute of the Proposed Court
- Summary of events and motions
- List of African Members of ICC
  https://asp.icc-cpi.int/en_menus/asp/states%20parties/african%20states/Pages/african%20states.aspx
- Newspaper article on ratification
- Problems facing the African Court
http://www.irinnews.org/analysis/2012/06/13

Key Documents

- Map of UN-AU Partnership in peace and security in 2016
- General Assembly resolution on cooperation between the United Nations and the Africa Union (A/RES/67/302 of 1 October 2013)
- General Assembly resolution on the implementation of the recommendations contained in the report of the Secretary-General on the causes of conflict and the
promotion of durable peace and sustainable development in Africa (A/RES/66/287 of 10 August 2012)

● Security Council resolution S/RES/2033 of 12 January 2012
● Budget for the United Nations Office to the African Union (A/64/762) of 30 April 2010
● Secretary-General's report to the Security Council on the relationship between the United Nations and regional organizations, in particular the African Union in the maintenance of international peace and security (S/2008/186 of 24 March 2008)
● Security Council resolution S/RES/1809 of 16 April 2008
● Letter dated 11 December 2006 from the Secretary-General addressed to the President of the General Assembly and Declaration Enhancing UN-AU Cooperation: Framework for the Ten-Year Capacity Building Programme for the African Union (A/61/630)
TOPIC 2

Water in Africa

Introduction

“Among the many things I learnt as a president, was the centrality of water in social, political and economic affairs of the country, the continent and the world.” (Nelson Mandela)

Millions of people around the world do not have enough water to sustain their livelihoods. Inadequate access to water is one of the main reasons for poverty and it affects people’s basic needs, health, food security and potential. The 2002 Johannesburg World Summit on Sustainable Development adopted the Millennium Development Goals (MDGs) of halving the percentage of people who do not have access to safe drinking water by 2015. It also created two new Pan-African entities – the ‘African Ministers’ Council on Water’ (AMCOW) and the ‘African Water Facility’ (AWF) – to stress the urgent need to address the continent’s precarious water situation.
Many African states had a difficult time keeping up with their water-related MDGs. Although in the same continent, northern Africa was able to achieve its 94% water coverage target in 2015 but Sub-Saharan Africa was only able to achieve 61% coverage and did not achieve the 75% target set for the region. Meaning 40% of 783 million people did not have access to improved drinking water in the region.

The World Bank recently concluded that, with the exception of Sub Saharan Africa (SSA), all the other regions were on track for meeting this water target. Achieving the MDG7 goal would be of huge economic benefit mainly due to savings in time and health benefits. The Africa Water Vision 2025 that aims to counter Africa’s water problems summarizes the key obstacles as follows:

- **High spatial and temporal variations in rainfall**
  Mean annual rainfall figures are comparable to those of other continents but evaporation rates are much higher in Africa and rainfall there is highly variable and unreliable.

- **Growing water scarcity**
  25 African countries will be water stressed by 2025 compared to 13 in 1995.

- **Inadequate institutional and financing arrangements**
  There is an ongoing debate about the commercialization of water management and water as an economic good versus decentralized community management and water as a human right.

- **Inadequate data and human capacity**
  The inadequate collection, analysis and dissemination of data on water resources for developing, planning and implementing projects is problematic.

- **Inadequate development of water resources**
  Water scarcity in Africa is not due entirely to natural phenomena but also to low levels of development and exploitation of water resources. Only 3.8% of internal renewable resources are being withdrawn for the three major water uses, namely agriculture, community water supplies and industries.

- **Depletion of water resources by human actions**
  The pollution of streams through industrial and agricultural activities, salinization due
to overpumping, the drying out of wetlands, the eutrophication of lakes and the proliferation of invasive aquatic plants are all contributing to water shortages. On a continental basis, rainfall in Africa is about 670 mm per year. This is comparable to Europe and North America but higher evaporation rates in Africa are resulting in substantially lower percentages of precipitation contributing to renewable water resources. African rainfall patterns are also showing significant variations in place and time. Temporal variations in rainfall are typically 40% around the mean, which is much higher than in temperate zones. The spatial distribution of rainfall also varies with the Indian Ocean island countries (1,700 mm/year) and Central African countries (1,430 mm/year) on the higher and North African countries (71.4 mm) at the lower end. In addition, temporal and regional variability is exacerbated by unpredictability. Africa has 17 rivers with catchment areas greater than 100,000 km² and it has more than 160 lakes larger than 27 km², most of which are in the equatorial region and the sub-humid East African Highlands within the Rift Valley. Since many of Africa’s water basins are international, cooperation between countries sharing the same basin is of utmost importance. Some argue that the potential for conflict among riparian countries has increased in recent years and is likely to intensify in the future as water scarcity increases.

