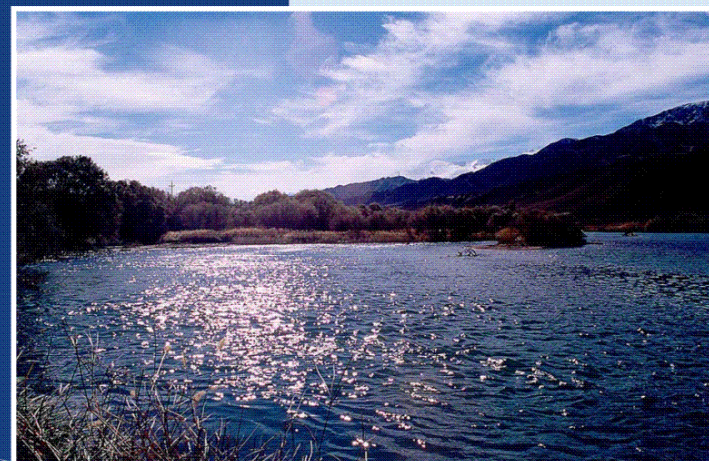


Report

of the Commission
of the Republic of Kazakhstan
and the Kyrgyz Republic
on the Use of Water Management
Facilities of Intergovernmental
Status on the Chu and Talas Rivers
on its activities in 2006–2007



Чу-Таласская
Водохозяйственная
комиссия



The Chu and Talas river basins

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Preface



Central Asia is a unique region, where the fraternal concord of professional water specialists from five countries achieved over many decades could be alienated neither by occasional water rivalries nor by border control posts.

The water resources management agencies of Kazakhstan and Kyrgyzstan led by us strive, above all, to serve our people, to bring life-giving water to each home and each plot of land. At the same time, we keep remain true to good regional traditions



and emphasize the strengthening of cooperation between Central Asian countries, where a priority has been given to water relations at all times. This is why our Governments have shared the view that the transboundary basins of the Chu and Talas Rivers can and should be a base for introducing new mechanisms for joint efforts by Kazakhstan and Kyrgyzstan to effectively use water infrastructure of inter-State importance. We greatly appreciate the results of joint labour, which provided this initiative with a reliable legal status in the form of the Agreement between the Government of the Republic of Kazakhstan and the Government of the Kyrgyz Republic on the Use of Water Management Facilities of Intergovernmental Status on the Chu and Talas Rivers, signed in 2000.

Due to the support of authoritative international organizations and financial institutions such as the United Nations Economic Commission for Europe (UNECE), the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), the Organization for Security and Cooperation in Europe (OSCE) and the Asian Development Bank (ADB), we have managed to form a participatory organizational structure for implementation of the Agreement. This structure – which includes a bilateral Commission, its permanent Secretariat and expert working groups – was able to achieve notable results in the development of legal, economic and institutional mechanisms for the cooperation of our water agencies in both transboundary basins in a relatively short period of time. The Commission approves and determines schedules for water allocation in the Chu and Talas river basins and determines co-financing by the countries regarding rehabilitation work to enable maintenance of water facilities in accordance with the Agreement.

In general, we are satisfied with these results; however, at the same time we consider them as first steps to achieving sustainable and mutually beneficial cooperation intended for the long term. We have often had to acquire necessary experience by “trial and error”, learning to find compromises on controversial issues. Nevertheless, we are full of optimism and hope that the Chu and Talas river basins will be soon perceived by the international community as areas where integration processes in the water relations of two sister nations have acquired real concrete form.

Anatoly Ryabtsev

**Chairman,
Committee on Water Resources,
Republic of Kazakhstan**

**Co-Chairman of the Commission on the Use
of Water Management Facilities
of Intergovernmental Status
on the Chu and Talas Rivers
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from the Kyrgyz Republic**



Water Management Facilities of Intergovernmental Status on the Chu and Talas Rivers



The Co-Chairmen of the Commission Anatoly Ryabtsev and Baratali Koshmatov sign the protocol on the approval of the Statute of the Commission on July 26, 2006

Introduction

Developing cooperation in the sphere of joint use and protection of transboundary water resources is overwhelmingly important for global integration processes. In Central Asia, which has experienced a deficit of water resources for a long time, the key issues are ensuring water use on a sustainable basis and preserving water ecosystems. This objectively led to the need for close interaction between the water agencies of the former Soviet republics during the Soviet period. However, after proclaiming their independence, the States in the region had to develop new approaches to the regulation of intergovernmental water relations to address these issues. The joint efforts of Kazakhstan and Kyrgyzstan, dedicated to organization of coordinated use of resources and operation of water infrastructure on the territory of transboundary basins of the Chu and Talas Rivers, may be considered as an example of successful implementation of these new approaches.

An Agreement was signed in January 2000 between the Government of the Republic of Kazakhstan and the Government of the Kyrgyz Republic on the Use of Water Management Facilities of Intergovernmental Status on the Chu and Talas Rivers with the aim of further development of mutually beneficial cooperation based on sound legal foundations.

