

ANALYSE DER ANSÄTZE ZUR NUTZUNG GRENZÜBERSCHREITENDER FLÜSSE IN DEN BILATERALEN BEZIEHUNGEN ZWISCHEN USBEKISTAN UND TADSCHIKISTAN

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Abstrakt: Der Artikel ist den Problemen und der Zusammenarbeit Usbekistans und Tadschikistans bei der Nutzung grenzüberschreitender Flüsse gewidmet. Trotz unterschiedlicher Herangehensweisen beider Länder in dieser Frage wird besonderer Wert darauf gelegt, dass die Staatsführung als Ergebnis der Verhandlungen einen Kompromissweg eingeschlagen hat.

Derzeit ist die Erschöpfung von Trink- und Süßwasser auf der Welt ein globales Problem. Gleichzeitig wurden die Ansätze der in der Region ansässigen Länder zur Nutzung der durch Zentralasien fließenden Flüsse analysiert.

Schlüsselwörter: Zentralasien, grenzüberschreitende Flüsse, UNO, Wasserprobleme, Usbekistan, Tadschikistan, Zusammenarbeit, Flüsse Amudarya und Syrdarya, verhandlungen.

ANALYSIS OF APPROACHES TO THE USE OF TRANSBOUNDARY RIVERS IN BILATERAL RELATIONS BETWEEN UZBEKISTAN AND TAJIKISTAN

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Abstract: This article is devoted to the problems and cooperation of Uzbekistan and Tajikistan on the use of transboundary rivers. Despite the fact that the two countries have different approaches to this issue, special importance is attached to the fact that the state leaders chose a compromise path as a result of negotiations.

Currently, the depletion of drinking and fresh water in the world is a global problem. At the same time, the approaches of the countries located in the region in using the rivers flowing through Central Asia were analyzed.

Keywords: Central Asia, transboundary rivers, UN, water problems, Uzbekistan, Tajikistan, cooperation, Amudarya and Syrdarya rivers, negotiations.

INTRODUCTION

Historically, water has always been one of the most precious resources on earth. The most ancient civilizations appeared in the river valleys, and water was the “driving force” for human development and cooperation between peoples. At the same time, the struggle for the control of water resources led to the breakdown of diplomatic relations between the countries, spurring the development of conflicts and wars.

According to the UN, water problems have already affected all continents, threatening the stability of ecosystems and socio-economic development. More than 2 billion people living in more than 40 countries of the world are under its influence. By 2030, the global shortage of water resources on our planet may reach 40%. Global climate change will only increase the severity of water problems, as well as increase the frequency and intensity of floods and droughts¹.

For Central Asian countries, the issue of water use is always of central and crucial importance. Two big rivers - Amudarya and Syrdarya "feed the life" of the whole region. Today, more than 90% of agricultural land in Central Asia requires artificial irrigation. According to estimates, 79.8 percent of the region's agricultural population (55 million people) is directly dependent on water supply for their survival. The main volume of water resources in the region is formed in the upper reaches of rivers in Tajikistan (55.4% of the total flow) and Kyrgyzstan (25.3%), which are interested in using their "water resources" in energy mode. However, the main part of water (about 80%) is directed to the needs of agriculture in the downstream countries - Uzbekistan, Kazakhstan and Turkmenistan. The coefficient of transboundary dependence of water resources for Kazakhstan is 42 percent, for Uzbekistan 77 percent, and for Turkmenistan 94 percent².

In this regard, the absence of effective institutional and legal mechanisms in the use of cross-border water resources, as well as the politicization of water and energy projects, negatively affect the state of interstate relations in Central Asia. A complex of unresolved issues in this area has led to environmental and socio-economic risks in the region. According to the forecasts of the World Bank, in 2050, against the background of demographic growth, there will be 90 million people in the region, including a water shortage of 25-30%, food - 28-35%, and energy - 27-35%. At the same time, the demand for water used for irrigated agriculture is increasing year by year³. The lack of a modern legal mechanism for solving the region's water and energy problems based on the interests of all parties, based on the principles of rationality and justice, may be the main reason for the worsening of the situation.

REVIEW OF THE LITERATURE ON THE TOPIC

The views of Uzbekistan and Tajikistan on the use of transboundary rivers can be expressed through many factors: The lack of sufficient skills and competences in the use of water resources in the region of Central Asia, including Uzbekistan and Tajikistan, historical and cultural roots of cooperation between Uzbekistan and Tajikistan, a comparative analysis of the political systems of the two countries.