Groundwater is extremely important in Africa. It is estimated that over 40% of Africans use groundwater as their main source of drinking water, particularly in North and Southern African countries. Piped water is still the most important source of drinking water (39%) in urban areas, yet boreholes are becoming more important (24%).

How important is water for the continent’s economy?

Africa is losing 5% of its GDP as a result of poor water and sanitation infrastructure, 2% to power outages, between 5%-25% to drought and floods, and perhaps a further 5% to the (future) impact of climate change. The estimated amount of investment required to meet Africa’s deficient water situation is US$ 50 billion per annum for the period from 2010 to 2030 and US$ 30 billion annually for the following thirty years. This figure significantly exceeds the US$ 20 billion originally estimated in 2000 in the Africa Water Vision 2025. There has been a near ten-fold increase in the estimated cost of water-related infrastructure to
support economic growth, food and energy securities and adaptations to climate change and hazard management.
Africans are facing increased water scarcity. Access to clean water and sanitation has been earmarked as the most crucial resource for life and for agriculture and industry. At the same time, water is expected to trigger new wars – some claim it already has – but it could also be a reason for countries and groups cooperating to prevent conflicts.
The economy of any state is largely dependant on the availability of water to maintain it’s energy, food and domestic needs. Conversely, it is difficult for a state to establish a proper and functioning water management system because of the already poor state of the economy and lack of financial means. Additionally, poverty and access to water are linked to land-ownership as ownership of land is often a precondition to access underground water or water from wells and streams.
Lack of water leads to economic stagnation; therefore it is natural for competition between water users to exist, which means there is great potential for conflicts to exist between the need for clean water, agriculture, industry, and energy production. Crucial elements to establishing a functioning society.
Further conflict potential can develop between up- and downstream countries. There are 118 countries that have rivers flowing into their territories from upstream countries. In case of water scarcity or an extreme weather event in one of the boundary countries this can lead to an international conflict.

**Water, Food and Energy**
The wellbeing and economic prosperity of the African people is being compromised by the reliance on rain-fed agriculture and low use of irrigation for food production. This hinders the possibility to improve the availability and access to water for food because they aren’t generating enough revenue.
There are many possibilities for Africa to develop renewable energy using renewable resources such as water, geothermal, solar and bio-energies. As an example, Africa is only using 3% of its renewable water for hydroelectric power production, Asia is using 52%. This has great potential to change the uneven distribution of electricity as about only one in four Africans have access to electricity. With 90% of the rural population relying on biomass energy sources such as charcoal, manure, wood and candles for light. Water is a necessary component when it comes to the generation of energy as it is either used or consumed in the process. Whether for processing the raw materials to build wind mills or as a necessary ingredient to generate the electricity itself.

A strong nexus between food, energy and water exists. The main use for water is to sate the food demands of the constantly growing population. That is why synergies between these sectors need to be found to build environmentally sustainable economies by managing food, energy and water supply. With the great potential to develop energy from renewable water and other resources like wind and solar power, if the benefits from the water, food and energy nexus are optimised then Africa can be on its way to avoiding irreversible damage and degradation while ensuring food and energy security that can meet the demands of the growing population as water resources become scarcer.\(^2\)

**Climate Risks**

The African climate is one of the most vulnerable worldwide, resulting in frequent droughts and famine. Because of widespread poverty and improper support systems and infrastructure the African people are vulnerable to the constant changes in environmental circumstances. The effect of temperature changes is clear as the rise in surface temperatures accelerated the hydrological cycle resulting in increases in precipitation and reductions in mountain ice and snow cover. 46% of agricultural land is vulnerable to desertification. Lake Chad lost 90% of its area over the last 40 years, when it was once the sixth largest lake in the world, and as the situation stands the recovery of the lake is unlikely unless a water transfer is performed. This was due to constant draughts and increasing irrigation withdrawals.\(^3\)

The water, energy and food nexus is vulnerable to the sensitive climate and its changes. And the African community lacks the capacity to adapt to these changes because of the unavailability of financial and human resources, technology, improper natural resource

\(^2\) The grand challenge of water security in Africa, Page 4
\(^3\) Gao et al., 2011
management, conflicts and widespread poverty among other factors. This calls for the proper planning and management of water resources that is sustainable with a long term consideration of the future.