The Agreement stipulates the obligation of Kazakhstan to recover part of the costs incurred by Kyrgyzstan during the operation and maintenance of canals, dams and reservoirs belonging to Kyrgyzstan, but providing water to both countries. In accordance with the Agreement, the Commission of the Republic of Kazakhstan and the Kyrgyz Republic on the Use of Water Management Facilities of Intergovernmental Status on the Chu and Talas Rivers (hereinafter, the Commission or Chu-Talas Water Commission (CTWC)) was established. The Commission was inaugurated on 26 July 2006 in Bishkek.

The establishment of the Commission on the Use of the Water Management Facilities on the Chu and Talas Rivers between Kazakhstan and Kyrgyzstan in July 2006 was an event of historical significance, which will have far-reaching positive implications for the future development and prosperity of the Central Asian region. We do believe that the establishment of the Chu-Talas Water Commission has not only laid the foundation but also provides an effective framework to ensure advancement of this cooperative process and its sustainability. This will indeed serve as a model for emulation by other countries in institutionalizing cooperation in the management of transboundary waters.

*Kim Hak-Su,
Under-Secretary-General of the United Nations
Executive Secretary of the United Nations
Economic and Social Commission for Asia and the Pacific*

Essential support has been provided for the establishment of CTWC by UNECE, ESCAP, OSCE and ADB; the European Union and the Russian–Estonian Center for Transboundary Cooperation on Peipsi/Chudskoe Lake also provided organizational, methodological and financial assistance to the water agencies of

Kazakhstan and Kyrgyzstan, working on the territory of both transboundary basins.

The experience gained in establishing and operating the Commission may be expanded to other large river basins of Central Asia, involving other interested countries.

I. General Provisions

The basins of the Chu and Talas Rivers are located on the territory of the northern part of the Tian-Shan Mountains and the eastern edge of the vast Turan lowland. The mountainous part of the basins belongs to Kyrgyzstan, and the lowland area to Kazakhstan. The water flow of the Chu and Talas Rivers is entirely formed in the territory of Kyrgyzstan. The total area of the Chu river basin (the river is called Shu in the Kazakh language) is 62,500 km²; the Talas river basin totals 52,700 km². The length of the Chu River is 1,186 km, 336 km of which run through Kyrgyzstan and 850 km through Kazakhstan. The total length of the Talas is 661 km, 444 km of which is in Kazakhstan.

The water resources of the Talas River (with an average annual flow of 1.6 km³/year) and the Chu River (with an average annual flow of 6.6 km³/year) are one of the most important factors enabling sustainable social and economic development and ecological equilibrium in the territories of both basins.

Water resources allocation for these two rivers between Kyrgyzstan and Kazakhstan has been traditionally implemented based on principles and conditions developed by the Ministry of Water Management of the former Soviet Union, which are reflected in the following documents:

- For the Talas river basin: in accordance with the "Regulation on water flow allocation in the Talas river basin" of 31 January 1983, and the additional Protocol to this document of 18 July 1983. According to these documents, water resources should be allocated equally between both Parties on an equal basis;
- For the Chu River basin: in accordance with the "Regulation on water flow allocation in the Chu river basin" of 24 February 1983, and additional Protocol of 18 February 1985. According to these documents, water resources should be allocated between both Parties as 58 per cent for Kyrgyzstan and 42 per cent for Kazakhstan.

Both countries adhere to the official position that the indicated conditions of water

allocation are in the interests of both Parties and should be followed in the foreseeable future.

In January 2000, an Agreement was signed between the two Governments on the use of water management facilities of intergovernmental status on the Chu and Talas Rivers (see Annex). The list of these facilities owned by Kyrgyzstan (the scheme is shown on page 2) includes:

- The Orto-Tokoi Reservoir on the Chu River;
- The Bypass Chu Canals on the Chu River;
- The Western and Eastern Bolshie Chu Canals and facilities;
- The Chumysh water allocation project on the Chu River;
- The Kirov Reservoir on the Talas River.

In accordance with Article 3 of the Agreement, Kyrgyzstan, as the Owning Party possessing water management facilities of intergovernmental status, has the right to compensation from the Utilizing Party using these facilities. Compensation shall cover necessary expenses to ensure their reliable and safe operation. The Agreement stipulates that the Parties shall share expenses connected with the operation and maintenance of water management facilities of intergovernmental status and with other mutually agreed activities pro rata according to the amount of water they receive (Article 4). The Agreement provides that during emergencies due to unexpected natural disasters or technical catastrophes affecting water management facilities of intergovernmental status, the Parties shall immediately notify each other and undertake joint activities to prevent, mitigate and eliminate their effects (Article 8), as well to implement joint activities to protect water management facilities of intergovernmental status and adjacent territories from adverse effects of floods, mudflows and other natural disasters (Article 7).

Article 5 of the Agreement also stipulates the intention of the Parties to create permanent commissions to determine the operation regimes of the water management infrastructure listed in the Agreement and the range of necessary expenses for its operation and maintenance. The Agreement came into force in February 2002, after it had been ratified by the Parliaments of both States.

