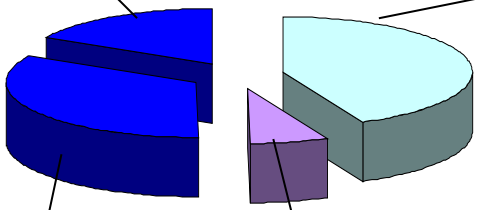
Implementing the Water Convention:
country experience from Kazakhstan

Serik Akhmetov

Amman, 14 Jordan 2016

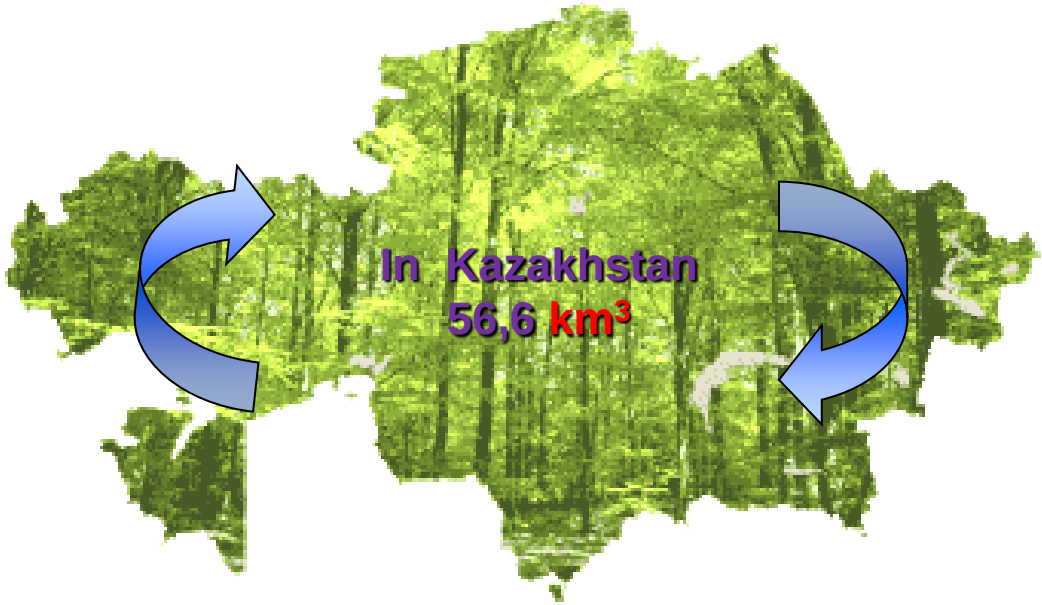
WATER RESOURCES OF KAZAKHSTAN



Total – 100,5 km^3

Filtration and Evaporation 15,5 km^3

From neighboring countries - 43,9 km^3



To neighboring countries 42,4 km^3

Water resources available for economical and environmental needs - **42,6 km^3**

Figure 2. Map of Main River Basins in Kazakhstan

Source: *Water Resource Committee of the Republic of Kazakhstan*

Central Asian countries and the UNECE Water Convention

- Kazakhstan acceded to the Water Convention in October 2000
- A few years ago also Uzbekistan and Turkmenistan acceded to the Convention

Why Kazakhstan
has decided to accede to the Water Convention

- To be adhered to the international legislation

- To be adhered to the principles of integrated water resources management not only at national, but also at international level

- To strengthen the existing trust between countries on the use of transboundary water resources

- To develop cooperation with neighboring countries on the use of water resources of transboundary rivers based on provisions of international legislation

Advantages of being a Party to the Convention
(at the national level)

- It helps us to improve the national legislation with introduction into it the recognized international legal principles and definitions (such as “Precautionary principle”, “Polluter pays”, "Best available technology", "Environment quality objectives” and etc.

- It helps to strengthen the inter-sectoral collaboration in our country

- It promotes us to allocate domestic financial resources for the purposes of the protection of water recourses

Some definitions

"Transboundary water" means any surface and ground water bodies which mark and/or cross the State boundary of Kazakhstan *(article 15, Water Code of Kazakhstan)*

"Transboundary water" means any surface and ground waters which mark, cross or located on boundary between two or more States…*(article 1, Water Convention)*

"Transboundary impact" – any adverse effects resulting from quantitative or qualitative chances of transboundary waters caused by a human activity, the physical origin of which is situated wholly or in part on the territory of adjoining state or neighboring countries *(article 1, Water Code of Kazakhstan)*

"Transboundary impact" means any significant adverse effect on the environment resulting from a chance in the conditions of transboundary waters caused by a human activity, the physical origin of which is situated wholly or in part within an area under the jurisdiction of a Party, within an area under the jurisdiction of another Party … *(article 1, Water Convention)*

