

## Регулятивные инициативы государств Центральной Азии в вопросах решения трансграничных водных проблем

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**Аннотация:** После распада СССР страны Центральной Азии оказались перед лицом серьезных региональных вызовов, препятствующих конструктивному межгосударственному сотрудничеству. Среди таких вызовов особо следует выделить проблему трансграничных водных ресурсов. Отсутствие согласованной политики регулирования водных потоков продолжает ставить страны Центральной Азии в уязвимое положение, негативно отражаясь на их национальной безопасности, социально-экономическом развитии и экологической ситуации в регионе. На протяжении всего своего суверенного развития страны региона пытались решать трансграничные водные проблемы путем сочетания внешних и внутренних механизмов. Однако решение проблемы, которое отвечало бы национальным интересам всех заинтересованных стран, найдено не было.

В последнее время правящие элиты стран Центральной Азии активизировали процесс решения водной проблемы, проявив политическую волю, и выдвинули ряд инициатив. Большая роль в оживлении данного вопроса принадлежит Узбекистану, который открыл новую веху в урегулировании водно-энергетических конфликтов в регионе. Руководство Узбекистана демонстрирует желание конструктивно решать водную проблему на региональном уровне. В этой связи большое значение в решении трансграничных водных проблем Центральной Азии приобрели предложения президента Узбекистана Ш. Мирзиёева. В 2018 году Ш. Мирзиёев выдвинул инициативу принятия Региональной программы рационального использования водных ресурсов в Центральной Азии, а также незадолго до этого выразил желание принять участие в реализации совместных гидроэнергетических проектов с Кыргызстаном и Таджикистаном. Анализируя современные сдвиги в водно-энергетическом вопросе, можно говорить о повышении доверия между странами Центральной Азии и начале формирования новой региональной межгосударственной модели отношений по распределению трансграничных водных ресурсов.

**Ключевые слова:** Центральная Азия, гидроэнергетический потенциал, трансграничные водные проблемы, водные инициативы стран Центральной Азии, бартерная система

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## Regulatory Initiatives of Central Asian Countries in Addressing Transboundary Water Issues

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**Abstract:** After the collapse of the USSR the Central Asian countries found themselves facing serious regional challenges that hinder constructive interstate cooperation. Among such challenges the problem of transboundary water resources should be highlighted. The lack of a coordinated policy for regulating water flows continues to put the Central Asian countries in a vulnerable position, negatively affecting their national security, socio-economic development and the environmental situation in the region. Throughout their sovereign development the countries of the region tried to solve transboundary water problems by combining external and internal mechanisms. However, a solution to the problem that would meet the national interests of all interested countries was not found.

Recently the ruling elites of the Central Asian countries have intensified the process of solving the water problem showing political will. They put forward a number of initiatives. A big role in reviving this issue belongs to Uzbekistan which has opened a new milestone in the settlement of water and energy conflicts in the region. Uzbekistan demonstrates a desire to solve the water problem constructively at the regional level. In this regard the proposals of the President of Uzbekistan Sh.Mirziyoyev acquired great importance in solving the transboundary water problems of Central Asia. In 2018 Sh. Mirziyoyev put forward the initiative to adopt a Regional program for the rational use of water resources in Central Asia. Shortly before that he expressed a desire to participate in the implementation of joint hydropower projects with Kyrgyzstan and Tajikistan. Analyzing the current shifts in the water and energy issue we can talk about increasing trust between the countries of Central Asia and the beginning of the formation of a new regional interstate model of relations on the distribution of transboundary water resources.

**Keywords:** Central Asia, hydropower potential, transboundary water problems, water initiatives of the Central Asian Countries, barter system

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## BACKGROUND

After the collapse of the USSR the issue of rational use of water resources became one of the most vital transnational problems for the Central Asian countries. Water issues were of political and socio-economic importance in the process of searching for an independent way of state development. Every country established its sovereign rights to water resources within its state borders at the legislative level. The consequences of these national approaches were particularly sensitive for downstream countries whose irrigation systems depended on transboundary water resources.

Water is the key to successful national development of the all Central Asian countries. However, only Kyrgyzstan and Tajikistan, located in the upstream of the two main regional rivers – the Syr Darya and Amu Darya, have full access to water. Kazakhstan, Uzbekistan and Turkmenistan, located in the downstream, suffer water scarcity. Unequal distribution of water resources negatively affects the regional situation.