Such studies include the works of scholars A.Dugin, O.Zotov, S.Golunov, Ye.Usubaliev, O.Sidorov, L.Sidorova and also scientific works studied by Tajik researchers T.Bobozoda, R.Abdullo, T.Valamat-Zoda, J.Sarabekov, V.Portyakov. The scientific works of R.Alimov, Sh.Arifxanov, P.Makkamboev, R.Farmonov, Sh.Abdullayev, I.Mavlanov, U.Xasanov, F.Tolipov, Ch.Kucharov, B.Xo'janov, A.Zoxidov and others from Uzbekistan can be an example of the field research.

RESEARCH METHODOLOGY

General scientific methods of analysis and synthesis, in particular, systematic and historical approaches, as well as methods of comparative analysis, quantitative analysis, scientific evaluation have been used in the research.

ANALYSIS AND RESULTS

There are several factors affecting the use of transboundary water resources in Uzbek-Tajik relations:

1. *Improper use of water resources and sources in the region.*

It is known that Uzbekistan is a country located in the center of Central Asia, and agricultural and industrial production require more use of water resources. Therefore, Uzbekistan ranks first in terms of consumption of water resources in the region. According to the World Bank, the loss of drinking water in Uzbekistan in 2018 amounted to 469 million cubic meters or 32% of the produced drinking water. Large-scale water losses are taking place against the background of unfavorable forecasts about the future situation related to water supply in the Central Asian region, in particular, Uzbekistan. By 2050, according to the forecasts of the World Bank, the water flow in the Syrdarya basin may decrease by 2-5%, and in the Amudarya basin by 10-15%, which will increase the water shortage. This will affect not only agriculture, but also hydropower, because by 2050, the productivity of hydropower plants in some parts of the region may decrease by up to 20 percent⁴.

To date, it has become clear that without effective bilateral and multilateral cooperation between the countries of Central Asia, it is practically impossible to solve the problem of water use in the region and ensure environmental safety. Thus, water diplomacy can become one of the main tools for making joint decisions on such a vital issue for all Central Asian countries. Water diplomacy refers to the decisive role of the water factor in the foreign policy of riparian countries, or bilateral or multilateral negotiations and other means of peaceful resolution of water disputes among riparian countries. In recent years, all stakeholders (state and community) have increasingly turned to the concept of water diplomacy to define the process of mutual cooperation to achieve water security at all levels - local, national, regional and international⁵.

Uzbekistan, which has a common border with all the countries of Central Asia, is interested in turning the region into a region of stability, sustainable development and good neighborliness. The President of the Republic of Uzbekistan Sh.Mirziyoyev defined the Central Asian region as the main priority of the state's foreign policy. At the 72nd session of the United Nations General Assembly held in September 2017, Sh. Mirziyoyev said: "When talking about the problems of ensuring security and stability in Central Asia, it is impossible to ignore the important issue of joint use of common water resources in the region. I am sure that it is necessary to develop alternative options for solving the water problem, taking into account the interests of the countries and peoples of the region". In addition, in his speech at the meeting of the Council of the Founding Heads of the Aral Sea Foundation held in Turkmanbashi (Turkmenistan), the head of our state emphasized that "it is necessary to radically increase the level of regional cooperation in the issues of water conservation, management of transboundary water resources and their rational use"⁶.

Within the implementation of "water" diplomacy, Uzbekistan strengthened cooperation with all the countries of Central Asia. In particular, in November 2016, a working group was established to develop proposals for deepening cooperation in water resources management between Uzbekistan and Kazakhstan. During the state visit of the President of Kazakhstan to Uzbekistan in September 2017, a "road map" was signed between the two countries on issues of cooperation in the field of water

management. In March 2017, the contract of 16.01.1996 was renewed, however, in accordance with the signed document on cooperation with Turkmenistan on water management issues, the ministries of Agriculture and water resources of both republics will contribute to the issue of cooperation in the field of information, exchange of experience, service personnel for water resources through the Uzbek-Turkmen border. During the visit of the former president of Kyrgyzstan S. Jeenbekov to Uzbekistan in December 2017, an agreement was reached on the establishment of a joint bilateral water management commission. The international scientific and practical conference dedicated to the 25th anniversary of the establishment of the interstate coordination Water Resources Commission in Tashkent on cooperation with water issues in Central Asia is a sign of the growing role of Uzbekistan in solving universal problems related to the topic of water.

2. *In the period after Sh.Mirziyoyev came to power, the relations between the two countries regarding the use of transboundary water resources have warmed up.*

As soon as Sh. Mirziyoyev came to government, Uzbekistan softened its position and started dialogue on water and hydropower issues. Uzbekistan is interested not only in the development of its own hydropower, but also in investing in neighboring countries. For example, in January 2020, Tashkent and Dushanbe began negotiations on the joint construction of two \$552 million hydroelectric power plants in Tajikistan. The hydroelectric power stations under construction will produce up to 1.4 billion kWh of energy “for the needs of Uzbekistan”⁷. Unfortunately, Central Asia has not yet developed a general code of water use in accordance with international standards. We believe that conflicts in the water sector will continue and become more complex. The main conflict-causing factor is the lack of a single agreement between Central Asian countries on the rational use of transboundary rivers, that is, the construction of hydroelectric power plants and reservoirs for the development of their economy. Until the Central Asian republics feel themselves as a single ecological, economic, social and political organism, the potential for conflicts will remain not only in water, but also in other areas.