II. Organizational Structure of the Commission

The Chu-Talas Water Commission acts based on a “Statute on the Commission”, approved on 26 July 2006 by the heads of the Committee of Water Resources of the Ministry of Agriculture of the Republic of Kazakhstan and the Department of Water Resources of the Ministry of Agriculture, Water Resources and Processing Industry of the Kyrgyz Republic, on behalf of their respective Governments. The Commission is set up in accordance with the following principles:

- The Commission has been established on a basis of equality: it consists of two parts based on the equal representation principle and works under the leadership of two Co-Chairmen assigned by the Governments of both States;
 - Co-Chairmen and members of the Commission enjoy equal rights and equal responsibility;
 - The Commission implements its powers in the interaction with public agencies of both States, local self-governance bodies, public associations and citizens;
 - In its work the Commission is guided by the approved documents on intergovernmental allocation of water resources in the Chu and Talas river basins, follows the water allocation principles and schedules stipulated in these documents, elaborates those as appropriate and submits them for approval to the Governments of both States;
 - The Commission conducts its sessions in turns on the territory of Kazakhstan and Kyrgyzstan;
 - The Commission makes decisions on the basis of consensus. In the case of disputes with regard to certain matters, Parties should conduct additional consultations and consider those matters at the following session of the Commission;
 - The Commission can involve in its work experts on full- or part-time basis, as well as establish temporary or permanently acting working groups.
- Coordination and organization of activities to implement the 2000 Agreement;
 - Comprehensive assessment and forecasting of the condition of transboundary water facilities of inter-State use;
 - Approval of norms and procedures for water use, and allocation, assessment and accounting of water resources;
 - Approval of water-use quotas, operational regimes of water facilities of inter-State use, and conditions for adjusting of those quotas and regimes depending on actual availability of water resources and water-user demand;
 - Approval of shares to fund actions enabling the required safety level for the infrastructure of inter-State use;
 - Establishment of procedures and organization of participatory actions during emergency situations, and coordination of measures regarding safe discharge of flood waters and combating floods and mudflows;
 - Organization of the sharing of hydrology prognosis, as well as information on the current status of the water management situation and other relevant information;
 - Approval and coordination of implementation of monitoring programmes for water resources and water facilities in the Chu and Talas river basins;
 - Organization of joint research, design and other activities aimed at the development of water use in both transboundary basins.

To enable the effective work of CTWC, the Parties have formed its permanent Secretariat, which is called upon to prepare sessions of the Commission, to address urgent administrative and organization matters, to coordinate activities of its working groups, and to strengthen interaction between projects implemented under the Agreement, including those that are being funded by donors.

To provide expert advice for CTWC, four working groups supported by its Secretariat¹ have

The main tasks of CTWC are the following:

¹ The organizational structure of the Commission is shown on page 15.

been established within the framework of an ADB project.

- The working group on legal and institutional issues;
- The working group on annual water resources allocation;

- The working group on hydro engineering works and reconstruction of water facilities;
- The working group on economics, environmental matters, monitoring and information-sharing.

III. Activities of the Commission

In accordance with the 2000 Agreement, the main activities of the Commission have focused on: (a) approval of water resources allocation in the Chu and Talas river basins between Kyrgyzstan and Kazakhstan; (b) determination of measures to maintain water facilities of inter-State use and provide for their routine and capital repair; and (c) approval of a financing plan for the above measures.

Upon the Commission's approval, the following actions have been implemented: (a) capital repair of a control point of the Orto-Tokoi Reservoir; (b) reconstruction of the Main Canal and hydrometric station downstream of the Chumysh water allocation project; and (c) repair of power equipment and hatch of the Kirov Reservoir, as well as other repair work to enable normal operation of a number of water management facilities.

A. Sessions of the Commission and working meetings of the Secretariat

Commission holds its sessions at least twice a year. During the reporting period, the Commission has conducted four sessions, at which a number of important issues were considered and the following decisions made:

Session 1 (26 July 2006)

- Amendments were made to the Statute on the Commission;
- CTWC Co-Chairmen signed the Protocol on approval of the Statute on the Commission on behalf of the Governments of both States;
- The decisions were made to establish the permanent CTWC Secretariat and to prepare a set of draft Rules of Operation for the

Commission and a draft Statute for the Secretariat;

- Proposals on the set-up of the Secretariat and working groups and their future activities were considered.

Session 2 (22 December 2006)

- Composition of CTWC personnel and distribution of responsibilities between its members were approved;
- Statute of the CTWC Secretariat was approved;
- Plan for co-funding operation and maintenance of the water facilities of inter-State use for 2007 was approved by both Parties;
- CTWC Co-Chairmen were assigned with initiating an appropriate action for the financing of the Secretariat in 2008 from the budgets of their respective countries;
- CTWC workplan for 2007 was approved.

