

Statute of the Interstate Commission for Water Coordination of Central Asia

1.1. The Interstate Coordination Water Commission of Central Asia (ICWC) is created by the Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Tajikistan, Turkmenistan and the Republic of Uzbekistan according to Agreement on co-operation in shared management of international water resources use and protection adopted by Heads of State on 18th February 1992 in Almaty.

1.2. By the decision of the Heads of State of Central Asia of March 26, 1992 and April 9, 1999 and the decision of IFAS Board of March 27, 2004, ICWC and its executive bodies are annexed to the International Fund for Aral Sea Saving (IFAS) and rank as international organizations.

1.3. ICWC in its activity is led by bi- and multilateral agreements between the State-Founders on water resources use from interstate sources, by Decisions of IFAS Board and by the present Statute.

1.4. ICWC is a regional body of the Central Asian states to deal with joint solution of issues related to shared water management, effective use and protection in the Aral Sea basin and to implement of commonly elaborated programs following the principles of collectivity and mutual respect of parties' interests.

1.5. ICWC and its executive bodies implement a set of measures and procedures ensuring equitable water allocation along the interstate sources, taking into account nature needs and future development.

1.6. Any other state may join ICWC as a member or an observer upon consent of the Governments of State-Founders.

II. Main objectives

The main objectives of ICWC are as follows:

2.1. Elaboration and implementation of a regional policy of efficient shared water use and protection in order to meet social, economic and environmental needs of the State-Founders on equitable basis, as well as development and implementation of joint programs for water supply improvement in shared basins in the region.

2.2. Shared water management in the Aral Sea basin by applying IWRM principles.

2.3. Elaboration and approval of annual limits of water withdrawals from shared sources for State-Founders and supervision over their observance; planning and control of large interstate reservoirs operation regimes, water allocation management under actual flow probability and water-economic situation.

2.4. Ensure annual releases for environmental protection and the Aral Sea and sanitary releases along canals.

2.5. Development and implementation together with ICSD of regional environmental programs related to the Aral Sea desiccation and water sources exhausting, including catchment zone and wetlands.

2.6. Preparation of recommendations to the Governments of State-Founders on the development of uniform pricing policy and possible losses compensation mechanisms related to shared water and energy use, as well as on legal framework of shared water use.

2.7. Coordination and control over implementation of joint research aimed at scientific and engineering solution of regional water-related problems and of regional projects, with the use of available scientific capacities of the State-Founders and implementation of the results achieved.

2.8. Preparation of projects and initiation of work on improvement of active international agreements in area of shared water management.

2.9. Render assistance to the Governments of State-Founders in cooperation with international organizations and institutes.

2.10. Development and operation of unified regional, basin and national information systems on water use, on dissemination and exchange of information related to water resources and their use by the State-Founders.

2.11. Facilitation and coordination of relationships between the regional, national water organizations and the regional, national hydrometeorological services; initiation of regional programs and works on the improvement of monitoring system and hydrometric provision.

2.12. Reconciliation of releases from reservoirs for irrigation needs with the Coordination Dispatch Center "Energy", with consideration of hydropower generation requirements, as well as coordination of actions with national ministries and departments of Central Asia - electric energy producers.

2.13. Facilitation of corporate affairs in developing and implementing water-conservation technologies, advanced irrigation methods and technique, modern facilities for water measurement and automation, in designing and developing general metrological system, and accrediting metrological services and in other measures promoting better water use.

2.14. Elaboration of joint programs for prevention, early warning and liquidation of consequences from emergencies and disasters related to operation of interstate hydrostructures.

2.15. Establishment and development of a training system at national and regional levels in order to increase skills of water-management organizations' staff and of water users.

2.16. Strengthen financial, material-technical and legal bases and scientific and technological capacities of ICWC executive bodies.

2.17. Investigation of disputes and disagreements between shared water users; if necessary, development of a procedure for creation of a special commission to establish facts, as well as setting procedures for liabilities.

