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Legal Framework of Basin Management in Central Asia

Basin management shows almost 80-year history in Central Asia. In 1927, Administration of Amudarya Delta Irrigation Systems (AADIS) was formed. In particular, AADIS dealt with allocation of water resources in the Amudarya river among Uzbekistan and Turkmenistan. After provincial water-management organizations of Tashauz (Turkmenistan) and Khorezm (Uzbekistan) had separated from AADIS structure, it was re-named as Administration of Amudarya Irrigation Canals (AADIC). Within its system 350 km of interstate canals, 60 hydraulic engineering structures, and 110 gauging stations were operated.

Acute water shortage in mid eighties spurred revival of regional basin water organizations in CAR. In 01.09.1987, within the Ministry's of Land Reclamation and Water Resources (MLRWR) of USSR framework, Syrdarya and Amudarya Basin Administrations (BA) were established in Tashkent and Urgench, respectively, for inter-republican water allocation and hydraulic structures operation.

Since becoming independent, the CAR Governments have signed the Agreement about cooperation in area of joint management, use and protection of water resources from interstate sources (Alma-Ata, 18.02.1992). According to this Agreement, an Interstate Commission for Water Coordination (ICWC) was established together with its executive bodies, such as Basin Water Organizations (BWO) for Syrdarya and for Amudarya, founded on the basis of Syrdarya and Amudarya BA, respectively.

Establishment of ICWC, BWO Syrdarya and BWO Amudarya was an important step towards keeping status quo in regional water management.

ICWC determines water policy in the region and its major direction, develops and approves, for each republic and for the region, as a whole, water withdrawal limits and corrects them depending on flow probability and current situation.

According to relevant agreements:

- ICWC is responsible for general governance of the regional water-management system;
- high officials of central water departments in CAR are the members of ICWC;
- ICWC meetings are held on the quarterly basis in one of the state-founders, and, if necessary, special meetings are convened on parties' initiative;
- decisions in ICWC are made on consensus basis, and every ICWC member has a right of veto, thus ensuring high protection of national interests;

ICWC decisions are fulfilled through its executive and inter-departmental control authorities – BWO “Amudarya” and BWO “Syrdarya”. BWOs are functioned at expense of allocations from national water organizations at parity and share holding basis.

By-laws of BWO “Amudarya” and “Syrdarya” were approved by ICWC decision on 06.04.1992 in Ashgabat, according to which they, respectively, supply water limits as established by ICWC to each of Central Asian states and fulfil operational-control regulation of water resources in the region.

According to Agreement of 1992, earlier accepted normatives and regulations regarding water management in CAR remain in force, and water allocation between the states is based on Water Use and Protection Master-Plans (WUPMP) developed in 80-ties for the river basins Amudarya and Syrdarya.

Current allocation of surface flow among the countries of the Aral Sra basin is as follows (mean annual data, km³/year):

Total in the Amudarya river basin (excluding Afghanistan) – 61.5 km³/year (100 %), of which: Kyrgyzstan - 0.4 (0.6 %); Tajikistan - 9.5 (15.4 %); Turkmenistan - 22.0 (35.8 %); Uzbekistan - 29.6 (48.2 %), including, total downstream of Kerki gauging station – 44.0, of which Uzbekistan - 22.0 (50%); Turkmenistan - 22.0 (50 %).

Similarly, total in the Syrdarya river basin – 21.4 km³/year, of which: Kyrgyzstan - 0.2 (0.9 %); Tajikistan - 2.0 (9.3 %); Kazakhstan - 8.2 (38.3 %); Uzbekistan - 11.0 (51.5 %).

When flow probability is less than design one, national water withdrawal limits are reduced proportionally.