

TRANSLATION

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ECONOMIC COMMISSION FOR EUROPE
ECONOMIC AND SOCIAL COMMISSION FOR ASIA AND THE PACIFIC

THE INTERNATIONAL FUND FOR SAVING THE ARAL SEA

**REPORT OF THE THIRD EXPERT GROUP MEETING ON THE PROMOTION
OF DAM SAFETY COOPERATION IN CENTRAL ASIA
Almaty, Kazakhstan, 15-16 November 2006**

A. ORGANIZATION OF THE MEETING

1. The Third Expert Group Meeting on the Promotion of Dam Safety Cooperation in Central Asia was held in Almaty, Kazakhstan on 15-16 November 2006. The Meeting was organized by the United Nations Economic Commission for Europe (UNECE) and the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) in close collaboration with the Executive Board of the International Fund for Saving the Aral Sea (EB IFAS).

2. The Meeting was held within the framework of the project “Capacity building for cooperation on dam safety in Central Asia” that is being implemented by UNECE and UNESCAP. The project, implemented under the supervision of the Project Working Group for Rational Use of Energy and Water Resources in Central Asia in the framework of the United Nations Special Programme for the Economies of Central Asia (SPECA), aims to strengthen national capacities with regard to dam safety and to improve regional cooperation in this area. The project is also a contribution to the implementation of the Aral Sea Basin Programme 2 (ASBP-2) implemented by IFAS.

1. Objectives of the Meeting

3. The main objective of the Meeting was to facilitate cooperation between Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan in the development of model national law on dam safety and of a draft regional agreement on cooperation in emergency situations involving hydrotechnical installations. The event’s other objective was the exchange of relevant experiences between the participants.

2. Attendance

4. The Meeting was attended by 22 experts from Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan; IFAS was represented by 6 participants. Eurasian Economic Community (EurAsEc) was represented at the meeting as well. Staff members of the UNESCAP and UNECE secretariats and a consultant brought the total number of participants to 37. The list of participants is provided in Annex 1.

3. Opening of the Meeting

5. The Meeting was opened by Mr. Almabek Nurushev, Director of the Executive Board of IFAS in the Republic of Kazakhstan. On behalf of the host country, he welcomed the participants and stressed the importance of cooperation on dam safety for all the countries of Central Asia. He noted the timeliness of the Meeting and underlined that promoting safe exploitation of dams and other hydrotechnical installations is a priority of IFAS. He expressed gratitude to UNECE and UNESCAP for their cooperation with IFAS in this area.

6. Mr. Bo Libert, Regional Advisor of the Environment, Housing and Land Management Division of the UNECE secretariat, expressed his gratitude to all the members of expert group for successful work with the documents of the project, proving the highest interest of member countries in achieving results. He informed the participants of the possibility to extend the activities for Promotion of Dam Safety Cooperation in Central Asia in the framework of

project continuation for another three years and suggested to the meeting to discuss the main lines of anticipated activities.

7. Mr. Le Huu Ti of the Environment and Sustainable Development Division of the UNESCAP secretariat greeted the meeting participants. He noted with satisfaction the success of the project and growing interest to its results. This is being proved particularly by the attendance of representatives of Korea Water Resources Corporation.

8. Mr. Risto Kuusiniemi, Dam Safety Expert, welcomed the participants on behalf of the Government of Finland. He noted with satisfaction the progress of the project and expressed his view that its results would undoubtedly facilitate the strengthening of cooperation between the countries in Central Asia on dam safety.

4. Election of Officers

9. Mr. Amirkhan Kenshimov, Deputy Chairman, Committee on Water Resources, Ministry of Agriculture; Alexey Zyrianov, Deputy Director, Center of Operation and Repair of JSC "Electricity stations", Mr. Ismoil Nachmidinov, Head of the Management Department, the Ministry of Melioration and Water Management in Tajikistan; Mr. Guvanch Khaimedov, Main Engineer, Ministry of Water Management in Turkmenistan; and Mr. Timur Kamalov, Chairman of the State Inspectorate "Gostekhvodnadzor" of Uzbekistan each chaired one of the Meeting's sessions.

5. Approval of the Agenda

10. Mr. Bo Libert, Regional Advisor of the Environment, Housing and Land Management Division of the UNECE secretariat outlined the objectives of the Meeting. He then presented its agenda and work programme.

