

On behalf of
the Republic of Uzbekistan Government

I.Djurabekov

PROTOCOL No 16

Jubilee session of ICWC of the Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Tadjikistan, Turkmenistan and the Republic of Uzbekistan

April 22, 1997

Dushanbe

ATTENDEES:

Sarsenbekov T.T.	Chairman of the Committee on Water Resources of the Republic of Kazakhstan
Bekbolotov Zh.B.	First Deputy Minister of Water Resources and Agriculture of the Kyrgyz Republic
Ashurov N.A.	Minister of Melioration and Water Resources of the Republic of Tadjikistan
Deryakuliyev D.	First Deputy Minister of Melioration and Water Resources of Turkmenistan
Kamalov T.	First Deputy Minister of Water Resources and Agriculture of the Republic of Uzbekistan

INVITEES:

Eshmirzoyev I.	Deputy Prime Minister of the Republic of Tadjikistan
Kurbanbekov D.	Chief of the sector of the Department of Ecology and Emergency Situations of the Machinery of the President of the Republic of Tadjikistan
Abdujabarov T.	Deputy Minister of Water Resources of the Republic of Tadjikistan
Yusupov B.	Chief of the Department of Water Resources of the Ministry of Agriculture and Water Resources of the Republic of Uzbekistan
Goshayev D.	Deputy Director of the Main Department for Ex-

Sokolsky Yu.I.	exploitation of the Ministry of Water Resources of Turkmenistan Chief of Department of Science and Technique of the Ministry of Water Resources of the Republic of Tadjikistan
Nosyrov N.K.	Director of SPA TadjikNIIGiM
Kolesnikov A.I.	Director of the Institute "Tadjikgiprovodkhoz"
Khamidov A.	First Deputy Director of the Leninabad oblvodkhoz
Kurbanov S.K.	Director of Kurgantyube oblvodkhoz
Kalandarov I.	Director of BWO "AmuDarya"
Tilyanova G.K.	Chief of Department in BWO "AmuDarya"
Baratov S.B.	Chief of Kurgantyube Administration of hydroworks, BWO "AmuDarya"
Khamidov M.Kh.	Director of BWO "SyrDarya"
Leshansky A.I.	Chief of Department in BWO "SyrDarya"
Dukhovny V.A.	Director of SIC ICWC
Kasimov A.K.	Director of Tadjik branch of SIC ICWC
Negmatov G.A.	Chief of the Secretariat of ICWC

Chairman of the Session was N.A.Ashurov - Minister of Melioration and Water Resources of the Republic of Tadjikistan.

AGENDA:

1. Report on the use of the limits of water resources in non-vegetation period of 1996-1997 water management year and approval of the schedule of operation of the reservoirs on AmuDarya and SyrDarya rivers for vegetation period.

(Responsible: BWO "AmuDarya" and BWO "SyrDarya")

2. Process of implementation of the "Program of concrete actions".

(Responsible: members of ICWC, BWO "AmuDarya", BWO "SyrDarya", SIC ICWC)

3. Draft agreement on improvement of the activity of the water management organizations and improvement of legal documents on water resources management of the Aral Sea basin.

(Responsible: SIC ICWC, BWO "AmuDarya" and BWO "SyrDarya")

4. Additional issue.

Draft decision of ICWC on improvement of the activity of the interstate water management organizations in connection with the decision of the Heads of states of February 28, 1997.

(Responsible: SIC ICWC, BWO "AmuDarya" and BWO "SyrDarya")

5. Additional issue.

Nomination of former leaders of the water management organizations of the Central Asian states - founders of ICWC as honored members of ICWC.

Having heard the speeches of the participants of the session and exchanged opinions the members of ICWC resolved:

The first issue:

1. To approve the arrangements of BWO "AmuDarya" and BWO "SyrDarya" on realization of the limits of water intakes and providing of the adopted schedule of operation of reservoirs on AmuDarya and SyrDarya for non-vegetation period of 1996-1997 water management year.