Africa also suffers from inadequate sanitation and poor waste removal systems that result in deteriorating water quality that lead to increases domestic pollution, loss of habitat and the deterioration of water from industrial activities. Eutrophication is caused by nitrates and phosphates from agriculture. Some areas are heavily polluted due to mining. The drainage and loss of wetlands for agriculture or infrastructure development.

Climate change on top of everything else will strain crops and put even more pressure of the people. But being prepared for climate change and having mitigation and prevention programmes in place, either by risk modelling and disaster forecasting, will reduce the impact of disasters, such as floods and droughts, on the livelihood of the people and future sustainable growth.

**Finance**

It is clear that in order to eradicate poverty, attain sustainable growth and manage natural risk the African states need to adequately invest in water infrastructure. The issue lies in the lack of investments and funds from the private second and the governments themselves. Instead of developing long term plans that tackle the water issues faced by the African states they have instead tackled the immediate short-term water concerns, which is an inefficient use of the low funds used with low returns on the investment. A solution to this could be the cooperation of governments with the private sector to co-finance the better utilization of water sources, attracting bilateral and international partners in the private sector is necessary to achieve this goal.

The economy itself hinges on the development of food and energy which both hinge on clean water, which in turn directly affects the wellness of the people, the same people that are responsible for the economy, without proper water the economy is at great risk. Proper allocation and an increase in governmental investing of funds in the water sector is necessary, using the real value of water. Which includes the environmental, operational, social and construction components. Because of the inadequate investments and the large amount of capital necessary to build, develop and maintain the physical structures necessary for the

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4 *The grand challenge of water security in Africa, Page 15*

5 *World Bank, 2014*
management of water, Africa has relatively fewer dams to increase water storage capacity the region. The lack of sustainable funding put in the water sector poses a major obstacle that holds back the development and improvement of water resource management and infrastructure that is essential for the growing water demand that Africa is facing. Estimates say that 50$ billion a year for the next 20 years are necessary for the water sector to grow along the exponential rise of the population and the ever-increasing need of water in water dependant industries.  

**RIPARIAN LAND**

Habitats or ecosystems that are adjoined to bodies of water, ranging from streams to lakes are defined as Riparian. States that have access to bodies of water are coined Riparian States. In accordance to the riparian principle, Riparian states have the right to erect structures such as docks, piers and boat lifts and the right to use the water for domestic purposes. Riparian rights also take into account other riparian owners and how the water use in one riparian state reflects and relates to another. For example, the riparian state needs to consider the effect of its water use on downstream riparian landowners.

Africa contains four transboundary rivers between its states: The Congo, Niger, Nile and Zambezi. These are rivers that cross at least one political border. This puts African states in a difficult situation when it comes to co-operating and developing complex systems with respect to managing international transboundary waters between multiple countries that possess their own agenda. But this also gives the African state the potential to share great benefits with each other.

**Which are the African Riparian States**

Burundi, Democratic Republic of Congo, Egypt, Eritrea, Ethiopia, Kenya, Rwanda, South Sudan, Sudan (Republic of), Tanzania, and Uganda. Egypt, Sudan, and South Sudan are downstream riparian states.

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6 The grand challenge of water security in Africa, Page 19
7 The grand challenge of water security in Africa, Page 12
The Nile Treaty

The fair and proper distribution of water between the Riparian States surrounding the Nile River has been a prevalent concern that has been discussed and negotiated multiple times, resulting in many treaties attempting to solve the issue and distribute the Riparian Rights among the States. Whether the treaties were fair or not is questionable, seeing as 3rd parties have constantly interfered to resolve the situation, questionably in favour of the party they have entered the negotiation on behalf of, whether directly or indirectly. Such as Italy, the UK, Belgium and France.

The Nile River originates in Ethiopia, with 85% of the Rivers water coming from Ethiopian highlands, and then running downstream through Sudan and Egypt. It is argued that Egypt holds a historical claim granting it natural historical rights on the Nile River, which they have used to maintain their Vito on any projects that involve the Nile that could potentially lower Egypt’s supply of water. Sudan, being the second most extensive user of the Nile after Egypt, contains the largest basin area of 1.9 million km². Sudan has taken advantage of its hydraulic potential by creating 4 dams in the last century.

In 1906 The Agreement between Britain and the Government of the Independent Sate of the Congo was signed by Belgium on behalf of Congo, although it favoured the downstream users of the Nile water. Article III of the agreement states “The Government of the independent state of the Congo undertakes not to construct, or allow to be constructed, any work over or near the Semliki or Isango river which would diminish the volume of water entering Lake Albert except in agreement with the Sudanese Government”. Ehtiopia was put in that position in 1902 with its treaty with Great Britain, which limited their use of their own sovereign water sources.