Transboundary water problems between Central Asian countries can be deepened by global climate changes [1]. The Central Asian countries are most vulnerable to climate changes because they are located in arid zones. Climate changes could reflect poorly on the agricultural sector which is an important area of activity in the whole region. Climate changes, population growth can escalate the struggle for water resources and lead to a regional war.

In order to solve the water problems of Central Asian countries measures are tak-

en at the global and regional levels. Through the mechanisms of the UN and particular countries (EU countries, Russia, China, etc.) they are trying to create a legal ground for developing a strategy for the effective use of water and energy resources in Central Asia. Despite the proposed policy initiatives for water resources management and existing mechanisms for coordination of transboundary water problems in the region this issue remains on the agenda. It should be understood that the solution of the transboundary water problems in Central Asia largely depend on the political will of the leaders of the national republics. A number of researchers rightly claim that “the will and the ability of the state to act go hand in hand. They are sure, “without the ability of the state to develop and implement a political line, good political commitments may not be realized” [2]. For example, the adopted strategy of liberal economic transformation in Uzbekistan dictates the country’s leadership to adopt a more conciliatory position in water and energy conflicts with its neighbors. This is one of the factors that stimulate the beginning of the next stage in solving transboundary water problems. In this regard, it is relevant to consider the initiatives of political leaders of Central Asian countries to solve the problems of efficient using transboundary water resources.

The Central Asian countries can be divided into two groups according to their water use goals. Kyrgyzstan and Tajikistan belong to the first group because they are interested

in using water for energy projects. Uzbekistan, Turkmenistan and Kazakhstan belong to the second group because they use water for irrigation systems in the summer. In spite of different goals water resources are the common property of the region and require collective efforts to create an equitable system for their use.

### **WATER AND ENERGY RESOURCES OF CENTRAL ASIA**

The countries of Central Asia are closely connected by four major rivers – the Amu Darya, the Syr Darya, the Tarim and the Irtysh. It is difficult to overestimate the historical significance of the Amu Darya (Oxus) and Syr Darya (Yaxart) for the development of an ultimate life of the region population. Thanks to the flows of these rivers trade, economy, and culture developed.

Central Asia is self-sufficient region in water resources. There are more than 4,000 reservoirs among which the largest are the drying up lake-the Aral Sea, the Issyk-Kul and the Balkhash [3]. Approximately 55,4 % of the total flow of the Aral Sea basin is generated within Tajikistan, 25,3 % in Kyrgyzstan, 7,6 % in Uzbekistan, 3,9 % in Kazakhstan, 2,4 % in Turkmenistan and 5,4 % in Afghanistan, China and Pakistan [4].

Plentiful water resources are concentrated in Kyrgyzstan. Such large rivers as the Chu, Naryn and Talas create favorable opportunities for the development of hydropower. Kyrgyzstan is the third hydropower country in the Post-Soviet space after Russia and Tajikistan. There are 7 major power stations in Kyrgyzstan: Toktogul, Kurpsay, Shamaldysay, Tash-Kumyr, Uch-Kurgan, Kambaratinskaya-2 and At-Bashinskaya. Kyrgyzstan needs foreign investment to develop its hydropower potential.

Tajikistan, which is located in the basin of the Syr Darya and the Amu Darya, forms

about 60 % of transboundary water resources. The main rivers of Tajikistan include the Vanj, Pyanj and Zeravshan. Tajikistan is the 6th hydropower country in the world. The country has such large hydroelectric power stations as Nurek (provides the country with 70 % of electricity) and Rogun (only 2 units operate and 4 need investment to start). However, Tajikistan faces the problem of inefficient use of the country's hydropower potential. According to experts calculations the hydropower potential of rivers in Tajikistan is currently used by an average of only 3,24 % [5].

### **NATIONAL INTERESTS AND WATER INITIATIVES OF CENTRAL ASIAN COUNTRIES**

Kyrgyzstan is interested in exporting electricity because of the power hydroelectric potential. It helps to solve a number of socio-economic problems. The governance of the republic considers electricity as a strategic product from the sale of which they can get a good profit. The Kyrgyz ruling elite is based on this approach to transboundary water problems in the region. In 2018 ex-President of Kyrgyzstan S. Jeenbekov, speaking at the 73rd session of the UN General Assembly, noted that the republic "stands for the development and implementation of mutually beneficial economic mechanisms in Central Asia" in solving water problems in the region [6]. In addition, Kyrgyzstan plans to return to the system of compensation for the use of water resources based on the renewal of the agreement of 1998. That agreement signed between Kazakhstan, Kyrgyzstan and Uzbekistan in Bishkek. A year later, Tajikistan joined the agreement, which was based on a barter exchange mechanism according to which Kyrgyzstan had to supply water to the downstream countries during the summer period. In exchange for water Kazakhstan and Uzbekistan had to supply Kyrgyzstan with energy resources (coal, gas, heating oil, electricity) or cash [7]. Fuel resources