11. The following agenda was approved:

1. Opening of the Meeting
2. Election of officers
3. Approval of the Meeting agenda
4. Results of discussion and modification of draft model national law "On the safety of hydrotechnical installations".
5. Preparation of publication on the legal aspects of the safe exploitation of dams in Central Asia.
6. Results of discussion and revision of the draft regional agreement on hydrotechnical installations safety cooperation
7. Development of Meeting recommendations
8. Other issues
9. Closing of the meeting

The full programme of the Third Expert Group Meeting on the Promotion of Dam Safety Cooperation in Central Asia is found in Annex 2.

B. PROCEEDINGS

12. Under agenda item 4, representatives of the participating countries made presentations about the progress of discussion, revision and adaptation of draft model national law “On the safety of hydrotechnical installations”, which was developed under the framework of the project.

13. Mr. Alexander Mironenkov, Adviser of the Secretary General of the EurAsEc, Integration Committee in his talk proposed to utilize the existing EurAsEc mechanisms in order to provide support to the stakeholder countries in adoption of the model national law “On the safety of hydrotechnical installations”, and to facilitate the negotiation process in reference to the regional agreement on hydrotechnical installations safety cooperation.

14. Mr. Dmitrii Radkevich, consultant, presented the suggestions received from the participating countries of modifications and revision of draft model national law “On the safety of hydrotechnical installations”. The modifications and revisions were introduced to the model law on the basis of suggestions received in course of the discussion.

15. Under agenda item 5, Mr. Yuri Steklov, consultant, presented the proposed content of publication on the legal aspects of the safe exploitation of dams in Central Asia, which was based on the national reports on dam safety. Upon approval of the proposed content, the participants had inserted a number of clarifications and modifications to the second version of the publication.

16. Under agenda item 6, Mr. Dmitrii Radkevich, consultant, presented the suggestions received from the countries regarding the regional agreement on hydrotechnical installations safety cooperation. The revisions were introduced to the draft regional agreement on the basis of suggestions received in course of the discussion.

17. The lecturers stressed the high interest of Central Asian countries in developing regional agreement on hydrotechnical installations safety cooperation the draft of which had been discussed at the meeting. In this regard, the proposed opportunities to utilize the EurAsEc and IFAS mechanisms for possible facilitation of negotiation process for finalizing the agreement were welcomed with appreciation.

18. Mr. Dong-Hoon Shin the representative of Water Resources Corporation, Republic of Korea, made presentation of activities of his organization and shared findings on technical condition of Papan and Nayman hydraulic installations in Kyrgyzstan, acquired during the visit of these constructions on November 30, 2006.

19. Mr. Turdybaev Bakhodyr, the representative of Scientific Information Center of the Interstate Commission for Water Coordination (SIC-ICWC) made a presentation of the Water and Environmental Portal for the Central Asia Region. The participants paid great interest to the presentation and discussed a recommendation to establish a site dedicated to the dam safety in Central Asia at the web-portal.

20. Under agenda item 7, the meeting participants discussed in detail possible future activities aimed at promotion of dam safety cooperation in Central Asia, proposed by Mr. Yuri Steklov, and approved the following conclusions and recommendations.

C. CONCLUSIONS AND RECOMMENDATIONS

21. The Participants adopted resolutions on discussed issues and recommended taking the following actions:

I. In reference to the draft model national law “On the safety of hydrotechnical installations”

- a. The work aimed at formulation of the draft model national law “On the safety of hydrotechnical installations” shall be considered to be completed.
- b. The stakeholder countries shall speed up the work on development of national legislation on the safety of hydrotechnical installations, based on adopted draft model national law “On the safety of hydrotechnical installations”.
- c. To welcome the proposal of IFAS to submit the model law for the consideration of Executive Board of IFAS with the aim to adopt it as the fundamental document for the stakeholder countries in order to develop relevant national legislations on the safety of hydrotechnical installations.
- d. To accept with gratitude the offer of the EurAsEc Integration Committee to forward the model national law “On the safety of hydrotechnical installations” for the consideration and possible approval to the EurAsEc Inter-parliamentary Assembly.

