

## **Decree of the President of the Kyrgyz Republic**

### **On foundations of foreign policy of the Kyrgyz Republic in the Field of Use of Water Resources of Rivers Having their Source on the Territory of Kyrgyzstan and Flowing to the Territory of Neighbouring Republics.**

Naryn, Chatkal, Talas, Sarydjaz, Aksai and other rivers having their source in Kyrgyzstan compose the main part of natural resources of the Republic and they are considered as a national property.

The rivers are of great economic, social and ecological importance for the Republic of Kazakhstan, China Peoples Republic, Tadjikistan and Uzbekistan located down stream of these rivers.

Paying great attention to the settlement of problems of joint water use, the Heads of the above Republics in Application of May 6, 1996 recognised the necessity to speedup the development of a new water distribution strategy and economic management levers in preservation and use of water and power resources. The importance of efficient operation of water objects of inter-state importance particular by means of formation of international consortiums and attraction of both foreign and local investments, has been emphasised in the Decision made by the above states-participants of the Agreement on Establishment of Single Economic Environment of July 24, 1997.

Settlement of these problems is possible on the basis of fair consideration of interests both of the Kyrgyz Republic and other interested countries by consequent negotiating and reaching corresponding inter-state agreements based on peculiarities of water use for each river having its source on the territory of the Kyrgyz Republic and flowing outside.

Considering the political and practical importance of successful settlement of this issue and following the provisions of Point 3, Article 42 of the Constitution of the Kyrgyz Republic, I hereby state:

1. In implementation of state policy in the field of use of natural river resources having their source in Kyrgyzstan and flowing outside as well as when conducting inter-state negotiations on these issues, one shall proceed from the principles and provisions as follows:
  - Agreements on use of river water resources shall be aimed at achieving mutual benefit on transparent and fair basis;
  - The Kyrgyz Republic proceeds from the fact that every state enjoys the right to use water resources within the boundaries of its territory with the object of gaining maximum benefit. Issue of water delivery, regulation of river flow and payment for water use or distribution of profit gained at the result of river water resources use are subject to inter-state negotiations.
  - The Kyrgyz Republic regulating flow and delivery of water to a down stream state enjoys the right to have compensation of expenditures on construction, reconstruction and operation of water reservoirs and other hydrotechnical object of inter-state importance;

- One of the key provisions to be reflected in the international agreement shall be a mutual obligation of parties to control, prevent and eliminate pollution of river that can affect environment, health and security of people.
- The Kyrghyz Republic attaches great attention to collaboration of contiguous states in settlement of issues on survey, recording, preservation and rational use of river water resources. For that purpose joint commissions and other interim and permanent bodies shall be established.

2. The Government of the Kyrghyz Republic shall:

- proceed to drafting and submitting of changes and amendments to the Water Law of the Kyrghyz Republic for consideration to Jogorku Kenesh

3. To charge the Department of Local Self-Government and Agrarian Policy of Presidential Administration of the Kyrghyz Republic with the control over the execution of this Decree.

President of the Kyrghyz Republic A. Akaev

Bishkek

6 October 1997