supplied to Kyrgyzstan from neighboring countries were used for thermal power stations in the autumn-winter period. The signing of the agreement symbolized not only the beginning of a new multilateral stage of cooperation between the countries of the region but also allowed to stabilize the water management situation and energy supply throughout the region [8].

Considering that the country's interests are not taken into account in the framework of the multilateral format of cooperation — the international Fund for saving the Aral Sea (IFAS), established in 1993, Kyrgyzstan stopped its participation in this structure. According to the Kyrgyz government in order to create a fair water allocation system in the region it is necessary to return to the “compensation mechanism for the use of water and energy resources” [9].

Tajikistan pays close attention to water diplomacy as the most important factor in solving socio-economic problems [10]. The Republic is known for its international initiatives on water issues. At the suggestion of Tajikistan the UN General Assembly declared the international year of freshwater in 2003, the International decade of action “Water for life” in 2005, the international year of water cooperation in 2013, and the International decade of action “Water for sustainable development” in 2018. Thus, Tajikistan is more inclined to present its position not at the regional level, but on the platform of international institutions.

Tajikistan, as well as Kyrgyzstan, believes that it is necessary to implement economic mechanisms in the use of transboundary water resources [11]. From the point of view of Tajikistan all countries in the region should strive for closer economic cooperation and create conditions for the free movement of goods, services and labor resources.

Meanwhile, in Tajikistan, there is a factor that generates tension in the water problems

of Central Asia. The largest hydroelectric power station Rogun is being constructed in Tajikistan. It is a national project of the country, which will allow not only to ensure energy security but also to become the main supplier of electricity to neighboring countries. However, countries experiencing water scarcity, especially Uzbekistan, opposed the construction of such large hydroelectric power stations, considering this project as a threat to the environmental security of Central Asia. Back in 2012 the first President of Uzbekistan, Islam Karimov, warned the countries of the region against a possible war that could start over water resources because of such constructions. At the present Uzbekistan behaves rather restrained and shows a desire to solve water problems with Tajikistan in a constructive way. Like Kyrgyzstan, Tajikistan views water as an important strategic resource and links its future sustainable development to hydropower. Thus, in the National development strategy of the Republic of Tajikistan for the period up to 2030 it is noted that “further development of hydropower capacity... will allow Tajikistan to become a regional leader in the production and transit of cheap and environmentally pure energy” [12].

Thus, Kyrgyzstan and Tajikistan, having no hydrocarbon resources, consider water as a strategic resource that allows them to implement their national goals. Significant water supplies allow these two countries in the region to generate electricity not only for domestic needs but also for export. Consequently, these countries' approach to solving transboundary water problems in the region is based on economic pragmatism.

For Kazakhstan, Uzbekistan and Turkmenistan water is vital for the development of agriculture and food security. In this regard, the countries follow the principle that “water is a free natural gift and cannot be the property of individual countries” [13].

Kazakhstan has always sought to rely on a multilateral approach in solving water problems in the region considering unilateral actions are not effective [14]. In August 2018 at the annual summit of the heads of state of the founders of the international Fund for saving the Aral Sea, former President of Kazakhstan N. Nazarbayev took the initiative to create an International water and energy consortium of Central Asia. N. Nazarbayev first proposed this idea in 2003. During that historical period all five countries of the region gradually moved towards regional integration expanding multilateral cooperation within the regional structure “Central Asian cooperation” (CAC). Then it was proposed three consortia to be created within the CAC: water and energy, food and communications [15]. This would allow the countries of the region to solve domestic problems and reach a new level of interstate cooperation. At the same time the former President of Kyrgyzstan A. Akayev proposed the creation of such a supranational structure. This project was called the “Water code”, which was supposed to develop a legislative act that was obligatory for all participants and “stands above national legislation” [16]. However, this idea was never implemented in practice. An interesting fact is that in 2003 a study was conducted in Kyrgyzstan on the topic related to the prospects for the development of relations between the countries of the region on the water issues [17]. This study was based on the opinions of experts, scientists and government representatives from four Central Asian republics, with the exception of Turkmenistan. Experts’ opinions differed on the issue of creating a water and energy consortium in the region. Most experts from Kyrgyzstan criticized this idea, considering that such a structure would not have any significant effect at the regional level.

