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## CENTRAL ASIAN BILATERAL AND MULTILATERAL AGREEMENTS ON WATER MANAGEMENT

*This research in the scope of water law mainly developed on the basis of the principles of legal analysis, used in national and foreign legal science: formal-legal, comparative-legal, formal-logical and others. Main importance for the research were general theoretical and special scientific works of scientists-Jurists, reports on the work of the International Law Commission, the international legal instruments of universal, regional and bilateral nature.*

*The greatest importance for the research were general-theoretical and special scientific works of Jurists-scientists, reports on the work of the international legal instruments of universal, regional and bilateral nature.*

*Since analysis the important tools of qualitative research, the study has managed to use this method for data collection. Most of the documents which have been used were collected from the internet and the project documents taken from the projects. These were the reports of the programs. Some information was even taken from the journals, newspaper; nevertheless, it was useful to read them for later analyses.*

*The main objectives are theoretical and content analysis of regulations, international, regional, national water laws and other instruments developed in the field of the use of international watercourses, as well as to disclose the content of the principles and mechanisms of international water law for the establishment of joint bodies and identify gaps to establish joint bodies in the legal regulation of international, regional and national levels in Central Asia.*

*Это исследование в рамках водного права в основном разработано на основе принципов правового анализа, используемого в отечественной и зарубежной юридической науке: формально-юридического, сравнительно-правового, формально-логического и других. Основное значение для исследования имели общие теоретические и специальные научные труды ученых-юристов, отчеты о работе Международной Юридической Комиссии, международные правовые инструменты универсального, регионального и двустороннего характера.*

*Наибольшее значение для исследования приобрели общетеоретические и специальные научные труды ученых-Юристов, отчеты о работе Международной Юридической Комиссии, международные правовые инструменты универсального, регионального и двустороннего характера.*

*Проанализировав важность инструмента качественного анализа, для исследования был использован этот метод сбора данных. Большинство использованных документов были найдены в Интернете, а также была использована проектная документация взятая из проектов. Это были отчеты программ. Некоторая информация была даже взята из журналов, газет; тем не менее, было полезно прочитать их для последующего анализа.*

*Основными задачами являются теоретический и содержательный анализ нормативных актов, международных, региональных, национальных законов о воде и других документов, разработанных в области использования международных водотоков, а также раскрытие содержания принципов и механизмов международного водного права для создания совместных органов, выявление пробелов в создании совместных органов в их правовом регулировании на международном, региональном и национальном уровнях в странах Центральной Азии.*

*Су заңдарының шеңберінде осы зерттеу жұмысы негізінен ұлттық және шетел заң ғылымы пайдаланатын құқықтық талдау принциптері негізінде әзірленген, олар - құқықтық-ресми, салыстырмалы-құқықтық, формалды-логикалық және басқалары. Зерттеу үшін негізінгалым-заңгерлердің жалпы теориялық және арнайы ғылыми жұмыстары, Халықаралық Құқық Комиссияның жұмысы жөніндегі есептері, әмбебап, өңірлік және екіжақты сипаттағы халықаралық құқықтық құжаттар маңызды болды.*

*Зерттеу үшін маңыздысыгалым-заңгерлердің жалпы теориялық және арнайы ғылыми жұмыстары, Халықаралық Құқық Комиссияның жұмысы жөніндегі есептері, әмбебап, өңірлік және екіжақты сипаттағы халықаралық құқықтық құжаттар болды.*

*Сапалы талдаудың маңыздылығын біле тұр зерттеуде деректерді жинау үшін осы әдіс пайдаланылды. Қолданылған құжаттардың көпшілігі интернеттен табылды және жобалардан жобалық құжаттар алынды. Бұл бағдарламалардың есептері болды. Кейбір ақпараттіңті журналдар, газет алынды; Соған қарамастан, олар кейінірек талдау үшін пайдаланыла алады.*

*Негізгі міндеттер-халықаралық ағын суларын пайдалану саласындағы дамыған халықаралық, өңірлік, ұлттық су заңдары мен өзге де құралдарды теориялық және мазмұндықталдау, сондай-ақ бірлеске нормаларды құру үшін халықаралық су құқықтыңқа ғидаттары мен тетіктерінің мазмұнына иып көрсету, олардың Орталық Азиядағы халықаралық, өңірлік және ұлттық деңгейде құқықтық реттеу кемшіліктерін анықтау.*

The legal regime of the vast number of international rivers is regulated by treaties concluded between coastal States. If the interests of international basins required, each of them has the right and the duty to make arrangements with other coastal States on the settlement of the joint use of the waters of the basin, and to do this, use the international instruments. In practice there are various precedents in international law for the settlement of disputes on the use of international rivers.