2.18. Investigation of notification by one of the Parties about construction of new water structures impacting water regimes in shared waterways.

2.19. Elaboration of country proposals on construction, reconstruction and operation of interstate water structures, with cost sharing among the Parties.

III. Structure and organizing the activities

3.1. ICWC members are comprised of leaders of national water ministries or departments of State-Founders or of authorized representatives of country Governments.

3.2. ICWC meetings are held on a quarterly basis, by turns in each of State-Founders under chairmanship of ICWC member of the respective state. The host-country bears responsibility for timely approval of meeting dates and submission of agreed agenda to ICWC members by executive bodies in due time.

3.3. Extraordinary ICWC meeting can be held upon initiative and with agreement of the Parties.

3.4. ICWC's decisions are made on consensus basis.

3.5. ICWC may make "Protocolar decision" on individual questions.

3.6. ICWC members, leaders of ICWC executive bodies and of international organizations who have made considerable contribution to ICWC activities, would be awarded a title of "ICWC Honorary Member" and a breastplate of standard form. The ICWC Honorary members can participate in ICWC meeting and have a right of advisory vote.

3.7. ICWC establishes its executive bodies for fulfillment of set tasks and provides financing of their activities, as well as of approved programs and measures at expense of State-Founders and, if necessary, changes duties of the executive bodies or ceases their activities.

3.8. ICWC may create special interstate investment funds for shared financing of work related to regional water sector development and for fulfillment of other tasks as mentioned in given Statute.

3.9. The costs of ICWC meetings on the spot are covered by the host-country.

3.10. The working language of ICWC is Russian.

IV. Rights and obligations

4.1. Annually ICWC approves water-withdrawal limits from shared water sources (for a hydrological year with division into growing and non-growing periods) for State-Founders, with consideration of foreseen flow probability and established releases to the Aral Sea and river deltas. ICWC makes decisions on water-withdrawal limits correction, according to actual water situation.

4.2. Based on actual water situation, ICWC permits to BWOs to make on-line water-withdrawal corrections within the established limits, with notification of ICWC members.

4.3. ICWC considers and approves activity program of ICWC and its executive bodies (plans of financing, capital investments, research, development and metrology, training activity and other costs), work programs for preparation of draft interstate agreements, international cooperation, for improvement of ICWC and its executive bodies, performs control over work, financing and economic activities of executive bodies.

4.4. Decisions made by ICWC regarding regulation, use and protection of shared water are obligatory for all water consumers and users, irrespective of their citizenship or affiliation and ownership form.

4.5. The members ensure execution of ICWC's decisions on territories of their respective states.

4.6. Leaders, officials and staff of ICWC executive bodies, who have business trips to State-Founders, can enter, leave and stay without visas on territories of these states no more than 30 days provided that they have national passports, service certificates in form approved by the Parties, and travel authorization.

V. Executive bodies

5.1. ICWC executive bodies include:

- Secretariat;
- Basin water organization "Amudarya" (BWO "Amudarya");
- Basin water organization "Syrdarya" (BWO "Syrdarya");
- Scientific Information Center for water related problems (SIC) and its national branches;
- Coordination Metrological Center (CMC) and national organizations;
- Training Center (TC) and its branches.

5.2. ICWC may establish work groups for a certain period of time, with involvement of other economic sectors, to solve individual thematic tasks.

5.3. ICWC Secretariat together with other executive bodies prepared agenda, measures and draft decision for ICWC meetings and performs control over execution of ICWC decisions and receipt of funds from State-Founders for financing of ICWC executive bodies.

5.4. BWO "Amudarya" and BWO "Syrdarya" operate intake structures, waterworks facilities, reservoirs and other interstate structures that are transferred to BWO's responsibilities for temporal operation, make estimates of water use in shared sources, make proposals for setting water-withdrawal limits, depending on water availability in sources for a planned period and ensure delivery of ICWC-set water limits in order to supply with water economic sectors, population and environment in State-Founders.

