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THE INTERNATIONAL FUND FOR SAVING THE ARAL SEA

**REPORT OF THE NATIONAL MEETING FOR DAM SAFETY COOPERATION
IN CENTRAL ASIA**

Almaty, Kazakhstan, 16 June 2008

This report has been issued without official editing by the Environment, Housing and Land Management
Division of the United Nations Economic Commission for Europe (UNECE) secretariat

A. ORGANIZATION OF THE MEETING

1. The National Meeting for Dam Safety Cooperation in Central Asia took place in Almaty, Kazakhstan 16 June 2008. The Meeting was organized by the UN Economic Commission for Europe (UNECE) in cooperation with the Executive Board of the International Fund for Saving the Aral Sea (EB IFAS).

2. The Meeting was held within the framework of Phase II of the Project “Dam Safety in Central Asia: Capacity Building and Regional Cooperation” implemented by UNECE. The project, implemented under the supervision of the Project Working Group for Rational Use of Energy and Water Resources in Central Asia within the framework of the United Nations Special Programme for the Economies of Central Asia (SPECA) and under the UNECE Convention on Protection and Use of Transboundary Watercourses and International Lakes, aim to improve national laws and state regulations in the field of dam safety in the participating countries and to strengthen the regional cooperation in this field. The project is implemented in the context of the Programme on improvement of environmental and socio-economic situation in Aral Sea Basin for the period of 2003 to 2010 (ASBP-2) implemented by the International Fund for Saving the Aral Sea (IFAS). The project is also a part of the “Environment and Security” Initiative (ENVSEC) and is financed by the government of Finland.

1. Objectives of the Meeting

3. The direct objective of the Meeting was to discuss the participation of Kazakhstan in the development of a Regional Agreement on Cooperation in the Field of Safety of Hydraulic Structures, harmonization of legislative framework and the technical normative documents in this field. In addition, it was an objective to exchange experience with regard to the updating of the national normative-technical framework to ensure safety of hydraulic structures.

2. Attendance

4. 12 representatives of agencies dealing directly with government regulation to ensure safety of dams and other hydraulic engineering structures, and representatives of the Ministry for Foreign Affairs, Ministry of Justice, Ministry of Emergencies and other organizations took part in the Meeting. The Meeting was also attended by the members of the Working Group under the Mazhilis of the Parliament of the Republic of Kazakhstan on Development of the Draft Law to Amend and Modify the Water Code on Dam safety. 22 persons included in the list of Appendix 1 to this Report took part in the Meeting together with representatives of the UNECE Secretariat and consultants.

3. Opening of the Meeting

5. The Meeting was opened by Mr. Victor Kiyanskiy, Member of Mazhilis of the Parliament of the Republic of Kazakhstan, Member of Committee on Ecology and Natural Resources Management. He warmly welcomed the participants and stressed the urgency of the Meeting’s aims in terms of development of a coherent legislation in Central Asian countries for ensuring the safety of hydraulic structures. He emphasized the importance of the safety of hydraulic structures located at transboundary rivers connecting the CA countries, since emergencies here cause severe transboundary consequences not only for economic development, but the lives and health of the population.

6. The participants of the meeting were also welcomed by Mr. Almabek Nurushev, Director of the Executive Board of the International Fund for Saving the Aral Sea in Kazakhstan. He pointed out with satisfaction the results of several years of fruitful cooperation between his organization and UNECE in implementing the regional project for Dam Safety. He emphasized that this project is carried out for the benefit of all countries in the region and that it conforms to the ASBP-2 program.