II. In reference to the draft regional agreement on hydrotechnical installations safety cooperation

- a. The work aimed at formulation of the draft regional agreement on hydrotechnical installations safety cooperation shall be considered to be completed.
- b. In response to the address of UNECE (see item IY d), a Working Group for further development of the Agreement shall be established comprised of two representatives of each country, and a Representative of IFAS, to be nominated by the countries.
- c. To welcome the proposal of IFAS to submit the draft regional agreement on hydrotechnical installations safety cooperation for the consideration of the Executive Board of IFAS with the aim to initiate the process of its negotiation at the regional level.
- d. To accept with gratitude the offer of the EurAsEc Integration Committee to forward the draft regional agreement on hydrotechnical installations safety cooperation model national law for information of the High-Level Group for Developing a Harmonized Mechanism of Water and Energy Management in Syrdarya and Amudarya river basins, created under the EurAsEc.

III. In reference to the publication on the legal aspects of the safe exploitation of dams in Central Asia

- a. To agree with the structure, proposed by the second revision of the publication on the legal aspects of the safe exploitation of dams in Central Asia, and to adopt it as basis for further work.

b. To establish a temporary Working Group for finalization of publication with following members: A. P. Kholmatov – head of the Group, national experts, consultants: Yu. N. Steklov and E. E. Orolbayev. To address the heads of the delegations of each country to confirm the nominations of the national experts before December 1, 2006.

c. To make provisions for the final meeting of the group in the beginning of 2007.

d. To address all the participants of the meeting with request to provide photographic materials for possible incorporation into the publication.

e. To address SIC-ICWC with a request to provide a map of Central Asia, indicating the main hydrotechnical installations of the region for incorporation into the publication.

f. The Group shall complete the work on Russian text of the Publication before February 1, 2007.

IY. In reference to the promotion of cooperation

a. To approve the proposed lines of cooperation on dam safety in Central Asia, providing for:

- continuation of activities in area of harmonization of legislative framework on dam safety in Central Asia;
- approximation of technical normative acts on safe exploitation of dams and other hydrotechnical installations;
- development of regional agreement on hydrotechnical installations safety cooperation;
- unification of dam and other hydrotechnical installations condition monitoring methods, and
- work to improve the technical condition of dams and other hydrotechnical installations.

b. To make a report at the upcoming session of SPECA Project Working Group on Water and Energy Reserves (Energy PWG), which shall take place on 17 November 2006 in Almaty, about the results of the project aimed at promotion of cooperation in dam safety.

c. To address the Energy PWG with request to draw attention of SPECA governing bodies to the model national law “On the safety of hydrotechnical installations” and to the draft regional agreement on hydrotechnical installations safety cooperation, developed within the framework of the project, and to also request them to extend their assistance to help the respective Governments to assign top priority to consideration of these instruments and also to the issues concerning the technical cooperation in dam safety.

d. To request the UNECE to prepare and send letters to the Governments of Central Asian countries, and to the governing bodies of IFAS and EurAsEc with a brief

summary of the results of the project and proposals on promotion of cooperation on dam safety.

e. In reference to cooperation with the International Commission on Large Dams (ICOLD):

- to make note of the entry of Tajikistan into ICOLD and to ask the Tajik delegation to share information on the procedure of entry into ICOLD among the Central Asian countries;
- to agree that it would be of value for the representatives of the Central Asian countries to attend the session of the Executive Committee of ICOLD to be held in Saint-Petersburg in June 2007;
- to support if possible the attendance of Central Asian delegates in the session of Executive Committee of ICOLD by means of donor funding;
- to seek for an opportunity to make a report on cooperation on dam safety in Central Asia at the session of Executive Committee of ICOLD.

Y. In reference to continuation of project activities

a. to request the UNECE to prepare a project proposal on the basis of developed lines of cooperation in respect to dam safety in Central Asia, as listed in item IY a.

b. to request the UNECE and UNESCAP to ask potential donors to support the activities on dam safety in Central Asia within the framework of a new phase of the project.

c. to address SIC-ICWC with proposal to open a web-site on dam safety in Central Asia at the Water and Environmental Portal of Central Asia.

YI. In reference to adoption of a concluding statement

To adopt the concluding statement of the Third Expert Group Meeting on the Promotion of Dam Safety Cooperation in Central Asia. The Concluding Statement is found in Appendix 3.