5.5. On annual basis, BWO "Amudarya" and BWO "Syrdarya" prepare agreed proposals on water releases for nature, Aral Sea and on sanitary releases along canals that should not be used for other purposes. The heads of BWO "Amudarya" and BWO "Syrdarya" bear personal responsibility for execution of ICWC-set releases to the Aral Sea within the zones of BWO jurisdictions.

5.6. SIC ICWC together with its branches prepares draft decisions and programs on prospective development and implementation of a common regional water policy, on improvement of shared water use and management, common water conservation program, on environmental

improvement in the basin, rationale and creation of automated water management systems in river basins, on creation and operation of common regional, basin and national information systems on water and land use; develops draft interstate agreement on shared water management in the Aral Sea basin; analyses water situation in the region and in the world and prepares proposals; upon agreement with ICWC cooperates with international donors and funding agencies; initiates and upon agreement with ICWC coordinates regional project implementation; organizes and provides training activity; organizes and stuffs reference-information fund, prepares and issues periodical and non-periodical publications. SIC ICWC undertakes publishing activity by authority of ICWC.

5.7. CMC ICWC together with national metrological organizations coordinates technological policy and its implementation in area of metrological provision of ICWC programs and decisions on water use, protection and accounting in sources and water systems; organizes joint preparation and use in practice of normative-technical basis of metrological provision for water measurement, conducts integrated policy on water accounting, measurement technologies, automation devices and facilities developed and applied in water sector; organizes and performs work on accreditation, certification and training in area of hydrometry.

5.8. TC ICWC together with its branches trains national water sectors' higher and medium level staff through training workshops on IWRM, national and international water laws, irrigated agriculture and nature management improvement, etc. and ensures equal representation of the region's countries, prepares and publishes essential courseware.

5.9. ICWC executive bodies are legal entities having their independent balances, stamps with their titles in Russian and English, budget, settlement and other accounts. They act according to Regulations (Statues) approved by ICWC.

5.10. The executive bodies may represent ICWC only after agreement by all ICWC members.

5.11. Financing of ICWC executive bodies is made by the State-Founders:

- for upkeep of personnel and basic operations of an executive body; moreover, the costs are shared proportionally to water withdrawals from interstate sources, with obligatory consideration of all efforts made by the executive body on the territory of given state;
- for research, development and metrological work – on the basis of ICWC-approved plan of this work, by each national water department of State-Founder according to territorial affiliation, towards assignments to IFAS;
- financing of Secretariat's activities is made by ICWC State-Founder, which hosts the Secretariat, towards assignments to IFAS;

- financing of SIC ICWC' national branch is made by the State-Founder, which hosts given branch, towards assignments to IFAS.

5.12. The property of ICWC executive bodies (real estate, cars, machinery, equipment and other material and technical values) is not subjected to privatization. Renting is made only upon permission of ICWC.

VI. Order of rotation of the executive bodies and their heads

6.1. The heads of ICWC executive bodies are appointed, with determined term of office and rotation order, and dismissed by ICWC decision.

Location of executive bodies and their redislocation (rotation) are determined by ICWC decision.

6.2. Rotation of ICWC executive bodies is made according to the Provision about order of rotation of executive bodies of the Interstate Coordination Water Commission (ICWC) and their heads.

VII. Order of Statute change or activity cessation

7.1. The Statute of ICWC is reviewed and adopted at ICWC meeting. Changes and amendment to the Statute are inserted in the same way.

7.2. ICWC ceases its activity according to decision of the Heads of State-Founder.

7.3. If ICWC ceases its activity, the property and jointly created assets, as well as structures transmitted to BWOs for temporal operation will be transferred to State-Founders based on their belonging and according to established order of their creation.

7.4. This Statute enters into force since the date of its signature.

Done in the city of Almaty on 18th of September in 2008.

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| For the Republic of Kazakhstan | A. Ryabtsev |
| For the Kyrgyz Republic | B. Koshmatov |
| For the Republic of Tadjikistan | S. Yokubzod |
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