Some principles and obligations

- Water resources shall be managed taking into account the needs of the present generation without compromising the needs of future generations *(article 142, Water Code of Kazakhstan)*
- *Water resources shall be managed so that the needs of the present generation are met without compromising the ability of future generations to meet their own needs (article 2, Water Convention)*
- To ensure that transboundary waters are used in a reasonable and equitable way, taking into account their transboundary character, in the case of activities which cause or likely to cause transboundary impact *(article 143, Water Code of Kazakhstan)*
- *To ensure that transboundary waters are used in a reasonable and equitable way, taking into particular account their transboundary character, in the case of activities which cause or likely to cause transboundary impact (article 2, Water Convention)*

Cooperation with Russia

- Agreement between Government of Kazakhstan and Government of Russian Federation on joint use and protection of transboundary water bodies (Usk – Kamenogorsk, Kazakhstan, 2010)

- Kazakh-Russian Commission on transboundary water bodies (more than 20 meetings)

- 6 Working Group on main transboundary rivers (Ural, Ertis, Esil, Tobol, Kigach, Kara and Sary Uzens)

Agreement between Kazakhstan and Russia

(some provisions)

Based on the Convention on the Protection and Use of Transboundary Watercourses and International Lakes, March 17, 1992 (from the preamble of the Agreement)

***The Parties shall take measures** "To prevent, limit, reduce and eliminate pollution of transboundary water bodies" (article 3, the Agreement)*

***The Parties shall take measures** "To prevent, control and reduce pollution of waters causing or likely to cause transboundary impact" (article 2, Water Convention)*

Parties shall develop and agree on action plans for emergency situations on transboundary water bodies ... *(article 11, the Agreement)*

Contingency planning is developed *(article 3, Water Convention)*

Cooperation with Russia

- Last meeting of the Commission took place in Kazakhstan (21-22 October, 2015).

- *Some measures (with support of UNECE):*

Development of strategies on changes of water availability in the basin of Ural river

Joint assessment of water resources of Kigach river (in delta of Volga)

Cooperation with China

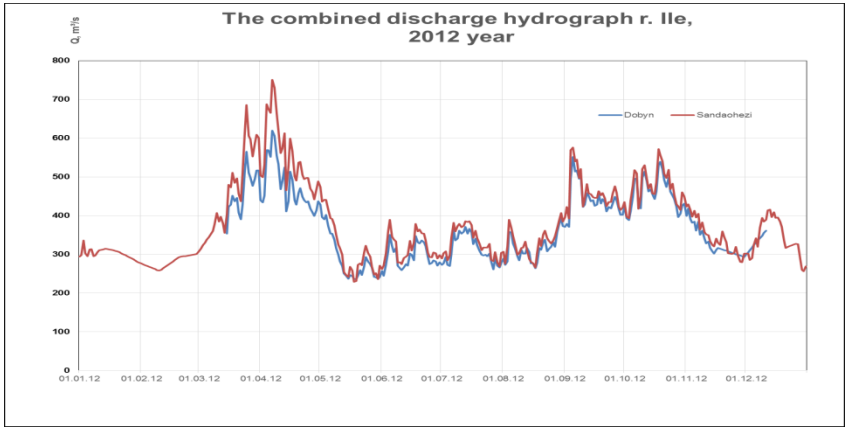
- Agreement between Government of Kazakhstan and Government of China on cooperation in the use and protection of transboundary rivers (Astana, 12.09. 2001)

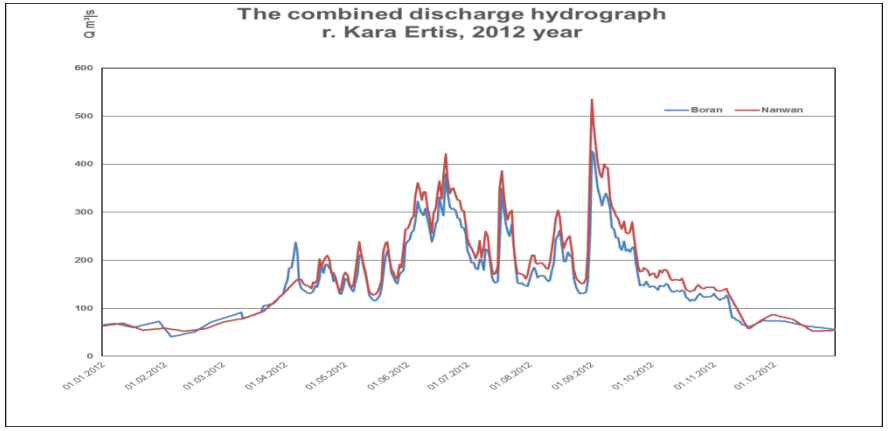
Based on this Agreement there were signed a number of other legal acts, such as:

- Agreement between the Ministry of Agriculture of Kazakhstan and the Ministry of Water Resources of China on emergency notification of the Parties about natural disasters on rivers (Astana, 04.07.2005)
- Agreement between the Government of Kazakhstan and the Government of China on the protection of water quality of transboundary rivers (22.02.2011, Beijing, China)

Cooperation with China

- Agreement between the Ministry of Agriculture of Kazakhstan and the Ministry of Water Resources of China on the development of research cooperation on transboundary rivers (Beijing, December 20, 2006)
- Agreement between the Ministry of Environment of Kazakhstan and the Ministry of Water Resources of China on mutual exchange of hydrological and hydrochemical information (data) of the hydrological stations on the main transboundary rivers (Beijing, December 20, 2006



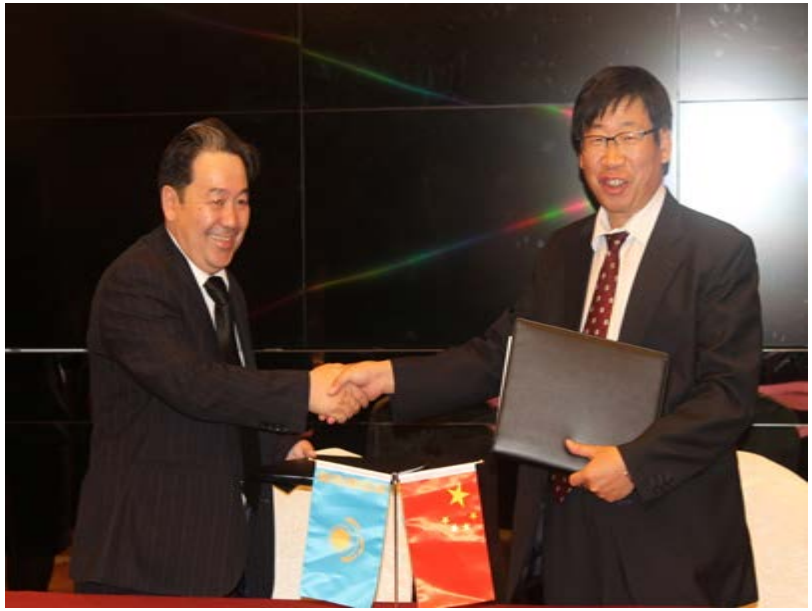


Cooperation with China

- Agreement on water distribution and use of Khorgos river (Yining (Kulja), China, 28.08. 2002)
- Agreement between the local authorities of Almaty oblast of Kazakhstan and Ile-Kazakh Autonomous Region of China on cooperation in the use of transboundary rivers Sumbe and Kaishibulak (12.07.2004, China)

- *In accordance with the provisions of these agreements the water resources of the rivers are distributed in the ratio of 50% to 50%*
- Agreement between the Government of Kazakhstan and the Government of China on the management and operation of the joint combined waterworks "Dostyk" on the river Khorgos (Astana, 07.09.2013)

Cooperation with China



- In accordance with the Agreements, the Kazakhstan-Chinese Joint Commissions on the use and protection of transboundary rivers and their Working Groups of Experts were established

Agreements between Kazakhstan and China

(some similar approaches with Water Convention)

- The Government of the Republic of Kazakhstan and the Government of the People's Republic of China (hereinafter referred to as the Parties), based on the generally accepted principles and norms of international law… *(from the preamble of the Agreement)*

- ***"Transboundary rivers"*** means all the rivers and river flows which cross the line of the state border or are located along the state border between Kazakhstan and China *(article 1, the Agreement)*

- ***"Transboundary water"*** means any surface and ground waters which mark, cross or located on boundary between two or more States…*(article 1, Water Convention)*

- The Parties shall adhere to the principles of fairness and rationality *(article 2, the Agreement)*

- *To ensure that transboundary waters are used in a reasonable and equitable way (article 2, Water Convention)*

Cooperation with Central Asian countries

- Agreement on the status of the International Aral Sea Fund and its organizations (Tajikistan, Uzbekistan, Kazakhstan, Kyrgyzstan, Turkmenistan, 1999)
- Agreement between Kazakhstan and Kyrgyz republic on the Use of Water Facilities of Inter-Governmental Use on the Chu and Talas Rivers (January, 2000)

Thank you for your attention!