Water resources are a key link of the Central Asian countries -, major quantity of water sources are forming in upstream countries (Kyrgyzstan, Tajikistan) and major quantity are used by downstream countries (Kazakhstan, Turkmenistan and Uzbekistan).

Central Asian countries cooperate on transboundary waters more than 20 years. Effective management of water resources of Central Asia – retains its relevance for politic and economic cooperation as well as cooperation in the field of the environment on this region. Effects of climate change: increasing temperature, reducing the length of the rain season, drying up fertile land, lack of clean drinking water and water for irrigation, are becoming increasingly clear outlines and require increased cooperation among states. Water quality issues, which have been neglected in the past, are increasingly recognized as being of particular importance to regional cooperation in Central Asia region. Institutional and legal mechanisms for managing water resources in Central Asian states was founded in the late nineties, after the collapse of the Soviet Union, to provide leveling many negative tendencies manifest in the relationship of the states[1].

Table – Treaty law as applied to transboundary waters in the Aral Sea Basin

		Kz	Kg	Tj	Tm	Uz
Agreements						
1992	Agreement on cooperation in the joint management, use and protection of water resources of interstate sources	✓	✓	✓	✓	✓
1993	Agreement on joint action to address the problem of the Aral Sea and surrounding areas, environmental improvement and socio-economic development of the Aral Sea region.	✓	✓	✓	✓	✓
1996	Chardjev Agreement	✓	✓	✓	✓	✓
1996	Agreement on the use of fuel and water	✓	✓	✓	✓	✓
1998	Agreement on the use of water and energy resources in the Syr Darya River basin	✓	✓	✓		✓
998	Environmental Cooperation Agreement	✓	✓	✓	✓	✓
1999	Agreement on the Status of the International Fund for Saving the Aral Sea and its Organizations	✓	✓	✓	✓	✓
2006	Framework Convention for the protection of the environment for sustainable development in Central Asia		✓	✓		✓
Declarations						
1997	Almaty Declaration	✓	✓	✓	✓	✓
1999	Ashkhabad Declaration	✓	✓	✓	✓	✓
1995	Nukus Declaration	✓	✓	✓	✓	✓
2001	Tashkent Declaration	✓	✓	✓	✓	✓
2002	Dushanbe Declaration	✓	✓	✓	✓	✓

Note: Source – [http://ec-ifas.waterunites-ca.org/aral\\_basin/legal-issues](http://ec-ifas.waterunites-ca.org/aral_basin/legal-issues).

Statement, signed 12.09.1991 by the ministries of water resources of Central Asian countries laid the foundation for international cooperation recognizing the need to address issues of water resources in the basin of the Aral Sea as a common to all countries based on the principles of fair regulation in the interests of all countries in the region. Besides, there are other agreements related to cooperation on water in Central Asia. Since reaching the independence countries adopted a numbers of multilateral and bilateral agreements on shared water resources management on main basins (Syr Darya and Amu Darya), established institutions and joined the international conventions on water. Thus, from the legal point, countries have established binding instruments and documents.

Sustainable and equitable use of water in Central Asia is one of the important factors for the future sustainable development of the region. Joint problem solving, equitable use of transboundary rivers on the basis of international law is a vital need[2].

**Conditions of bilateral and multilateral water cooperation in Central Asia.** Water cooperation in Central Asia is reflected in regional and sub-regional agreements, mainly agreement signed by all 5 states of region, such as the Agreement on cooperation in joint management, use and protection of water resources of interstate sources of 1992 and on joint actions to address the problems of the Aral Sea environmental improvement and social economic development in the Aral Sea region of 1993, sub-regional Agreement on water and power resources use in the Syrdarya River basin of 1998 (between Kazakhstan, Kyrgyz Republic, Tajikistan and Uzbekistan).

