

The Legal-Economic Framework for Controlling the Water Crisis in Central Asia

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(Date of Reception: 1 Sep. 2016 - Date of Acceptance: 18 Feb. 2017)

Abstract

Although two thirds of the Earth's surface is covered by water but the water crisis has been a vital issue for the inhabitants of the earth because only 0.26 percent of the water available on the ground is sweet and usable and also available water resources are not evenly distributed. For example, a community has more control over water resources than others. Therefore, shortage of water resources and also uneven distribution at the global level, caused increases the importance of water and if these sources be as international rivers, it can create conflicts on utilization. Therefore, it can be said, those water sources that are shared between two or more governments, can cause conflicts. Border and ideological differences and also differences in geopolitics and hydrogeopolitics of countries in a region increase the crises and conflicts in the region. The article will examine the relations between Central Asian countries on the issue of water. In this region the water issue is affected by political, economic, legal, technical, and ecological issues. Therefore, the water crisis is one of the most important issues in the region of Central Asia and Russia that a large part of it is influenced by decisions about the geographic and political divisions that have remained since the Soviet Union. Now also in addition to past issues part of the crisis has also been imposed on the region due to geographical conditions and the other part due to the performance of governments that has impact on the current and future crises of the region, especially in the development of agricultural and industrial activities in the countries. In general, when the water crisis discussed in Central Asia that Tajikistan and Kyrgyzstan have the origins of the two great rivers, the Amu Darya and Syr Darya and these countries are on the upstream rivers. They reduce the rights of other countries in the

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region with creation of a dam and water supply. In general, the motivation to create a dam in the Central Asian region is due to several reasons; A) Agriculture: The greatest economic advantage of Central Asian countries is the expansion of the agricultural sector. Thus, Central Asian countries have been developing their agriculture since the past, with the diversion of water through the excavating of the canal or the blockade of current waters by creating a dam. However, statistics show that Tajikistan and Kyrgyzstan, despite having the sources of Amudarya and Syr Darya rivers, did not make a significant difference between themselves and other countries in the Central Asian region. This depends on variables such as land extent. B) Avoid seasonal floods: The mountainous region and abundant atmospheric rainfall at high altitudes in the winter and spring cause seasonal floods and huge destruction. Therefore the creation of multiple dams can reduce the power of floods. In graphs displayed in text we concluded that the frequency of “high” earthquakes and the average occurrence of floods in Tajikistan and Kyrgyzstan is far more than the other countries in the region that are in the downstream position. C) Hydroelectric power generation: The mountainous region of Central Asia and the severe winter cold, plus the shortage of hydrocarbon resources such as oil, gas or coal in Tajikistan and Kyrgyzstan has caused these upstream countries to create dams for the production of hydroelectric power to provide their energy in all seasons and in particular the cold seasons. Although the crisis in the Central Asian region has become more important after the Soviet collapse, but it seems there are factors and parameters in the region that prevent the crisis of relations between countries on the issue of using the waters of the border. Therefore, this research uses the descriptive-analytical method and the use of information gathering methods in the form of library and Internet, seeking to answer this question that in general, what factors control the water crisis in Central Asia and prevent regional conflicts among the countries of the region? The hypothesis of this article is that parameters in the framework of an economic-legal framework such as energy exchanges, institutional and inter-organizational links, and comprehensive water utilization plans have contributed to controlling the water crisis in Central Asia. By studying the data gathered in this study, we arrive at this conclusion that the water disagreements and the water crisis in Central Asia are deeply rooted and multilateral but it seems that by designing economic-legal frameworks in the region, it can reduce the incidence of conflicts among actors involved in this issue. In this research, these frameworks are divided as follow: A) Organizational and inter-organizational links: The overlapping of members in organizations working in the field of economy and energy in the Central Asian region creates some kind of convergence and entanglement. The energy economy and its agreements cover issues such as the rights of low-income countries and other relevant issues in international law, and subsequently reduce the tensions. In this regard, the authors referred to four organizations and institutions that in

these organizations, most Central Asian countries are members of these three organizations, including the Commonwealth Power Council, the ECO Organization, the Shanghai Organization and the Central Asian Economic Organization. B) Exchange of energy between countries of the region: Hydropower is produced in upstream countries, Tajikistan and Kyrgyzstan, which do not have much hydrocarbon resources. Other countries in the region, Kazakhstan, Uzbekistan and Turkmenistan have significant oil and gas resources. Therefore, the exchange of water and hydropower between oil and gas can create a kind of interdependence among the countries of the region, and this interdependence will reduce tensions between Central Asian countries. C) Comprehensive legal plans for water use: In this regard, we can refer to the 1992 Almaty Document, which is an intergovernmental agreement between Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan on “Cooperation in the area of joint management and protection of intergovernmental water resources reserves” and the 1996 Tashkent agreement on “The use of fuel and energy resources, construction and operation of gas pipelines in Central Asia” between Kazakhstan, Kyrgyzstan and Uzbekistan and finally to the document of March 17, 1998, as a new intergovernmental agreement on “the use of water resources in the Syr Darya river basin.”

Keywords: Central Asia, Conflict, Political-Legal Framework, Water, Water Crisis.