2. To take into consideration specified limits of water intakes from AmuDarya and SyrDarya rivers, schedules of operation of the cascades of reservoirs for vegetation period of 1996-1997 water management year and volumes of water diversion to the Aral Sea Coast, determined on the basis of forecasting of hydrometeoservices of the CAR on expected availability of water supply for the designed period.

3. In case of any changes in the water management situation on actual water content in the river basins of the region, to authorize BWO "SyrDarya" and BWO "AmuDarya" to correct limits of water intakes and schedules of operation of the cascades of reservoirs under the condition that specified changes variate within the limits of 10% from the total volume of allocable water resources/

In cases when deviations exceed 10% BWO should immediately submit their proposals on adjustment of the limits on the regular session of ICWC for consideration.

4. With the purpose of involving the reserves in the total water supply in the SyrDarya river basin using the possibility of releasing water from Kayrakkum reservoir down to the level of dead storage (some 900 mln. m³, 340,6 m), the State Committee of Water Resources of Kazakhstan, Ministry of Agriculture and Water Resources of Uzbekistan, Ministry of Water Resources of Tadjikistan with participation of BWO "SyrDarya" should make technical decision on this issue before the end of April and to implement it immediately using joint efforts during May-June.

5. Members of ICWC should inform the governments of their states on the catastrophic character of existing water management situation with respect to the availability of water resources in SyrDarya river basin in connection with the failure to fulfil obligations and forthcoming period of low water supply (nearest 3-4 years) and to suggest the following arrangements:

- to appeal to the Governments of Kazakhstan, Uzbekistan, Tadjikistan with the request to elaborate immediately concrete urgent energy measures on the redistribution of electroenergy in order to free the volume in the Toktogul reservoir during May (some 500...600 mln. m³ of water) for the subsequent period at the expense of payment for the supply of electroenergy to Kyrghizstan from the general energosystem of the Central Asia;
- to note an extremely unsatisfactory forecasting of the flow by the organs of Main Hydrometeoservice and to instruct SIC ICWC and BWO "SyrDarya" jointly with hydrometeoservices with preparing of proposals on the development of works on the specification of flow forecasting;

- entrust SIC ICWC jointly with BWOs with working off the possibility of a long-term solution of the problem of integration of the irrigation and energy demands on both basins at the expense of joint financing of the construction of additional regulating capacities (Kambarata, Rogun). This should be done before the next session of ICWC.

The second issue:

1. To adopt the protocol decision on "The progress of implementation of the Program of concrete actions on the socio-economic and ecological situation improvement in the Aral Sea basin" and to instruct SIC ICWC to send it to EC IFAS, WB, EU and USAID.

2. To note that financing and implementation of work at the expense of own means of the water management organizations is carried out insufficiently in accordance with the plan approved by ICWC (actually, only Uzbekistan participated, and partially - Kazakhstan and Tadjikistan). The agreement between ICWC and EC ICAS (Yu.Bobko) on financing of the projects 1.2, 1.3 and 2.2, at the expense of IFAS, is not fulfilled.

Members of ICWC should undertake measures on providing of financing for the realization of the approved plan of this work using the funds of countries-participants.

The third issue:

1. To agree in general with the principle provisions of the submitted drafts agreements and introduced changes in accordance with the adjustments in the structure of IFAS and ICAS.

2. To entrust SIC ICWC (V.Dukhovny) to agree with new EC IFAS the principles of legal, functional and administrative-financial interrelations between EC IFAS and ICWC.

3. To agree with the provision on the international status of ICWC as an independent international organization included in the draft agreement on development of co-operation and improvement of activity of the interstate organizations in the sphere of protection, use and development of water resources of the basin.

4. Within a month, to submit, on behalf of ICWC, after introducing changes in accordance with the final comments of the water management organizations of the Parties, the drafts of aforementioned agreements for the consideration by the Governments of the republics and to organize governmental working groups to analyze and endorse the agreements at the intersectorial level.