The 1992 Agreement on cooperation in the joint management, use and protection of water resources of interstate sources. This is first fundamental instrument, which defines the principles of cooperation in the region, regarding to using of “water resources of interstate sources”. The adoption of the Agreement happened immediately after the collapse of the Soviet Union. The 1992 Agreement allowed, to an extent, to put in order the relationships between the independent states of Central Asia regarding transboundary water resources. At the same time, the understandable haste with which the 1992 Agreement was drafted and adopted could not but affect its content and form.

The main purpose of the Agreement was to create a firm legal framework for regional water cooperation through joint management of water use and allocation. The main principles of Agreement corresponded to international practice. These include: [3]

–the equality of rights to use and common responsibility for the states for transboundary water resources;

–obligation to respect the agreed procedure and rules for the use and protection of transboundary water resources;

–obligation to avoid actions that may affect the interests of other States.

The Agreement played crucial role in establishing institutional mechanisms for water cooperation in the region.

The 1993 Agreement on joint action to address the problem of the Aral Sea and surrounding areas, environmental improvement and socio-economic development of the Aral Sea region. The main goal of 1993 Agreement - define the objectives of regional water and environmental cooperation in Central Asia. Unlike the 1992 Agreement, it does not contain any regulations or requirements of a general. However, it calls for the rational use of water resources of the Aral Sea Basin, for adequate water using in rivers, reservoirs and underground sources, and all water inflow into the Aral Sea.

The objectives of 1993 Agreement is to streamline the system and improve the discipline of water use in the basin, as well as to develop relevant interstate legal and regulatory acts. However, the most significant aspect is the institutional dimension. The 1993 Agreement contributed to the development of a mechanism for regional cooperation by establishing the Inter-State Council for the Aral Sea Basin and the Commission on Socio-Economic

Development, Scientific, Technical, and Environmental Cooperation (the predecessor of ICSD), and the Commission on Socio-Economic Development, and by including the ICWC within the newly created organization.[ 3]

The 1998 Agreement on the use of water and energy resources in the Syr Darya River basin. Agreement addressed a rather specific and practically includes the most significant issue: water and energy exchange among the Syr Darya basin. Four states linked by the common water and energy relationship. The 1998 Agreement does not contain any general principles of law. Its main focus is on the creation of a scheme of water and energy exchange between upstream (Kyrgyz Republic and Tajikistan) and downstream (Kazakhstan and Uzbekistan) countries, which is based on the idea of harmonizing the regime of hydro-power facilities and reservoirs of the Naryn-Syr Darya cascade so as to provide a sufficient amount of water for irrigation.

The 1999 Agreement on the Status of the International Fund for Saving the Aral Sea (IFAS). Its Organizations provides a general legal platform for the existing regional institutions - the Fund, the ICWC (with its subsidiary bodies) and the ICSD (with its subsidiary). However, the Agreement, both in terms of its content and form, is not flawless. Currently, there is an on-going regional debate aimed at significantly improving the 1999 Agreement.

In terms of international legal practice, a rather unusual but nonetheless important role in the system of regional institutional acts is played by the decisions of the Heads of State on establishing or modifying the institutional mechanisms and cooperation bodies. They include for example the Decision on “Founding the International Fund for Saving the Aral Sea” of January 4, 1993 and the Decision on “Restructuring the International Fund for Saving the Aral Sea” of February 28, 1997. The latter, while not being an international agreement either in form or content, has in fact changed some provisions of the earlier agreements.

The 1998 Agreement on the use of water and energy resources in the Syr Darya river basin. With respect to water resources the Convention stipulates provides for the development of additional protocols on the following issues:[ 4]

- improving national frameworks for monitoring;
- establishing a regional system for monitoring water quality in transboundary watercourses;
- identifying and prioritizing water pollutants;
- agreeing upon the schedule to reduce their discharges;
- undertaking joint action to ensure adequate supply of good quality drinking water;
- prevent and reduce transboundary pollution harmful for the downstream Parties;
- cooperating jointly in the sustainable use and protection of water resources.