Session 3 (25 April 2007)

- The project proposal "Provision of support to Kazakhstan and Kyrgyzstan for the development of cooperation to manage transboundary waters of the Chu and Talas Rivers" was approved for submission to UNECE and OSCE;
- The decision was made on establishment of a bilateral intersectoral working group to amend the 2000 Agreement; candidatures of national experts for these working groups were approved;
- A proposal on further financial support for Secretariat activities in 2008–2010 within the framework of a new ADB-funded project was considered and approved;

Session 4 (20–22 September 2007)

- A draft Protocol on amendments and addenda to the 2000 Agreement was approved, and the decision was made on the necessity to prepare a draft of the new Agreement, based on the introduction of integrated water resources management principles (IWRM) in the transboundary basins of the Chu and Talas Rivers;
- A draft Statute of the proposed Intergovernmental Basin Council was considered, and the decision was made to conduct additional consultations to enable its further elaboration;
- The results of the mathematical simulation of formation and distribution of water resources in the Talas river basin was considered and approved. The decision was made to introduce those into operation by water agencies of both countries;
- The decision was made to expand the research on mathematical simulation of formation and allocation of water resources to the Chu river basin;
- The results of the work to establish information and control system for water discharge on the Kirov Reservoir were considered and approved;
- A model for a webpage was approved, and its use was allowed on the official CTWC website;
- Project proposals for submission to UNECE and OSCE on the support of CTWC activities for 2008 were considered and approved;
- The CTWC Secretariat was assigned with the preparation of project proposals for the OSCE Centre in Astana, to provide support of the works on assessment of interdependence of surface and ground waters in the Chu and Talas river basins;
- The CTWC Secretariat was assigned with the tasks of preparing project proposals for improvement of a monitoring network in the Chu and Talas river basins, establishing an information and control system for water discharge for other facilities of inter-State use, and starting a search for funding sources for these works;

- A CTWC general workplan for 2008 was approved; the CTWC Secretariat was assigned with the further elaboration of this plan, to be submitted to the next session of the Commission.

According to the Statute on the CTWC Secretariat, its sessions are conducted once every one to two months. During the sessions, apart from administrative and organizational matters, the results of working groups' activities are considered and issues to be reviewed during next sessions of the Commission are identified.

B. Operation and maintenance of water infrastructure of inter-State use

Lands adjacent to water infrastructure, as well as complexes with structures; communication lines; mechanical, power-supply and other equipment; hydrometric stations and gages of monitoring networks; residential, industrial, service and other buildings; areas for water resources protection; forests, etc. are an integral part of the infrastructure for intergovernmental use. Priority actions for CTWC vis-à-vis preparing a detailed, up-to-date listing of the facilities of inter-State use in the short term include:

- Updating the list of sites, communication lines and equipment;
- Specifying spatial boundaries (coordinates) of the called water fund lands, i.e. areas allocated for water facilities;
- Making an inventory of the main water infrastructure on each facility and specifying its depreciation value in comparable prices;
- Assessing the technical condition of the main water infrastructure.

The Commission's working groups have preliminarily determined a structure for co-sharing the costs of management, operation and maintenance (MO&M), thus enabling adequate cost recovery for the following expenses:

- Administrative and management staff and field services personnel;

- Management and maintenance of water infrastructure facilities;
- Regular and capital repairs;
- Prevention and mitigation of the consequences of emergency situations, accidents and natural disasters;
- Monitoring, planning, accounting and reporting operations;
- Protection measures for water resources;
- Development of design and cost-estimate documentation;
- Conduct of research and technical diagnostics;
- Creation and maintenance of computerized control systems, databases and information systems, as well as the CTWC website.

On the basis of this structure, the Commission's working groups prepared plans for the joint financing of operation and management of water infrastructure objects of inter-State use for the period 2006–2008. These plans have served as a foundation for the Parties regarding the planning of their respective annual investments for water infrastructure MO&M in both basins.

C. Creation of information and control systems for water allocation by the Chumysh and Kirov water control structures

Design, installation and implementation of the Information Control System (ICS) for water discharge from the Chumysh water allocation project and the Kirov Reservoir have been achieved. The purpose of ICS is to increase effectiveness of the inter-State water allocation processes by means of the following automatic control operations:

- Measurement of water-gate positions at the facilities regulating water flow and levels, as well as at the reservoir dams;
- Measurement of water levels;
- Control of specified values of water discharge, water levels and positions of water-gates;
- Adjustment of water levels by means of shifting the gates;

- Stabilization of specified water levels and protection of upstream reservoirs from overflowing;
- Stabilization of specified water flows;
- Run-off forecast for irrigation water sources and calculation of water balance in the system;
- Calculation of the water volume stored in the Reservoir, and determination of Reservoir's emptying or replenishment time;
- Direct control of mechanisms enabling shifting of facilities' water-gates.

The ICS software works in real-time mode, adding information to the database every hour. It thus enables information-sharing for monitoring devices and data entry for displays and printers, tracks conditions via a security alarm system, and provides automatic analysis of communication from every sensor.

CTWC representatives took part in the ICS testing at the Chumysh water allocation project and the Kirov Reservoir, and noted with appreciation the system's technical and operational characteristics. After studying the results of the system's pilot introduction, the Commission decided to continue the work of equipping other water facilities of inter-State use with similar ICS systems, for which it decided to find additional funding sources.

D. Mathematical simulation of formation and allocation of water resources in the Talas River basin

A mathematical model and software for automated calculations of formation and distribution of water resources have been developed to solve the following tasks:

- Preparation of water resources allocation schedules between Kazakhstan and Kyrgyzstan in the Talas river basin;
- Accounting and control of actual use of water resources by both countries.

Results of calculations are presented either in the form of tables and graphs or in the form of an electronic document. During the period 2006–2007, a test version was implemented together with the regular calculation of water allocation schedules in the Talas river basin.

