

Agreement between the Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Tajikistan, Turkmenistan and the Republic of Uzbekistan on Cooperation in the Field of Joint Management on Utilization and Protection of Water Resources from Interstate Sources

The Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Tajikistan, Turkmenistan and the Republic of Uzbekistan hereinafter referred to as "the Parties",

guided by the need for coordinated and organized solution of issues related to joint management of interstate water resources and for further pursuing coordinated policy in the interests of economic growth and raising living standards;

based on the historical community of people living in the republics, their equal rights and responsibilities for ensuring rational use and protection of water resources;

recognizing interdependence and interconnection of interests of all the republics in dealing with joint use of water resources according to the principles common for the entire region and equitable regulation of their use;

considering that only integration and joint coordination of actions will enable favorable conditions to deal with socio-economic problems, mitigate and stabilize ecological stress, which originated as a consequence of water resources exhaustion, as well as taking into account that there is imbalance in irrigated land availability per capita in the Republic of Tajikistan, and recognizing potential increase of water supply for irrigated agriculture,

respecting established structure and principles of water allocation and relying on regulatory documents on allocation of water resources from interstate sources currently in force;

have agreed upon the following:

Article 1

While recognizing community and integrity of water resources in the region, the Parties shall have equal rights to water use and responsibility to ensure rational use and protection of water.

Article 2

The Parties shall ensure that the agreed procedure and established rules for water use and protection are strictly observed.

Article 3

Each Party to the Agreement shall refrain from actions on their respective territories that might affect interests of other contracting Parties and cause them harm, lead to deviation from agreed volumes of water discharges and pollution of water sources.

Article 4

The Parties shall work together to address environmental problems resulted from drying up of the Aral Sea and set amounts of sanitary water releases for every given year in view of water content in interstate sources.

In case of extremely dry years, a special separate decision shall be made to supply water for areas experiencing severe water scarcity.

Article 5

The Parties will facilitate wide information exchange on scientific and technological advances in the field of water management, integrated use and protection of water resources [as well as promote] joint research to provide scientific and technological inputs and expert appraisals of project plans of water management facilities and economic assets.

Article 6

The Parties agree on joint use of productive potential of the republics' water economy.

Article 7

The Parties decided to establish on a parity basis Interstate Commission for Water Coordination to deal with the issues related to regulation, rational use and protection of water resources from interstate sources, which would be comprised of the heads of water agencies to meet quarterly and as the occasion requires - on the Parties' initiative.

The Commission's meetings are held by turns under the chairmanship of the host country's representative in the capital of this country.

Article 8

The Interstate Commission for Water Coordination is authorized to:

- determine water policy in the region, elaborate its key directions taking into account all economic branches needs, integrated and rational use of water resources, and long-term regional water supply program and measures for its implementation;
- elaborate and approve annually water consumption quotas for each republic and the region as a whole, schedules for reservoir operation regimes, their correction according to revised forecasts, depending on actual flow probability and water-economic situation.

Article 9

The executive and interministerial control bodies of the Interstate Commission for Water Coordination are Basin Water Organizations "Syrdarya" and "Amudarya", which must function under conditions that all structures along the rivers and water sources operated by these organizations are the property of the republics and provisionally transferred [to BWOs] without the right of disposal and redemption as of 1.01.1992.

The Basin Water Organizations are financed through allocation of national water agencies on parity and shared basis.

Article 10

The Commission and its executive bodies shall ensure that:

- water releases regime and water use quotas are strictly observed;
- measures for rational water use and conservation, sanitary water releases along the river channels and through irrigation systems (where appropriate), and guaranteed water supply to river deltas and the Aral Sea with a view of environmental enhancement and water quality maintenance, according to achieved agreements, are implemented.

Article 11

Decisions taken by the Interstate Commission for Water Coordination regarding compliance with established water withdrawal quotas, rational water use and protection are mandatory for all water consumers and users.

Article 12

The Parties agreed to elaborate within 1992 a mechanism of economic and other liability for violation of the agreed water use regime and quotas.

Article 13

All disputes shall be settled by the heads of national water agencies, with involvement of third party, if necessary.

Article 14

This Agreement can be amended or supplemented only through collective discussion by all the Parties to the Agreement.

Article 15

This Agreement shall become effective on the date of signing.

The Agreement is signed in Alma-Ata on the 18th of February 1992.

For the Republic of Kazakhstan N.Kipshakbayev

For the Kyrgyz Republic M.Zulpuyev

For the Republic of Tajikistan A.Nurov

For Turkmenistan A.IIamanov

For the Republic of Uzbekistan R.Giniyatullin