Agreement between the Republic of Kazakhstan, Kyrgyz Republic, Republic of Tajikistan, and the Republic of Uzbekistan. Additionally produced a cascade of Naryn-Syrdarya hydro electrical power associated with the water in the vegetation period and long-term management of water in the Toktogul reservoir, over and above the needs of the Kyrgyz Republic to the Republic of Kazakhstan and the Republic of Uzbekistan

The 2006 Framework Convention for the protection of the environment for sustainable development in Central Asia. Relevant to regulating the utilization of transboundary water resources. At present, the Convention is signed by only three countries: Kyrgyzstan, Tajikistan and Turkmenistan, and is not yet in force. As a framework instrument the Convention provides the legal basis for long-term cooperation between Central Asian states on a wide range of issues: the water conservation, sustainable use of water resources protection of air quality and biodiversity. The objectives of the Convention is to be achieved through a combination of national measures, relevant regional projects and other bilateral and multilateral schemes and mechanisms for cooperation.

The 2006 Framework Convention for the protection of the environment for sustainable development in Central Asia. The Parties are expected to adopt additional protocols that would establish rules and procedures for developing general obligations in specific areas of environmental activities. The Convention provides base for establishment of an independent institutional mechanism - Conference of the Parties and a permanent Secretariat, headed by the Executive Secretary, as well as other subsidiary bodies. It also provides the establishment of a separate financial body in charge of the financial mechanism of the Convention, including collection, management and disbursement of financial resources.

Almaty Declaration. Recognized that the management of water resources of transboundary river resources should adopt the ecosystem approach and precede in a fair and rational way, avoiding damage, reaffirmed previous commitments on full cooperation on the international and inter-state levels.

Ashgabat Declaration. Central Asian countries pay continuous attention to the improvement of the situation in the region, and to attract international organizations to address water problems of the region. Together with international organizations and foundations is the implementation of the regional project water resources and environmental management in support of the global environment facility.[5]

- development of cooperative measures for the implementation of the regional strategy and concrete actions on management of water resources in the region;
- use of water resources in the Aral Sea basin must be managed for the benefit of all;
- provide all possible assistance and support to the project under the auspices of the World Bank and GEF project water resources and environmental management in the Aral Sea basin.

Dushanbe Declaration. Integrated use and protection of water resources in the Aral Sea basin is carried out taking into account the interests of all the countries of the region; the role of the Executive Committee of IFAS on donor coordination and fundraising projects and programs in the Aral Sea basin and the Interstate Commission for water coordination in the management and regulation of the use of transboundary waters was strengthened; the system of monitoring and information between countries on the condition of water resources was improved.

Tashkent Declaration. The heads of State are convinced that concerted and coordinated action in the area of rational and mutually beneficial use of water bodies, water resources and water management facilities in Central Asia on the basis of the universally recognized principles and norms of international law, will serve as a basis for the effective use of available agricultural and energy potential of the States of the region for the benefit of the peoples of the region.

Nukus Declaration. Regional authorities and specific plans of action were approved. This has opened up new ways to attract international support, inter alia, on the program of the Aral Sea. It is based on the plan aimed at sustainable development of the region. The scale and complexity of the problems related to water resources, require an integrated and multisectoral approach and the development of cooperation between the States of the region and the international community. Organizations for coordination and cooperation are the World Bank, UNDP and UNEP. Donors provide substantial support for the Aral Sea program, aimed at the solution of problems and the causes of the Aral Sea crisis.[6]

- a reaffirmation of the commitment to full cooperation at the regional level
- an appeal to the international community, Governments of States and peoples all over the world to help us in our joint efforts.
- establishment of a regional monitoring system, water resources;

- agreed that the Central Asian States to recognize previously signed and valid agreements, contracts and other legal acts regulating the relationship between them on water resources in the basin of the Aral Sea and take them to a steady performance.

- statement of its full support for international agreements, in particular, the Declarations on sustainable development (Rio de Janeiro, 1992), the World Charter for nature, the international conventions to combat desertification, global climate change, conservation of biological diversity and the protection of transboundary waters.

- creation of the International Convention on the Aral Sea basin sustainable development. Joint water management and harmonization of environmental standards and related laws should be the priority.

- appeal to UN agencies, particularly UNDP, to assist in the drafting of such a Convention.

Joint statement by the heads of State of the Republic of Kazakhstan, Kyrgyz Republic, Republic of Tajikistan, Turkmenistan and Republic of Uzbekistan 8-9 April 1999 year Ashgabat:

- agreement, that the development of water resources should adopt the ecosystem approach and proceed in a reasonable manner without causing mutual harm, taking into account the interests of all parties and respect for the principles of good-neighborliness and mutual advantage, to raise the level of development of agricultural production, the tasks of the UN strategy on food 21-st century.