The fourth issue:

Proceeding from the decision of the Heads of States as of 28 -th February 1997 regarding the reorganization of the structures of ICAS and IFAS and the necessity of increasing of the responsibility of ICWC for the man-

agement of water resources of the region and their development with the consideration of preserving the mutual understanding and equilibrium of water use in the basin and meeting interests of the CAR, the Parties agreed to adopt the following provisions:

1. Members of ICWC are ministers or persons authorized by the governments charged with the issues of regulation of water resources.

2. Members of ICWC representing their countries are obliged at the same time to take into account interests of the basin as a whole and of the Aral Sea.

For these purposes SIC ICWC is intrusted with elaborating a common regulation for the adoption of ICWC decisions. In particular, in order to prepare the agreements under the leadership of ICWC, it can be recommended to form special standing (temporary) conciliation commissions in each country composed of representatives of concerned ministries and official departments. These commissions shall elaborate common and agreed inside country points of view on the considering issues and submit them for consideration at the meeting of ICWC.

3. In order increase the binding force of ICWC decisions for all subjects of water use in the basin and to reinforce the confidence between all CAR, it is expedient to ask the governments to establish the following order: before the beginning of the water management year ICWC session shall be conducted once a year attended by Vice-Premiers supervising agricultural and water management sectors and representatives of Ministries of Finance, Environment, Energy and main water users, if necessary. Arrangements for a year on establishing regimes and limits of water use, plans of financing of the interstate water organs, repair and exploitation, design and construction works on the objects and problems of the interstate significance should be approved at the session.

4. SIC ICWC should prepare a separate agreement (regulation) on the interaction between ICWC and EC ICAS regarding the order of:

- financing of the interstate programs and projects associated with water resources;
- representing by EC IFAS of the interests of the Aral Sea and the Aral Sea Coast in water use respectively establishing of certain volumes of water for this purpose. For this end, it is necessary to include in the composition of ICWC Chairman of EC IFAS to represent the ecological water users in the basin;
- endorsement of principle documents on management, development and protection of water resources in the Aral Sea basin (water strategy, agreements, norms).

5. Implementation of decisions of Heads of States of January 11, 1994 regarding the international status of ICWC organs in fulfilling interstate functions to ensure activity on management and development of water resources should be realized by incorporating of this status in the agreement prepared and submitted to the members of ICWC for the endorsement and subsequent approval by the governments of the countries-participants.

The fifth issue:

Taking into account merits in the creation and organization of ICWC which encourages strengthening of the economy and friendly relations among the people of the Central Asia to nominate its founders as honored members of ICWC: Kipshakbayev N.R., Zulpuyev M.Z., Nurov A.N., Ilamanov A.I., Giniyatullin R.A.

The regular meeting of ICWC shall be convened in Urgench (Republic of Uzbekistan) in the first decade of July, 1997.

AGENDA OF THE REGULAR XVII SECCION OF ICWC

1. Regulating of water diversion to the Aral Sea and the Aral Sea Coast and water use in deltas.

(Responsible: BWO "AmuDarya", BWO "SyrDarya", SIC ICWC)

2. Elaboration of regional criteria of the water resources use in the basin.

(Responsible: SIC ICWC)

3. Information of the members of ICWC and their organizations on the implementation of ICWC decisions made in 1996-1997.

(Responsible: members of SIC ICWC, BWO "AmuDarya" and BWO "SyrDarya")

On behalf of the Republic of Kazakhstan	Sarsenbekov T.T.
On behalf of the Kyrghiz Republic	Bekbolotov Zh.B.
On behalf of the Republic of Tadjikistan	Ashurov N.A.
On behalf of Turkmenistan	Deryakuliyev D.O.
On behalf of the Republic of Uzbekistan	Kamalov T.K.