The results from the model with respect to conditions in the upstream basin of the Talas River were approved by a decision of the Commission on 22 September 2007 which provides for the water agencies of Kazakhstan and Kyrgyzstan putting the model into operation.

For the Chu river basin, an initial version of the mathematical model of water resources formation and water allocation schedules, accounting for the limited carrying capacity of several sections of the main canals, has been developed. This allows for calculating the most effective options of water transfer with minimum water loss.

Results of the application of this initial model revealed a number of needs: to develop an improved mathematical model; to restore hydrometrical stations and to equip them with automated water-flow measuring devices; as well as the need to assess groundwater inflow seepage and water losses along selected sections of the Chu River. Based on these conclusions and recommendations, the Commission has decided to continue work on creation of the full-scale mathematical model for the Chu river basin and to put it into operation.

E. The Sharing of costs for operation and maintenance of water infrastructure of inter-State use

The CTWC working groups of conducted a survey of the technical condition and operational modalities of canals and facilities, and completed an analysis of actual MO&M costs for the facilities of inter-State use during the period 1997–2007.

Perspective plans for funding operational and rehabilitation work for each of the six water projects of inter-State use were made based on the results of conducted activities. These plans were considered and approved at the joint session of the Secretariat and the working groups, and were further approved by the executive agencies and submitted for the approval of the Commission.

The working groups have prepared reviews of the technical and methodological norms applied in Kazakhstan and Kyrgyzstan and have developed recommendations on:

- Optimizing the use of the funding allocated for repair and operation of the infrastructure;
- Establishing norms for costs for routine and capital repairs based on value of assets;
- Establishing norms for specific costs of material resources based on operational costs and estimated costs of construction and rehabilitation work;
- Revising specific normative acts and technical standards;
- Establishing quotas for the staff of management bodies; organization of monitoring over water resources use, and safe operation of water facilities of inter-State use;
- Providing office equipment and computers to management bodies and control allocation units;
- Developing communication links by equipping at least 10 facilities with means of electronic communication and Internet access during the coming years;
- Introducing computerized control systems for the facilities of inter-State use.

Further activities of the expert working groups in this direction will include:

- Analysis of technical condition and inventory of infrastructure of inter-State use, specifying its depreciation value and defects to be rectified;
- Development, revision and approval by the Parties of a technical and economic standards package for joint water management;
- Development of methodology and procedures for establishing prices and tariffs for water management activities, services, required materials and resources;
- Establishment of transparency in the activities of national water agencies; development of procedures for urgent information-sharing according to an approved list of indicators;
- Development of procedures for joint control over the quality of repair and rehabilitation, and targeted use of financial resources.

F. Awareness-raising about activities of the Commission

At the fourth CTWC session, the design and content of the CTWC website was considered and approved. Starting in October 2007, the website became the official site of the Commission, with the address www.talaschu.org. Currently, information on CTWC on the website is available in Russian; from January 2008, an English version will also be supported. A CTWC logo based on the results of a public contest has been approved.

A video film entitled “Channel of common interests” was produced in both English and Russian for the CTWC inauguration. This film, which covers cooperation between Kazakhstan and Kyrgyzstan in joint use of water resources in the Chu and Talas river basins, was screened at the International Conference held in Bishkek on 26 and 27 July 2006, and was shown in special TV programmes in both countries.

A brochure and booklet in English and Russian dedicated to the establishment of the Commission were also prepared and published for the inauguration of CTWC.

Kyrgyz TV and a local TV station in Taraz aired special programmes featuring the Co-chairmen and members of the Commission. The establishment of the Commission was widely

covered in the Kazakh and Kyrgyz mass media; this coverage included a special press conference held on 31 July 2006 with water agency representatives from Kazakhstan and Kyrgyzstan at the OSCE Centre in Almaty.

G. Amendment of the 2000 Agreement

At the fourth CTWC session, a draft of amendments and addenda to be introduced to the 2000 Agreement was approved. This document formulates a new version of Article 5, which stipulates that funding for the CTWC Secretariat comes from the national budgets of both countries. In the new version of the first part of Article 11 defines a simplified procedure for border-crossing for staff from both countries as well as for border-crossing of goods and vehicles, with a waiver of Customs fees. A new version of the Article 11's second part has been developed for further approval by the Governments of both countries: it addresses aspects of inter-State relations related to payment of the land tax. The Parties exchanged views regarding possible expansion of the list of water facilities under the competence of CTWC. It was decided to continue discussion of this matter within the framework of further consultations.

IV. Support of the International Community

From the beginning of 2003, the international project “Support for the Creation of a Transboundary Water Commission on the Chu and Talas Rivers between Kazakhstan and Kyrgyzstan” has been implemented jointly by OSCE, UNECE and ESCAP, with the participation of the Russian–Estonian Center for Transboundary Cooperation on Peipsi/Chudskoe Lake.

The purpose of the project is to provide assistance to Kazakhstan and Kyrgyzstan in the implementation of the 2000 Agreement. By the beginning of 2008, the following main outcomes had been achieved within the project framework:

- The main documents regulating activities of the Commission and its Secretariat have been developed;

- A set of recommendations regarding the funding of repair and rehabilitation work on facilities of inter-State use on the Chu and Talas Rivers has been developed;
- Support has been provided for organization of an awareness-raising campaign about the activities of the Commission and public involvement in these activities; this report was published with the support of OSCE.