List of participants

**THIRD EXPERT GROUP MEETING ON THE PROMOTION
OF DAM SAFETY COOPERATION IN CENTRAL ASIA
15-16 November 2006, Almaty, Kazakhstan**

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PROGRAM and SCHEDULE**Third Expert Group Meeting on the Promotion of Dam Safety Cooperation in Central Asia
15-16 November 2006, Almaty, Kazakhstan****Wednesday, November 15, 2006**

09.00 - 09.15 Registration of Participants

09.15 – 09.25 **Opening of the Expert Meeting.**
(Chairman – Mr. Almabek Nurushev, Executive Board of Directors of the IFAS in the Republic of Kazakhstan)

Greetings on behalf of the UNECE.

Mr. Bo Libert, the regional advisor, UNECE.

Greetings on behalf of the UNESCAP.

Ti Le Huu, Environment and Sustainable Development Division

Greetings on behalf of the Government of Finland.

Mr. Risto Kuusiniemi, Institute of Environment, Finland.

09.25 - 09.30 Presenting the program and schedule of the Meeting.

Mr. Bo Libert - the regional advisor, UNECE.

Session 1. Harmonizing the national legislations in respect to the dam safety. Results of discussion and continued development of the draft model national law on “Safety of Hydrotechnical Installations” and prospects of its adoption. (Chairman – Mr. Kenshimov A. K., Kazakhstan)

09.30 - 10.30 Results of the discussion of the Draft Version of referred Law on the National level and possibilities of introducing the same to the consideration of national legislative bodies.

*Mr. Sarsembekov T. T., Kazakhstan**Mr. Zyryanov A. G., Kyrgyzstan**Mr. Abdulloev N., Tajikistan**Mr. Ballyev K. B., Turkmenistan.**Mr. Kamalov Ye. K., Uzbekistan*

10.30 - 11.00 Coffee break

11.00-11.30 Draft Model National Law on “Hydrotechnical Installations”, amended with received remarks; possible assistance to stakeholder countries in terms of adaptation of the Draft Version of the Law.

*Mr. Dmitriy B. Radkevich, consultant**Mr. Bo Libert, the regional advisor, UNECE.**Mr. Alexander Mironenkov, Representative of Integration Committee, Secretariat of EurAsEC*

11.30-12.30 Consultation

12.30-13.30 Lunch break

Session 2. Preparation of publication on the legal aspects of the safe exploitation of dams in Central Asia.

(Chairman – Mr. Zyryanov A. G., Kyrgyzstan)

- 13.30-14.00 Suggested content of the Publication
Mr. Yuri N. Steklov, Consultant
- 14.00 - 15.30 Consultation
- 15.30-16.00 Coffee break
- 16.00 -18.00 Consultations with delegations on follow-up revision of Summary Report

Thursday, November 16, 2006

Session 3. Promotion of cooperation in emergency situations with Water Facilities

(Chairman – Mr. Nachmidinov, Tajikistan)

- 09.00- 09.30 Draft Regional Agreement on Hydrotechnical Installations Safety Cooperation, amended with received remarks.
Mr. Dmitriy B. Radkevich, consultant
- 09.30-10.30 Prospects of adopting a Regional Agreement and suggestions on further actions in pursuing this goal.
Talks by Representatives of IFAS and participants from Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan
- 10.30-11.00 Coffee break
- 11.00-12.00 Continuing the consultation, developing conclusions.
Mr. Dmitriy B. Radkevich, consultant
- 12.00-12.15 Presentation of the Water Resources Corporation, Republic of Korea – potential to facilitate the project
Mr. Dong-Hoon Shin, Water Resources Corporation, Republic of Korea
- 12.15-12.30 Possibilities of Internet-resources utilization for promoting the cooperation in area of Dam Safety in Central Asia

Turdybaev Bakhodyr, SIC ICWC, CAREWIB project
- 12.30-13.30 Lunch break

Session 4. Recommendations on Promotion of Dam Safety Cooperation in Central Asia, including introduction of suggestions for the project's further development.