Uzbekistan, which is 80 % dependent on transboundary water resources, moved from

an uncompromising position to a constructive dialogue on the water issue after the change of government in 2016. The country is facing an urgent issue of establishing a system of uninterrupted water supply for the development of agriculture which generates a significant part of GDP and employs more than 40 % of the country’s population. When Islam Karimov was president, Uzbekistan had tense relations with its neighbors on the issue of water resources. The water issue repeatedly caused acute contradictions between Uzbekistan and Tajikistan. The next phase of the conflict between the two countries began in 2010 when Uzbekistan categorically opposed the construction of the Rogun hydroelectric power station in Tajikistan. According to Uzbekistan this project would not only disrupt the supply of water to the downstream countries but could also lead to irreversible environmental consequences. At the present Uzbekistan is interested in developing and strengthening regional cooperation on the rational use of water resources. Thus, a new approach to solving water and energy problems in the region was proposed by the President of Uzbekistan Sh. Mirziyoyev in August 2018. Speaking at a meeting of the heads of the countries of the IFAS the President of Uzbekistan took the initiative to adopt a Regional program for the rational use of water resources in Central Asia [18]. This program will be preceded by a regional conference with the participation of representatives of the scientific community. The current Uzbekistan government pursues the reform policy that requires a departure from the irreconcilable position and a transition to the development of new approaches to cooperation with neighboring countries in the hydropower sector. In 2017 in the context of the implementation of a peace-loving policy Uzbekistan expressed its desire to participate in the construction of the Kambarata hydroelectric power station on the Naryn Riv-

er in Kyrgyzstan. In 2018 Uzbekistan showed a desire to implement a number of hydropower projects together with Tajikistan. The two countries signed an agreement that provides for the construction of two hydroelectric power stations on the Zeravshan river [19].

Turkmenistan, as well as other downstream countries, needs transboundary water resources. Turkmenistan's position is based on the need to involve international structures in solving water problems in Central Asia. In 2018, speaking in Dushanbe at an international conference dedicated to the UN Decade of action "Water for sustainable development, 2018-2028", President of Turkmenistan Gurbanguly Berdimuhamedov proposed to create a specialized body on water issues for Central Asia based on the UN. Turkmenistan opposes considering water as a profitable product and believes that a reasonable balance should be achieved "between economic activity and water resources conservation" [20].

## CONCLUSION

In recent years Central Asian countries trend to move from an inert state to increased efforts to find solutions to transboundary water problems [21]. A new milestone in the settlement of this problem is associated with the revision of Uzbekistan's approaches to cooperation with upstream states. Also the anniversary summit of the IFAS, held on August 24 2018 in the city of Turkmenbashi, gave an impetus to cooperation on water issues between the countries of the region.

An analysis of the regulatory initiatives of the Central Asian countries shows that all countries of the region demonstrate a desire to solve the transboundary water problems. But they see different ways to solve it. Turkmenistan and Tajikistan tend to use the UN mechanisms while Kazakhstan, Uzbekistan and Kyrgyzstan focus on the regional format of interaction [22]. Of all the countries

in the region Kyrgyzstan and Tajikistan experience the greatest difficulties in their socio-economic development. Therefore, water for them will continue to be considered as a potential source of income. This position of the upstream countries makes almost inevitable political and economic conflicts in the region in the future. However, in all the proposed initiatives of the political leaders of the Central Asian countries, the idea of constructive interstate relations is a refrain. The demonstration of the above-mentioned initiatives opens up an opportunity to reach a new level in solving the water problem. In addition, global climate changes requires a coordinated response to natural and climate challenges that will affect all Central Asian countries without exception.

Considering the different approaches of Central Asian countries to solving transboundary water problems the best solution would be to study the experience of the barter system that existed in the Soviet period. The upstream countries provided water to the downstream countries and the latter paid for it with hydrocarbon resources. Thus, the principle of mutual exchange will guarantee the fair distribution of water resources in the region and will become a stabilizing factor. A return to the barter system will not only provide all the countries of the region with the necessary resources but also bring interstate relations to a higher level, opening the way to strengthening cooperation in the trade and economic sphere. The formation of such a system of interdependence can become a prerequisite for creating a regional integration structure speeding up the processes of regionalization.

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