The remaining budget funds have been transferred as an additional contribution to the project, to support CTWC in developing and introducing ICS at the Chumysh water allocation project on the Chu River as well as conducting a training course for the staff of that project.

Project outcomes were presented and approved at the thirty-sixth session of the

Subcommittee on Economics and Environmental Protection of the OSCE Council on 26 November 2004 in Vienna. This made possible further support by OSCE for the work of the Commission on relevant initiatives from the Governments of Kazakhstan and Kyrgyzstan. Starting in April 2007, the second phase of the project “Development of cooperation on the Chu and Talas Rivers between Kazakhstan and Kyrgyzstan” has been implemented with the support of OSCE and UNECE. The project is aimed at the development of a set of documents to promoting effective Commission work under the 2000 Agreement.

The Asian Development Bank, under its RETA 6163 project “Improvement of joint use of water resources in Central Asia”, in 2005–2007 contributed to establishing the Commission as well as to the work of its permanent Secretariat and expert working groups.

This ADB project aimed to achieve the following tasks:

- Assessment of the factors characterizing specifics in water use and bilateral water relations in the Chu and Talas river basins;
- Assessment of water resources management systems and their further development within the framework of the integrated management models;
- Review of co-financing practices to jointly cover the costs of management, operation and maintenance of water infrastructure of inter-State use as well as development of a mechanism for the sustainable funding of the Commission’s activities.

At the same time, the ADB project has provided for the development and commissioning of ICS for the Kirov Reservoir and the equipping of basin management bodies of both countries with office and computer equipment. Application of technical means and obtaining Internet access and access to advanced technologies of water use has considerably enhanced the capacity of national basin management bodies in terms of water resources management and effective interaction, and has facilitated reliability and timeliness in information-sharing between the water agencies of the two countries.

Presentation of the main outcomes of the international project took place on 26 and 27 July 2006 in Bishkek at the International Conference “Inter-State Use of the Chu and Talas Rivers: Experience and Perspectives for Further Cooperation”. The Conference summary stated that the establishment of the Commission is a striking example of successful cooperation of the countries in the use of the water resources offered by transboundary rivers, and an example that might be expanded to other river basins of the Central Asian region.

Active assistance on the part of the United Nations, OSCE, ADB and other international organizations with respect to the establishment of the Commission is also an example of effective interaction of international organization in supporting countries’ efforts to develop and strengthen cooperation in the joint use of water resources.

V. Participation in the International Cooperation

Information on the process of establishing the Commission and on its activities has been disseminated at:

- International Conference on Regional Cooperation in Transboundary River Basins, (Dushanbe, 30 May–1 June 2005);
- Fourth World Forum on Water Resources (Mexico City, Mexico, 16–22 March 2006);
- International Seminar “River Basin Commissions and Other Bodies on

Transboundary Cooperation in the Field of Water Resources Management” (Almaty, Kazakhstan, 23–25 October 2007);

- Fifteenth session of the United Nations Special Programme for Economies of Central Asia (SPECA) Project Working Group on Water and Energy Resources (Bishkek, 14–15 November 2007).

The Parties are considering a proposal on entry of the Commission to the International Network of Basin Organizations.

VI. Financing Activities under the 2000 Agreement

A. Funding for operation and maintenance of water infrastructure of joint use, in U.S. dollars				
Countries	2006		2007	
	Chu river basin	Talas river basin	Chu river basin	Talas river basin
Kazakhstan	167,400	239,000	115,900	295,100
Kyrgyzstan	721,220	74,200	633,400	126,000
TOTAL	1,201,820		1,170,400	
Donors				
OCSE and UNECE/ESCAP project	22,392	-	-	-
ADB project	10,600		-	30,000
TOTAL	32,992		30,000	
B. Funding for activities of the Secretariat, in U.S. dollars				
Countries	2006		2007	
Kazakhstan	3,000		3,300	
Kyrgyzstan	3,500		3,661	
TOTAL	6,500		6,961	
Donors				
ADB project	73,200		63,600	

AGREEMENT
between the Government of the Kazakh Republic and
the Government of the Kyrgyz Republic on the Use of Water Management
Facilities of Intergovernmental Status on the Rivers Chu and Talas

The Government of the Kazakh Republic and the Government of the Kyrgyz Republic, hereinafter referred to as Parties,

- guided by the Treaty on the Establishment of Common Economic Space, of April 30, 1994, signed by the Kazakh Republic, Kyrgyz Republic and Uzbek Republic in Cholpon-Ata;
 - acknowledging the social, economic and environmental value of water resources;
 - attaching high importance to mutually beneficial cooperation in the use of water resources and to the reliability and safety of water management facilities of intergovernmental status;
 - mutually aspiring to find a more unassailable and fair solution to the efficient use of water management facilities in compliance with generally acknowledged norms of international law on water resources;
 - respecting the principles of good neighborly relations, equality and mutual assistance,
- have agreed on the following:

Article 1

The Parties declare that the use of water resources and operation of water management facilities of intergovernmental status shall be aimed at the achievement of mutual benefit on the fair and equitable basis.