7. Mr. Bo Libert, the Regional Adviser of the Environment, Housing and Land Management Division of UNECE, conveyed the greetings to the participants from the UNECE management. He pointed out in his speech that during the implementation of the first phase of the “Dam Safety in

Central Asia: Capacity Building and Regional Cooperation” the project was actively facilitated by the representatives of Kazakhstan’s Committee on Water Resources under the Ministry of Agriculture and representatives of several other ministries and agencies. They made their significant contribution both in the development of two main documents that concluded the first phase of the project, i.e. the Model National Law on the Safety of Hydraulic Structures and the Draft Regional Agreement on cooperation in this area, and into the preparation of a UNECE publication dedicated to the conclusions of this phase. Concludingly he acknowledged the cooperation with EB IFAS in organizing the meeting and expressed his confidence that the representatives of Kazakhstan shall continue their active participation in the second phase of the project.

4. Approval of the Agenda

8. Mr. Bo Libert, member of the Secretariat of UNECE, outlined the objectives of the Meeting. He also presented the agenda and the Work Programme of the Meeting.
9. The following agenda of the Meeting was approved:
 1. Opening of the Meeting.
 2. Approval of the agenda of the Meeting.
 3. On the results of Phase I of the Project “Dam Safety in Central Asia: Capacity Building and Regional Cooperation” and contents of Phase II of this Project.
 4. Normative-technical framework and the organization of state regulation in the field of safety of hydraulic structures in Kazakhstan and their possible improvement.
 5. Development of the Regional Agreement on Cooperation in the Field of Safety of Hydraulic Structures and proposals on how to organize discussions on this issue on the regional level.
 6. On cooperation in the harmonization of legislative framework and technical normative documents in the field of safety of hydraulic structures in the countries of Central Asia.
 7. On the Work Plan for project implementation in 2008.
 8. Reviewing and approving the decisions, development of recommendations and report of the Meeting.
 9. Miscellaneous.
 10. Closing of the Meeting.
10. The Programme of the National Meeting for Dam Safety Cooperation in Central Asia is presented in Appendix 2.

B. PROCEEDINGS

11. Under Item 3 of the agenda, Mr. Bo Libert, UNECE Secretariat, presented the results of Phase I of the Project “Dam Safety in Central Asia: Capacity Building and Regional Cooperation” for the period of 2004 through 2006. He pointed out with satisfaction the publication (UNECE Water Series No 5, 2007) that concluded the first phase of the Project. This publication contains the documents developed during the first phase, reviews of Central Asian water infrastructure, including a list of large dams of the region, description of existing legal and organizational framework for the governance of safety of hydraulic structures in Central Asian countries, including Kazakhstan.

12. Mr. Bo Libert also outlined the tasks faced by the participating countries in the implementation of the Second Phase of this project in 2008-2010. He stressed that future cooperation of Central Asian countries shall be aimed at the conclusion of a Regional Agreement on Cooperation in the Field of Safety of Hydraulic Structures; improvement and harmonization of technical normative documents in the field of safety of hydraulic structures, and capacity building of specialists monitoring the safety of hydraulic structures. He also informed the participants about the results of the Regional Meeting for Dam Safety Cooperation in

Central Asia, which took place in Tashkent, Uzbekistan 12-13 March, 2008 commencing the implementation of the Second Phase of the Project.

13. Mr. Yuri Steklov, Consultant, brought to the attention of the participants the discussions under the main agenda items of the Regional Meeting for Dam Safety Cooperation in Central Asia that took place in Tashkent, Uzbekistan 12-13 March, 2008, and introduced the conclusions and recommendations, approved by the participants of the Regional Meeting (Annex 3).

14. Mr. Tulegen Sarsembekov, Consultant of the EuroAsian Economic Community (EurAsEC) Integration Committee Secretariat in his presentation informed about his organization's participation in the implementation of UN Project on developing cooperation in Dam Safety in Central Asia. In particular, he mentioned that the Model National Law on the Safety of Hydraulic Structures has been approved by the EurAsEC Interparliament Assembly. He also pointed out that EurAsEC intends to continue the cooperation with UN and participating countries of the Project.