- mobilization of resources for joint activities on the protection of air, water, land, flora and fauna;

- funding for joint research projects and development for the management of transboundary inland waters.[7]

Joint statement by the heads of States-founders of IFAS. April 28, 2009, Almaty - parties reaffirm their interest in developing a mutually acceptable mechanism for integrated water resources management, taking into account the interests of all States in the region.

Protocol amending the agreement between Government of the Republic of Kazakhstan, Kyrgyz Republic, Republic of Tajikistan, and the Republic of Uzbekistan. Republic of Tajikistan every year provides the Kayrakkum reservoir and dams on the regime, and the Republic of Kazakhstan and the Republic of Uzbekistan provides in equal parts electricity supplies to the Republic of Tajikistan during accumulation of water in the reservoir with follow returning a consistent energy level equivalent in summer.

Analyzing existing bilateral and multilateral agreements and “soft law” documents, we could see that Central Asian states have taken all the measures to create strong legal framework for cooperation in water sphere. Some of them provided basis for creating joint bodies. But, with that, taking in mind current situation, we can conclude that not all of the agreements are working properly.

**Institutional mechanisms and bodies of water cooperation in Central Asia.** An important role in regional water resources regulation should play the "Framework Convention on the protection of the environment for sustainable development in Central Asia" 2006, which describes the principles and the situation regarding the management of water resources. To date, the Convention has been signed only by the Kyrgyz Republic, Tajikistan and Turkmenistan.

The special role of regional and sub-regional instruments played by institutional acts that create the legal framework and legal status and competence of the joint bodies of Central Asian countries in water management have resulted in the agreement described in previous chapter. The below-mentioned organizations were established in Central Asia with the character of joint bodies.

International Fund for saving the Aral Sea (IFAS). IFAS was established in accordance with the decision of the heads of Central Asian States dated January 4, 1993 year in Tashkent. The main objective of the Fund is financing and crediting of joint actions and projects for the Aral Sea saving, ecological rehabilitation of the Aral Sea basin in general and its surrounding areas, taking into account the interests of all States in the region.

At the moment, IFAS is considered to be the most powerful institutional mechanism in the water management system of Central Asia, which involves all five countries to decision-making process and provides platform for cooperation.[<sup>8</sup>]

The founders included (Republic of Kazakhstan, the Kyrgyz Republic, Tajikistan, Turkmenistan and Republic of Uzbekistan) and on an equal basis can be other countries, supporting and participating in the financing of projects and programs. Participants of the Fund may be international organizations and other legal entities and natural persons.

The Fund is financed by contributions from the States of the Republic of Kazakhstan, Turkmenistan, Republic of Uzbekistan at a rate of 0.3%, Kyrgyz Republic and Republic of Tajikistan in the amount of 0.1% of the budget revenues, by: contributions of enterprises, international and individual organizations, businesses and individuals.

Law of IFAS:

- establish branches and representatives;
- carry out credit and other operations to acquire the shares, bonds and other securities;
- investing in environmental programs and projects.
- enter into contracts in its own name, open the account.[9]