(Chairman – Mr. Khanmedov G., Turkmenistan)

- 13.30-14.30 *Talks by Representatives of IFAS, and participants from Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan and the Representative of the Environment Institute, Finland.*
- 14.30-15.00 Setting forth the conclusions of consultation:
Mr. Yuri N. Steklov, Consultant;
Mr. Bo Libert, the regional advisor, UNECE.
- 15.00 - 15.30 Coffee break

Session 5. Development and adoption of the Meeting's Recommendations.
(Chairman – Mr. Kamalov Ye. K., Uzbekistan)

15.30 -16.30 Consultation

16.30- 17.00 Adopting the Meeting's Recommendations. Closing the Meeting.

CONCLUDING STATEMENT

Third Expert Group Meeting on the Promotion of Dam Safety Cooperation in Central Asia 15-16 November 2006, Almaty, Kazakhstan

The participants of the Meeting have with a great satisfaction noted the significant progress, achieved in course of implementation of the project on the *Promotion of Dam Safety Cooperation in Central Asia: building potential and regional cooperation*, and would like to express their deepest gratitude to the Government of Finland for the funding of this project.

The participating countries started to pay priority attention to the regulatory and legislative issues in respect to the Safety of Dams and other major Water Facilities. The activities promoting approximation of National Legislations governing this field were initiated based on adaptation of Draft Law on Safety of Water Facilities, proposed within the framework of this Project. Certain efforts in this direction had been undertaken by Tajikistan, and upon consideration of the model law at different levels of Government a decision was made to initiate the creation of national law on hydrotechnical installations safety. In Turkmenistan, work has been started to formulate the national law on hydrotechnical installations safety. Kyrgyzstan has developed a Charter of the Commission on Dam Safety, which being a Governmental Regulatory Body in area of Dam Safety shall be responsible for monitoring of dam safety and dams operators. In Kazakhstan it has been proposed to amend the Water Code with clauses relevant to the regulatory and legislative affairs in terms of Dam Safety. Uzbekistan is still in the process of carrying out their work on implementation of all articles of Law on Safety of Water Facilities which they have adopted in 1999.

It was also remarked that special attention in all regulatory and legislative documents of Central Asian countries is now drawn particularly to the issues of improvement of technical condition and raising the level of safety of trans-boundary river dams of interstate significance, since these are of major influence to the downstream country's water supply. For example, in Kyrgyzstan according to their Water Code, all trans-boundary dams of interstate significance shall be treated as highest priority objects – Dams of Republican Importance.

The participants of the Meeting also stressed that the large dams on trans-boundary rivers and the reservoirs created are of extreme importance for the economic and environmental safety of the countries in this region. At the same time, these dams may represent a significant threat to the downstream regions and countries, Emergency or collapse of such dams may cause catastrophic calamities, including significant numbers of human victims and material damage, mainly due to the dam-break wave.

At the same time, in Central Asia there is a lack of special Intergovernmental Treaties governing the procedure of informing the countries on the safety situation of Interstate Significant Dams, as well as on emergency or dangerous situations of the dams and other large water facilities which may cause catastrophic consequences for the other countries. Although there are systems of inter-agency emergency or failure information for countries downstream of main trans-boundary rivers in the Region - Amu-Dariya and Syr-Darya – these systems do not cover all dams and water facilities, located in these river basins.

The participants of the Meeting expressed their concern on the insufficiency of large-scale emergency information systems within the region, and called upon all the countries to actively cooperate on promotion of Inter-Governmental Treaties in this sphere. In this connection, it was remarked with great satisfaction that within the framework of the project on the *Promotion of Dam Safety Cooperation in Central Asia: building potential and regional cooperation*, a Proposed Regional Treaty on hydrotechnical installations safety in Central Asia, which could in due course be used as a basis for both Regional and Basin-scale Agreements.

The participants of the Meeting agreed that the successful first phase of the project on the *Promotion of Dam Safety Cooperation in Central Asia: building potential and regional cooperation*, completed in 2006, had laid a solid base for future development of cooperation in the field of Dam Safety on the Region. At the same time, the participants remarked, that in order to successfully proceed with the implementation of initiated regulatory and institutional reforms, both in respect to development of Regional and Basin-scale Agreements on dam safety cooperation, more efforts are required from each country as well as coordination on the regional level.

The participants of the Meeting gave their full support to the further development of cooperation in area of Dam Safety in Central Asia and decided to address the Government of Finland and other potential donors with a request to continue the financial support of the successful project *Promotion of Dam Safety Cooperation in Central Asia: building potential and regional cooperation*.