15. Under Item 4 of the agenda, Mr. Victor Kiyanskiy, Member of Mazhilis of the Parliament of the Republic of Kazakhstan, informed about the development of the Draft Law on Changes and Amendments to the Water Code of the Republic of Kazakhstan on Dam Safety. Mr. Kiyanskiy stated that the Government decided not to introducing a separate Draft Law on Dam Safety, but to amend the existing Water Code correspondingly. He pointed out that the suggested changes and amendments take into account the provisions of Model National Law on the Safety of Hydraulic Structures, developed in the framework of UNECE's project.

16. Mr. Radkevich, project consultant, described in his presentation the experience of preparing and implementing the Law of the Russian Federation on Hydraulic Structures Safety. He stressed that state regulation of the safety of hydraulic structures is not limited to technical regulation. In this regard, he noted that issues of civil liability in case of damage due to an emergency in connection with a hydraulic structure shall be adequately reflected in national legislation.

17. During the discussion under Item 5 of the agenda, it was noted that further conceptual elaboration of forms and mechanisms of cooperation proposed in the draft Regional Agreement on Cooperation in the Field of Safety of Hydraulic Structures is required. Participants of the Meeting were informed that the Ministry of Foreign Affairs and several other ministries and agencies have appointed their representatives to a temporary regional working group to refine the draft Agreement on Cooperation in the Field of Safety of Hydraulic Structures.

18. Representatives of the Ministry of Justice informed the participants that the Ministry had prepared their comments and suggestions to the draft Agreement on Cooperation in the Field of Safety of Hydraulic Structures, which were circulated at the meeting.

19. Under Item 6 of the agenda, participants of the meeting supported the proposal for the development of cooperation in harmonizing the legal framework and converging the technical normative documents in the field of Safety of Hydraulic Structures. The representatives of Kazakhstan expressed their readiness to participate in training programmes aimed at upgrading the competence of specialists in Safety of Hydraulic Structures.

B. CONCLUSIONS AND RECOMMENDATIONS

20. The participants of the Meeting made the following decisions and recommendations on the discussed items of the agenda:

1. To note the constructive participation of Kazakhstan's representatives in the Regional UN Project "Dam Safety in Central Asia: Capacity Building and Regional Cooperation". In the future, priority attention shall be paid to the participation of relevant ministries and agencies in the project activities.

2. To approve the work of the Work Group of Mazhilis of the Parliament of the Republic of Kazakhstan on development of the Draft Law on Changes and Amendments to the Water Code of the Republic of Kazakhstan with respect to the Dam Safety. To note that this Draft Law is developed considering the provisions of Model National Law on the Safety of Hydraulic Structures, developed in the framework of UNECE's project.

3. To support the initiative of the UNECE to make an independent expert assessment of the Draft Law on Changes and Amendments to the Water Code with respect to the Dam Safety.

4. To take note of the appointment of authorised representatives of state bodies of Kazakhstan to a temporary working group to finalise the Draft Regional Agreement on Cooperation in the Field of Safety of Hydraulic Structures.

5. To recommend to the authorized state bodies to nominate their representatives to a regional working group on convergence of technical normative documentation in the Field of Safety of Hydraulic Structures in Central Asia. Members of the working group from Kazakhstan are to make a proposal of a list of required technical normative documentation for the Safety of Hydraulic Structures.

6. To support the proposal to hold regional training courses for Hydraulic Structures Safety specialists with the participation of representatives from Kazakhstan.

7. To have ED IFAS in cooperation with concerned agencies to annually conduct, with the support of UNECE, National Meetings on Hydraulic Structures Safety with the participation of all stakeholders.

21. Participants of the meeting expressed their gratitude to ED IFAS in Kazakhstan for the good organization of the national meeting.