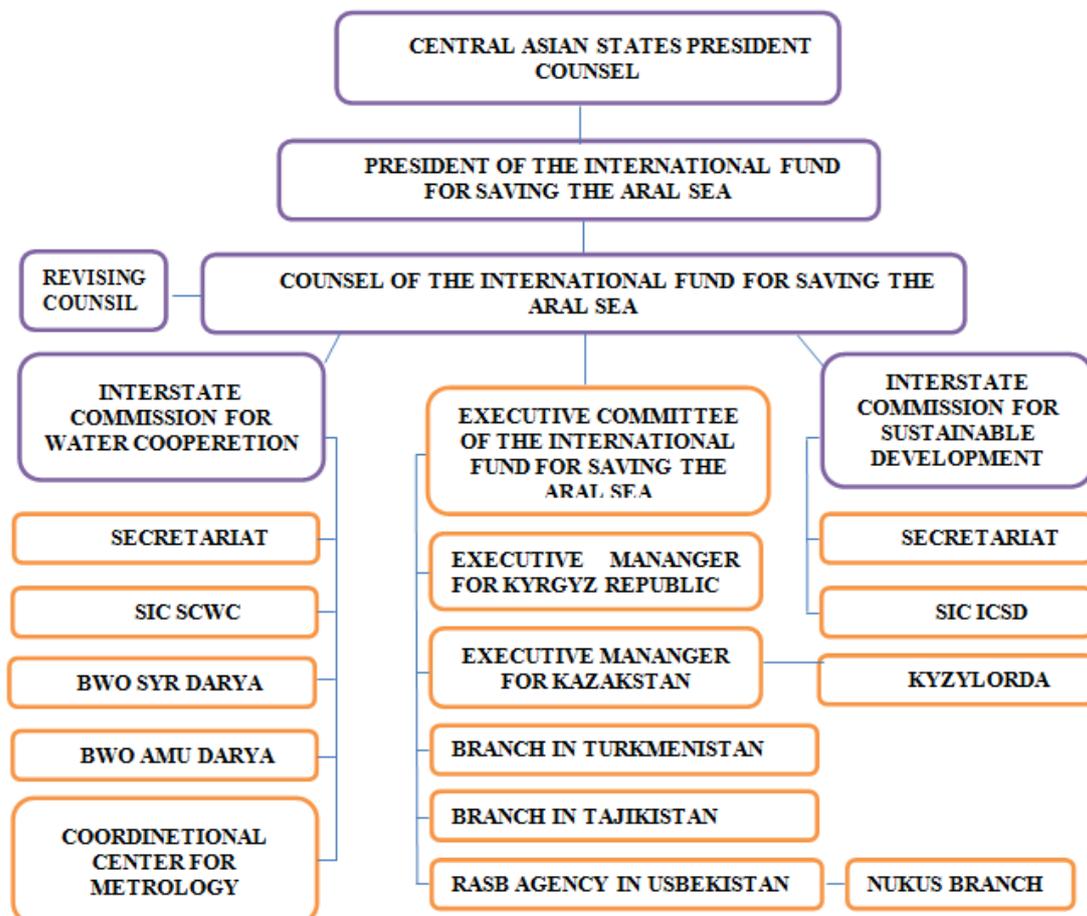


Figure 1 – Organizational structure of the International Fund for saving the Aral Sea

Source: <http://www.waterunites-ca.org> (last visit 11.12.15)

The main areas of activity of the Fund:[10]

- financing and crediting of joint international environmental, scientific and practical programs and projects aimed at saving the Aral Sea and the improvement of the ecological situation in the areas affected by the impact of the Aral disaster as well as general socio-environmental problems of the region;
- joint financing of fundamental and applied research, scientific and technical developments for the restoration of the ecological balance, sustainable use of natural resources and environmental protection;
- establish and operate the Interstate environmental monitoring system, database, and other systems on the State of the environment in the Aral Sea basin;
- mobilize resources for joint activities on the protection of air, water and land resources. flora and fauna;
- funding for joint research projects and development on transboundary inland waters;
- participate in international programmes and projects to save the Aral Sea and the environmental rehabilitation of the Aral Sea basin.

Interstate Coordination Water Commission (ICWC). ICWC in the structure of IFAS is a joint body, established for joint management of shared waters of Amu Darya and Syr Darya. Aware of the difficult transition period the leaders of water management bodies of the Central Asian countries adopted a declaration, which laid the basis for signing Agreement on cooperation in joint management of use and protection of water resources international sources to promote stability in water management. On the basis of this agreement was created by the Interstate Commission for water coordination (ICWC).

ICWC is going to 3-4 times a year, alternately in the countries of the Aral Sea basin, in urgent cases, gather for extraordinary meetings on specific basins.

In its practical activities of ICWC executive bodies with works in the following main directions:[11].

- river basin management;
- conflict-free water allocation;
- organization of water conservation in transboundary watercourses;
- interaction with hydro meteorological services, forecast and inventory of runoff;
- the introduction of automation of buildings;
- continued work on the improvement of the activities of ICWC and bodies;
- preparing interstate agreements; International relations;
- scientific research;
- training activities.