The 1929 Angli-Egyptian Treaty and the 1959 agreement gave Egypt and Sudan control over the Nile and the distribution rights that came along with it. Egypt maintained its right to veto any construction project. The treaties do not allot any water to the other Riparian Sates. Considering that the upstream states such as Kenya, Ethiopia, Uganda and Tanzana, being sovereign independent states, were not party to the agreements they have argued heavily that they should not be bound by them. These agreements hindered their national development plans, which motivated them to initiate a more inclusive legal framework for the governing of the Nile River Basin.
In February 1999, the Nile Basin Initiative (NBI) was formally launched by the Nile Riparian States in hopes of cooperative use of the Nile River between the states to further promote and share socioeconomic benefits and promote regional peace and security. Excluding Eritrea, the Nile River riparian states signed the Nile Basin Initiative (NBI) in 1991 in an effort to improve cooperation on the use of the Nile Basin water resources. The riparian states then began working on developing what they believed would be a permanent legal and institutional framework for governing the Nile River Basin. The Cooperative Framework Agreement (CFA) introduced the concept of equitable water allocation into discussions about Nile governance, as well as the concept of “Water Security”.

Of course, every nation’s wellness and prosperity is correlated to the amount of water they can salvage, so it is understandable when countries are possessive and protective of their water resources. The very livelihood of their people is at stake. But what this protectiveness leads to is an uneven distribution of water that hinders the progress of the whole of Africa, and not only individual states. Cooperation will make everyone better off. In order for the Riparian States to move forward towards a more prosperous future, to meet the socioeconomic needs that can only be sated by water, a way to distribute and share the waters of the Nile fairly and efficiently, needs to be further discussed without holding on to past ideals and agreements that hold no meaning any more, especially to the foreign states that had no say in them.

Conclusion
Africa has undergone massive economic and social change during the past decade. With democratic elections leading to more peace, economic growth increasing the number of middle class citizens who are paying taxes and improving governmental services. Africa is in need of a stronger governance framework in order to put its resources, natural, domestic and foreign direct investment (FDI) into proper use for development. Leading to a self-reliant continent in the future.

There are two central priorities for the proper management of African funds and resources, governance and accountability. Such is the aim of the new African Development Bank Group Strategy for 2013-2022, referred to as the Ten Year Strategy (TYS). Due to Corruption there

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has been a failure to implement the laws set to protect water sources from pollution and encroachment, either from corrupt officials, large farm owners that divert water supply lines, and misappropriating funds. This corruption in turn deprives millions of poor people of safe and clean water.

A holistic view to govern water, acquire proper funding and financing for development and investing in water infrastructure, human knowledge and skills and adopting the proper technology is incremental for the future of water in Africa. Transparency and accountability need to be established between the governments and their respective communities.

Africa faces many challenges in regard to water security: climate change, population growth, corruption, financing, lack of resources and transboundary conflicts are just part of the problem. Africa needs to increase its resilience and take control of its future, and for that it all starts and ends with water. Luckily African states are uniquely blessed with the opportunity to cooperate and share benefits, develop and grow stronger and resilient as one continent.

**Focus Questions**

- Does your country suffer from water crises?
- What is your country doing to tackle water shortage in its own borders and/or beyond?
- What is your country’s position on climate change?
- How will climate change affect your country?
- What sources of fresh water are available to your country?
- How much water usage requires the industrial and the agricultural sector in your country?
- Is your country in need of technology to prevent water shortages and which technologies are crucial to be prepared for water crises?
- How could the technology transfer of the world community be reorganized to provide any country with the essentials of sustainable water use?
- How is your country dealing with governance, transparency and accountability?
- Is your country depending on other nations to provide clean water?
- What effect has climate change on global water scarcity and how can climate change be addressed?
- How can democracy and accountability on a local level prevent water shortage?
- How could the AU help balance water usage in agriculture and in industry on the way towards a sustainable economy?
- Which measurements could be helpful for your country/ the international community to react on urgent water crises?
- What is your country’s involvement in the CFA, SADC and NBI?

**Useful Links**

**General overview**

https://sustainablesecurity.org/2014/05/02/water-security-in-south-africa/
https://sustainabledevelopment.un.org/sdg6 (Progress, Indicators and Targets)
http://www.interacademies.net/File.aspx?id=27944
http://www.ascleiden.nl/content/webdossiers/water-africa

**Nile agreement**

http://www.nilebasin.org/index.php/nbi/who-we-are

**Cooperative Framwork Agreement CFA**


Agreement on the Nile River Basin Cooperative Framework