Article 2

The Parties attribute to the water management facilities of intergovernmental status the following water management facilities owned by the Kyrgyz Republic: the *Orto-Tokoiskoye* Reservoir on the River Chu, the By-Pass Ferroconcrete *Chu* Canals on the River Chu from the *Bystrovskaya* Hydroelectric Power Plant to the city of Tokmok, the Western and Eastern *Bolshie Chu* Canals with the *Chumysh* Hydrosystem on the River Chu and the *Kirovskoye* Reservoir on the River Talas.

Article 3

The Owning Party that possesses water management facilities of intergovernmental status has the right to compensation from the Utilizing Party that uses these facilities. The compensation shall cover necessary expenses to ensure their reliable and safe operation.

Article 4

The Parties shall share expenses connected with the operation and maintenance of water management facilities of intergovernmental status and with other mutually agreed activities *pro rata* according to the amount of water they receive.

Article 5

In order to ensure safe and reliable work of water management facilities of intergovernmental status, the Parties shall create permanent commissions to determine the working regimes and the range of necessary expenses for operation and maintenance.

Article 6

The Parties shall annually allocate necessary funds for operation and maintenance of water management facilities of intergovernmental status.

Article 7

The Parties shall implement joint activities to protect water management facilities of intergovernmental status and adjacent territories from adverse effects of floods, mudflows and other natural disasters.

Article 8

In emergencies arising on water management facilities of intergovernmental status due to unexpected natural disasters or technical catastrophes, the Parties shall immediately notify each other and undertake joint activities to prevent, extenuate and eliminate their effects.

Article 9

In order to provide for the timely and efficient repair and restoration of water management facilities of intergovernmental status, the Parties acknowledge the need to use construction, repair, operation and industrial facilities of each other.

Article 10

The Parties shall implement joint research and development activities on the efficient use of water resources and water management facilities.

Article 11

The Parties shall create conditions for unimpeded and duty-free movement across their borders and territories of personnel, vehicles, equipment, raw materials and other objects necessary for the exploitation and maintenance of water management facilities of intergovernmental status.

Article 12

The Parties shall resolve disputes and disagreements regarding the interpretation or application of the current Agreement through negotiations and consultations.

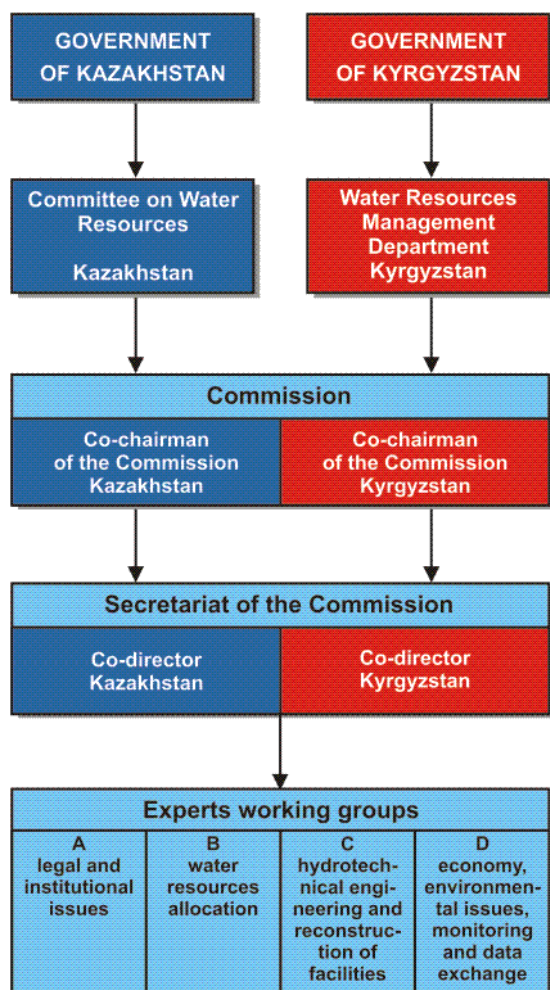
Article 13

The Agreement may be altered or amended by joint decisions of the Parties in the form of separate protocols that shall become its integral parts.

Article 14

The Agreement shall become valid from the date of the last written notification about the completion of all domestic procedures prescribed by the national legislation. The Agreement shall be valid for five years and shall be automatically prolonged for the next five-year period unless one of the Parties notifies the other Party in writing about its intention to cancel the Agreement not later than six months before the termination of the current five-year period.

Signed in Astana on January 21, 2000 in two authentic copies, each in the Kazakh, Kyrgyz and Russian languages, all the texts equally valid. In case of disputes on the interpretation of the Agreement, the Parties shall use the text in the Russian language.