For the implementation of its activities, the ICWC cooperates with international agencies and donors, such as the World Bank (WB), European Union (EU), the Canadian International Development Agency (CIDA), the Swiss Agency for development and Cooperation (SDC), the Asian Development Bank (ADB), Government of Norway and Finland, UK Department for international development (DFI), the United States Agency for international development (USAID), Japan Water Forum, UNDP, FAO, the global water partnership (GWP), and others.

Scientific research center of Interstate Commission for water coordination (SIC ICWC). SIC ICWC was established by ICWC decisions of 5th December 1992, on the basis of Scientific Research Institute (SANIIRI), and was approved in 1996 as an independent body with functions of planning, development, research and information support for the activities of the ICWC. From April 1999 SIC ICWC is a part of IFAS and has status of international organization.

SIC ICWC carries out its activities with a network of scientific and design organizations of the five Central Asian countries and international organizations, has national branch in

Kazakhstan, Kyrgyz and Tajikistan, which provides research and information exchange at the national level.

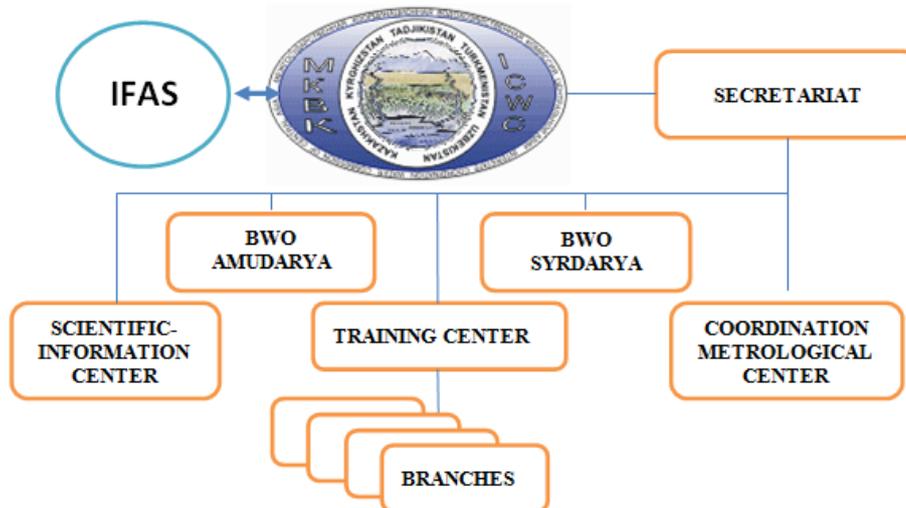


Figure 2 – Organizational structure of ICWC/ Source: «ICWC 20 years».

The information is obtained in SIC, translated, processed, and distributed for information support of water sector of Central Asia.

SIC ICWC consists of:[12]

- directorate of the Division of regional water resources;
- scientific organizational Department;
- department of foreign relations;
- editorial-Publishing Department;
- the regional computer center;
- division of continuing education;
- division of design work.

The Interstate Commission on sustainable development (ICSD). ICSD was established in accordance with article 2 of the agreement on joint action to address the problems of the Aral Sea and Priaral, environmental rehabilitation and socio-economic development in the Aral Sea region, signed by the heads of Central Asian States in Kzyl-Orda March 26, 1993.

The ICSD follows decisions by the Central Asian Heads of State, of the International Fund for saving the Aral Sea (IFAS), the decisions of the United Nations Conference on environment and development (Rio, 1992), as well as this Statute. The main purpose of the ICSD is to coordinate and manage regional cooperation in the field of environment and sustainable development in Central Asian countries.

The main objectives of the ICSD are: [13]

- development of proposals for development of the Aral Sea basin;
- introduction of non-traditional industries;
- develop and implement activities to improve the environment of the Aral Sea region;
- promotion of research on the improvement of the Aral Sea basin;
- adoption of coordinated decisions, promote sustainable development of the region.

All projects of region considered by ICSD and approved/endorsed. On the basis of the approved projects, SDC is a strategy and plan for their integration in the regional action program. To ensure regional coordination of projects to create and maintain database projects of CA countries and donors.