At the same time, it is clear that the main success of Uzbekistan's water diplomacy was the “achievements” in relations with Tajikistan, which plays an important role in water use issues in the region. It should be noted that more than 65 percent of water resources in the region are produced in Tajikistan. 947 rivers flow through the republic, their total length exceeds 28,500 km. Its main flow comes from Panj, Vakhsh, Kofarnigon and Zarafshan rivers. In addition to rich river resources, about 72% of all lakes in the Amudarya basin are concentrated in Tajikistan⁸.

On March 9-10, 2018, at the invitation of the President of the Republic of Tajikistan E. Rahman, the President of the Republic of Uzbekistan Sh.Mirziyoyev made a historic state visit to Tajikistan. This visit was an important step towards solving the problematic aspects of cooperation between the two countries on water issues, opening up new perspectives for further development of cooperation in this regard. As a result of high-level bilateral negotiations, important agreements on the use of transboundary water resources of Uzbekistan and Tajikistan were reached. A working group on the rational use of water and energy resources of the Republic of

Uzbekistan and the Republic of Tajikistan was formed. The parties agreed to ensure mutual cooperation in the management of water resources of transboundary rivers and exchange of relevant information based on mutual interests. Uzbekistan and Tajikistan expressed mutual interest in the development of regional partnership in the field of rational and fair use of water resources and emphasized the importance of existing and under construction hydropower facilities for Central Asia in solving water and energy problems. In this regard, the Uzbek side expressed its readiness to comprehensively consider the possibilities of participation in the construction of hydrotechnical structures in the Republic of Tajikistan, taking into account the observance of generally recognized international norms and standards for the construction of such structures. In particular, the Uzbek side announced that it is ready to jointly build two hydroelectric power stations with a total capacity of 320 MW on the Zarafshan River in Tajikistan, as well as the hydroelectric power station construction commission to study the issue of using fresh water from Lake Sarez within the framework of intergovernmental agreements. The reached agreements indicate the beginning of a qualitatively new stage in cooperation in the field of water and energy not only in Uzbekistan and Tajikistan, but also in the entire Central Asian region.

During the state visit of the President of Tajikistan to Uzbekistan in August 2018, water and energy issues became one of the main issues on the agenda of bilateral negotiations. E.Rahmon said that “Tajikistan will never leave its neighbors without water”. In addition, the Tajik side took the initiative to consider the possibility of joint use of the fresh water resources of the high mountain Sarez Lake, which has a fresh water volume of 17 cubic kilometers⁹.

At the same time, Uzbekistan and Tajikistan are only at the beginning of the way of large-scale water cooperation. As a logical continuation of bilateral and multilateral cooperation, the Central Asian countries may support the conventions on the use of water resources in the Amudarya and Syrdarya basins developed by the UN Regional Center for Preventive Diplomacy for Central Asia. These conventions meet the long-term interests of all Central Asian countries without exception and open new perspectives in the field of bilateral and regional cooperation in the field of water.

First, draft conventions were developed on the basis of universal principles and norms of international water law, taking into account the interests of upstream and downstream countries equally.

Secondly, the initiative of this organization fully complies with the world practice of resolving disputes on transboundary water flows. For example, disputes over the Danube in Europe, the Rio Grande and Colorado in America, the Mekong in Southeast Asia, and others were resolved on the basis of multilateral agreements.

Thirdly, the proposed conventions in the field of water resources use - the Interstate Commission on Coordination of Water Management will strengthen the work of the current mechanisms of coordination of activities of water organizations of the Amudarya and Syrdarya basins¹⁰.

Fourth, conventions offer an effective dispute resolution mechanism. According to the document, the parties will submit their disputes to the International Court of Justice under the UN, whose decisions will be final and binding.

In sum up,

Today, the main threats to the guaranteed use of water are:

- unilateral and consistent management of water resources of cross-border rivers by high-flow countries;
- commercialization of water and attitude to water as a commodity in some countries of the upper reaches of the region;
- the desire of high-flow countries to build new large hydroelectric reservoirs in the main cross-border tributaries of the Amu Darya and Syrdarya.

In general, in a short historical period, due to active water diplomacy, Uzbekistan was able to unite the efforts of Central Asian countries to jointly solve such a vital issue as the rational use of transboundary water resources in the region. The results achieved by Uzbekistan and Tajikistan in this regard showed that there is a huge potential for joint implementation of water and energy projects, taking into account the interests of all countries without exception.

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