The organizational structure of the Commission on the Use of Water Management Facilities of Intergovernmental Status on the Chu and Talas Rivers



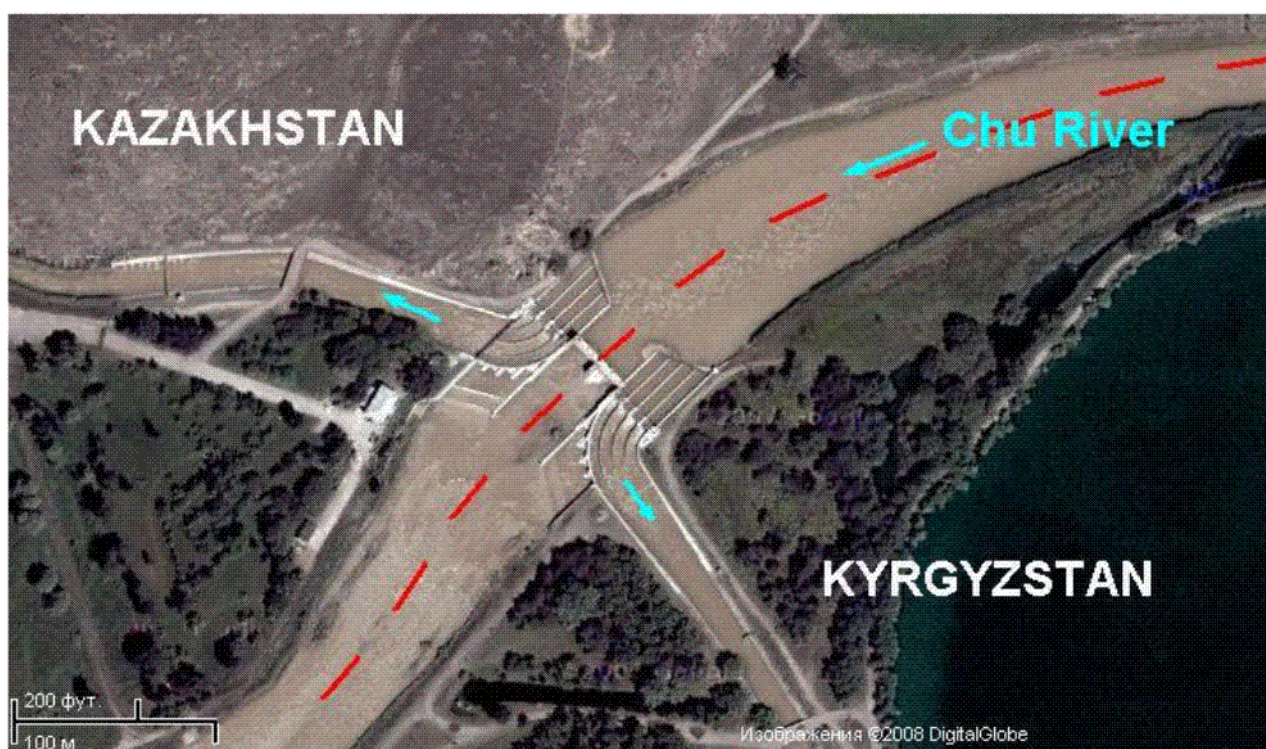
Kirovskoye reservoir dam on the Talas River



On a canal of the Talas irrigation system



Orto-Tokoiskoye reservoir on the Chu River in winter



Chumysh Hydrosystem on the Chu River: surface view and view from space

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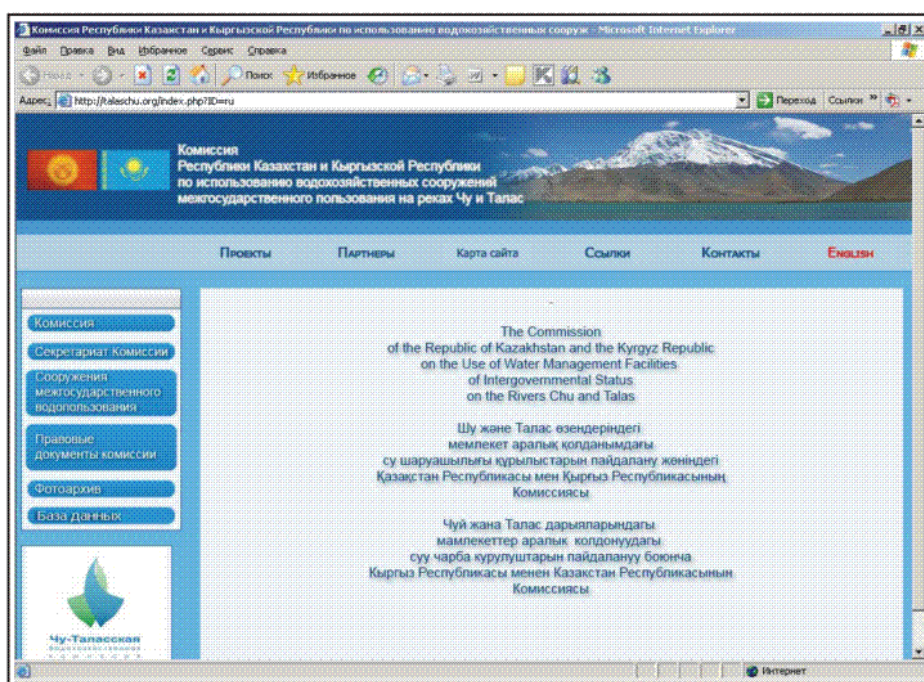
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