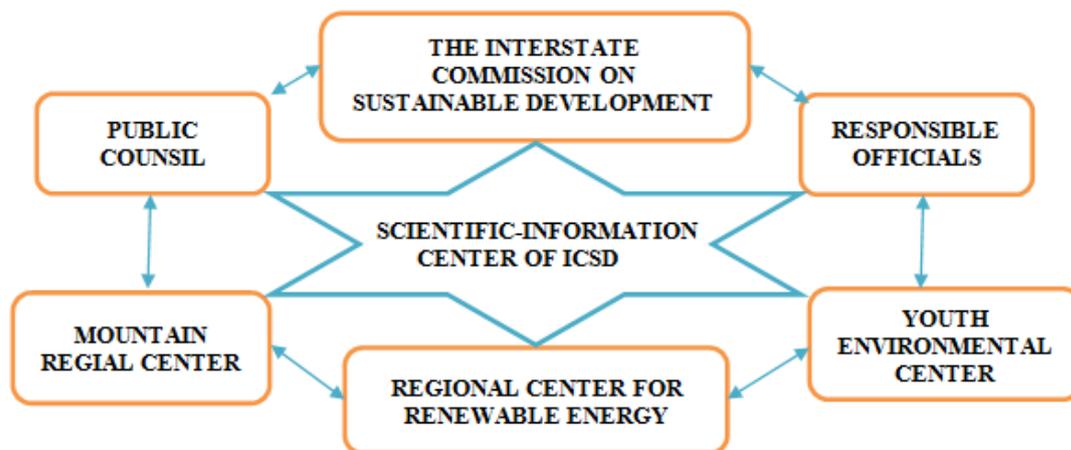


Figure 3 – Structure of the Interstate Commission on sustainable development/ Source «ICWC 20 years»

Scientific-information center of ICSD. Scientific-information center of ICSD was established in August 1995, when the Interstate Commission on sustainable development (IACSD) of the International Fund for Saving Aral Sea (IFAS). In accordance with the approved programme of work and SIC ICSD provides information, software, methodical and consulting support of IACSD.

The main purpose of SIC - establishment of an integrated information system for decision making at the regional and national levels and standardize the collection of socio-economic, scientific-technical and ecological data on the sustainable development of the Aral Sea basin countries.[14]

SIC is covering the following thematic blocks:

- organizational and institutional arrangements;
- carry out activities of ICSD;
- interaction with international environmental organizations;
- plans, reports, etc. documents on sustainable development of the region;
- communication with the public.

At first institutional mechanisms and bodies of water cooperation in Central Asia can be considered as well-balanced and covering all the issues concerning water. But while analyzing the organizational structure of joint institutional mechanisms in Central Asia we see that there are many weaknesses on regional, basin and bilateral levels of governance [15]. The main problems concern its organizational structure – not clear hierarchy system, misunderstanding in interrelations, rotational functioning of executive bodies and others.

There is a complex of problems with institutional character in water governance in Central Asia. The mechanism as a whole needs to be improved.

**Conclusion.** Central Asian countries, having the common historical background and strongly dependent from each other, is developing wide range of instruments and mechanisms for providing better bilateral and multilateral cooperation in all the spheres. Existing of transboundary rivers with the significant importance gives rise to the need to create joint mechanisms on managing shared waters.

All of the above-mentioned mechanisms for providing better bilateral and multilateral cooperation are very wide and general, without going into details. It happens because each case of joint management of water bodies by countries has its peculiarities and it is not possible to create unique rules applicable to each situation.

Analysis of current legal frameworks for establishing bilateral and multilateral mechanisms for cooperation in the region of Central Asia has shown the weaknesses of the

system – existing bilateral and multilateral agreements seem to be not legally binding, although they are, and documents with recommendatory character remains “just beautiful words”.

Although it is possible to establish new joint bodies on water management in Central Asia (as it was proclaimed by Framework Convention on the protection of the environment for sustainable development in Central Asia, 2006), the system, regulating management of transboundary waters in Central Asia should be reformed as a complex. Joint bodies are not a panacea from all the problems, but they are the most important and efficient tool for better and transparent cooperation between countries on the common water objects. The number of agreements in Central Asia in comparison with the Agreements on establishment of Chu-Talas Commission has shown that only by creating joint executive mechanism the agreement provisions can be successfully implemented.

There is no doubt about the necessity to create joint bodies in Central Asia. All the problems, which cannot yet be solved by signing new document, will probably be resolved in the frames of the organization, involving all the riparian states and created by them.

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