СПИСОК УЧАСТНИКОВ

Национальное совещание по сотрудничеству по безопасности плотин в Центральной Азии
16 июня 2008 года, Алматы, Казахстан

LIST OF PARTICIPANTS
The National Meeting for Dam Safety Cooperation in Central Asia
June 16, 2008, Almaty, Kazakhstan

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**National Meeting
for Dam Safety Cooperation in Central Asia
16 June, 2008
Almaty, Kazakhstan**

PROGRAMME

- 09:00 - 09:30 Registration of participants.
- 09:30 – 10:00 **Opening of the Meeting**
Greeting on behalf of the Mazhilis of Parliament of Kazakhstan
Mr. Victor Kiyansky – Member of the Mazhilis of the Parliament, Doctor of Technical Sciences, professor, a member of the Committee on Ecology and Natural Reserves Management, Chairman of the work group on preparation of Draft Law on Dam Safety for Mazhilis of the Parliament
Greeting on behalf of the IFAS
Mr. Almabek Nurushev
Director, Executive Board of IFAS in Kazakhstan, member of the Executive Committee of IFAS
Greeting on behalf of the UNECE
Mr. Bo Libert, Regional Adviser of UNECE
- 10:00 - 10:15 **Approval of the Agenda and election of the officers of the Meeting**
Presentation of the Meeting Programme:
Mr. Bo Libert, Regional Adviser of UNECE
- 10:15 - 10:30 **On the results of implementation of Phase I of the Project “Dam Safety in Central Asia: Capacity Building and Regional Cooperation” and contents of Phase II of the Project.**
Mr. Bo Libert, Regional Adviser of UNECE
- Information from the EurAsEC Integration Committee Secretariat on participation in Development of the Project on Dam Safety in Central Asia**
Mr. Tulegen Sarsembekov, Consultant of the EurAsEC Integration Committee Secretariat
- 10:30 - 11:00 Coffee Break
- 11:00 - 11:40 **Normative-legal framework and organizational forms for the state regulation in the field of hydraulic structures safety in Kazakhstan and their possible improvement**
Mr. Yuri Steklov, Consultant
Mr. Dmitry Radkevich, Consultant
- "On the legislation of the Republic of Kazakhstan in the field of natural and technogenic emergencies and feasibility of the Law of the Republic of Kazakhstan "On Hydraulic Structures Safety"**
Mr. Pyotr Plekhanov, Vice-president of “Center of Earth, Metallurgy and Refinement”
Representatives of stakeholder ministries and agencies,
Discussion

- 11:40 - 12:30 **On participation in the development of the Regional Agreement on Cooperation in the Field of Safety of Hydraulic Structures, and proposals on how to organize discussions on this issue on the regional level**
Mr. Yuri Steklov, Consultant
Representatives of Water Reserves Committees under MAC, MFA, Ministry of Emergencies, Ministry of Justice and other ministries and departments concerned ministries and agencies
Discussion
- 12:30-13:30 Lunch
- 13:30-14:30 **On cooperation in harmonization of the legal framework and technical normative documents in the field of dam safety in the countries of Central Asia**
Mr. Yuri Steklov, Consultant
Mr. Dmitriy Radkevich, Consultant
Representatives of stakeholder ministries agencies
Discussion
- 14:30-15:00 **Consideration and approval of the work plan for 2008**
Mr. Bo Libert, Regional Adviser of UNECE
Discussion
- 15:00-15:30 Coffee Break
- 15:30-16:00 **Consideration and approval of decisions, recommendations, and report of the Meeting.**

CONCLUSIONS AND RECOMMENDATIONS
The Regional Meeting for Dam Safety Cooperation in Central Asia
Tashkent, Uzbekistan, 12-13 March, 2008

National coordinators of the countries shall be entrusted with the coordination of all actions aimed at the implementation of these recommendations of the Meeting:

Kazakhstan – M.O. Ospanov
Kyrgyzstan – I.A. Djoldoshaliev (to be confirmed)
Tajikistan – to be nominated by the Tajik Government
Turkmenistan – K.B. Ballyev (to be confirmed)
Uzbekistan – T.K. Kamalov

The participants of the Meeting made decisions on the discussed issues and recommended to take the following actions:

I. On the Draft Regional Agreement on Cooperation in the Field of Safety of Hydraulic Structures:

- a. To continue the work on finalizing the draft Regional Agreement on Cooperation in the Field of Safety of Hydraulic Structures, using as a basis the text of the draft Agreement included in Appendix 7 of the UNECE publication “Dam Safety in Central Asia: Capacity Building and Regional Cooperation”.
- b. To take into consideration the amendments and additions proposed by Tajikistan (a version of the draft Agreement dated 3 March, 2008), as well as the proposals put forward during the discussion of this question, in the finalization of the draft Regional Agreement.
- c. To establish a provisional Working Group for finalizing the draft Regional Agreement, consisting of one representative of the Ministry for Foreign Affairs and one or two representatives of the national agencies dealing with state regulation of safety of hydraulic structures in each of the countries, representatives of IFAS and EurAsEC, and international consultants of the Project.
- d. To request the national coordinators, jointly with concerned state authorities, and representatives of IFAS and EurAsEC participating in the Meeting to nominate persons to the UNECE Secretariat (Mr. Bo Libert) before 15 April 2008 for including them in the provisional Working Group for the finalization of the draft Regional Agreement.
- e. That the provisional Working Group shall prepare the finalized draft Agreement before 1 May of this year before submitting it to each of the participating countries for consideration in accordance with established procedure.
- f. To note with satisfaction the proposal of the Republic of Uzbekistan to act as a lead country in the finalization of the Regional Agreement and accept with gratitude the proposal of IFAS to coordinate activities in this direction and to request the national coordinators to bring to the notice of UNECE Secretariat (Mr. Bo Libert) the opinions of respective countries on these proposals before 15 April 2008.

II. On the Model National Law on the Safety of Hydraulic Structures:

a. To take into consideration the information on the current work and plans for improvement and formulation of the national regulatory legal frameworks on safety of hydraulic structures in the countries of Central Asia.

b. To request the UNECE Secretariat (Mr. Bo Libert) and EC IFAS to send letters approved by the national coordinators to the Governments of respective countries with information about the preparation of the Model National Law on the Safety of Hydraulic Structures and the recommendation to use this document or its separate sections for the improvement and formulation of the national regulatory legal framework with regard to the state regulation of safety of hydraulic structures.

III. On the Establishment of a Regional Training Centre:

a. To evaluate positively the proposal of Uzbekistan to establish a Regional Training Centre for Dam Safety using the opportunities provided by the Training Centre of Gosvodkhoznadzor, and note with gratitude the intention of Uzbekistan to provide a venue for the holding of training courses and cover part of their administrative costs.

b. To recommend the organization of a pilot regional training course not later than the 1st quarter of 2009 at the venue of Gosvodkhoznadzor in order to test training programmes for specialists responsible for ensuring safety of hydraulic engineering structures.

c. To request the UNECE Secretariat (Mr. Bo Libert) to, if possible, identify funds for co-funding of the pilot regional training course from the Project budget or facilitate mobilization of funds for this purpose from other sources.

IV. On Scientific and Technical Cooperation:

a. To establish a Working Group for harmonization of the normative and technical documentation in the field of safety of hydraulic structures in the countries of Central Asia.

b. To request the national coordinators, in collaboration with concerned state authorities, to nominate persons to the UNECE Secretariat (Mr. Bo Libert) before 15 April this year to the Working Group for harmonization of the normative and technical documentation in the field of safety of hydraulic structures in the countries of Central Asia (See Item a).

c. To express gratitude to Mr. Dmitry Radkevich for the provision of the electronic database of legislative instruments and regulatory legal acts of the Russian Federation and scientific engineering materials for the safety of hydraulic structures and to distribute this material among the concerned agencies in the participating countries.

Y. On the Work Plan for 2008:

a. To adopt the revised Project Work Plan for 2008.

b. The host organizations to initiate activities for the organization of the planned events assisted by the Secretariat of UNECE and EC IFAS.