

OBSTACLES TO ESTABLISHING A WATER-ENERGY CONSORTIUM IN CENTRAL ASIA

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Abstract. Throughout their independence, the countries of the region have been trying to find rational ways to manage water resources of the transboundary rivers Amu Darya and Syr Darya. The idea of establishing a water-energy consortium was first voiced in 2018, with the main objective of balancing the use of water resources for irrigation and hydropower. However, the construction of mutually beneficial and predictable water cooperation is based on framework agreements at the local levels and against the background of territorial problems. The article considers the issues of legal support of water cooperation at the regional level and the status of ratification of international legal acts in the field of water resources management by Central Asian countries. Also, the problems of ethnic enclaves located on the territory of the Fergana Valley, which hinder friendly relations in the use of water and land resources, are touched upon. In addition to internal problems, the article discusses the successful experience of establishing water-energy cooperation between the countries of the Senegal River Basin and the possibility of its application in the Central Asian region.

Keywords: water-energy consortium, water cooperation, water legislation, conflict, territorial disputes.

Аңдатпа. Ел тәуелсіздігінің барлық кезеңінде Амудария мен Сырдария трансшекаралық өзендерінің су ресурстарын басқарудың ұтымды жолдарын табуға тырысуда. Су-энергетикалық консорциум құру идеясы алғаш рет 2018 жылы айтылды, оның негізгі мақсаты су ресурстарын ирригация мен гидроэнергетикаға теңгерімді пайдалану болып табылады. Дегенмен, өзара тиімді және болжамды су ынтымақтастығын құру жергілікті деңгейде және аумақтық проблемалар аясында негіздемілік келісімдерге негізделген. Мақалада өңірлік деңгейде су саласындағы ынтымақтастықты құқықтық қамтамасыз ету мәселелері және Орталық Азия елдерінің су ресурстарын басқару саласындағы халықаралық құқықтық актілерді ратификациялауына қатысты істердің жай-күйі талқыланады. Сондай-ақ Ферғана алқабында орналасқан этникалық анклавтардың су және жер ресурстарын пайдаланудағы достық қарым-қатынасына кедергі келтіретін мәселелері қозғалады. Мақалада ішкі проблемалардан басқа Сенегал өзені бассейні елдерінің су-энергетикалық ынтымақтастығын құрудың табысты тәжірибесі және оны Орталық Азия аймағында қолдану мүмкіндіктері талқыланады.

Түйін сөздер: су-энергетикалық консорциум, су ынтымақтастығы, су заңнамасы, қақтығыс, аумақтық даулар.

Аннотация. На протяжении всей независимости страны региона пытаются построить найти рациональные пути управления водными ресурсами трансграничных рек Амударья и Сырдарья. Идея создания водно-энергетического консорциума впервые прозвучала в 2018 году, основной целью которой является сбалансированное использование водных ресурсов на ирригацию и гидроэнергетику. Однако, строительство взаимовыгодного и предсказуемого водного сотрудничества основывается на рамочных соглашениях местного уровня и на фоне существует территориальных проблем. В статье рассматриваются вопросы юридического сопровождения водного сотрудничества регионального уровня и состояние дел по ратификации странами Центральной Азии международных правовых актов в области управления водными ресурсами. Также, затрагиваются проблемы этнических анклавов, расположенных на территории Ферганской долины, препятствующие дружественным взаимоотношениям при использовании водных и земельных ресурсов. Помимо внутренних проблем, в статье обсуждается успешный опыт создания водно-

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энергетического сотрудничества стран бассейна реки Сенегал и возможность его применения в Центрально-Азиатском регионе.

Ключевые слова: водно-энергетический консорциум, водное сотрудничество, водное законодательство, конфликт, территориальные споры.

Introduction

After the collapse of the Soviet Union, during more than 30 years of independence, the countries of Central Asia continue to seek ways to solve problems on rational and equitable distribution of water resources of the two transboundary rivers Syr Darya and Amu Darya. To this end, in 1992, the leaders of the region's countries established the International Fund for Saving the Aral Sea (IFAS), which in its early days envisioned the preservation of previously established rules based on the principles of the Soviet planned economy and barter relations. To date, IFAS continues to try to solve the problems of seasonal water allocation, however, disagreements between the countries every year become wider and sharper, as evidenced by the suspension of the Kyrgyz Republic's participation in IFAS.

Under these conditions, the establishment of a water-energy consortium is perceived by all countries in the region as an optimal solution for water resources allocation and satisfaction of national interests. The first attempts to establish a consortium were made in 1998 by signing the Agreement between the Government of the Republic of Kazakhstan, the Government of the Kyrgyz Republic and the Government of the Republic of Uzbekistan on the use of water and energy resources in the Syrdarya River basin. Within the framework of the agreement, numerous variants of projects, charters and concepts were proposed; however, the countries did not make a final decision on the establishment of the consortium. Further actions to accelerate water-energy cooperation were confirmed by signing the Almaty Declaration in 2003. The draft declaration was supported by the World Bank at the meeting of the countries of the region in 2004, but, as before, the participating countries did not find a common ground for a final solution [1].

To date, Central Asian leaders continue their efforts to establish a consortium in the hope of adopting a mutually beneficial document on water and

energy cooperation. The discussion of water problems has nowadays moved from regional to international platforms. Thus, in his speech at the UN Summit on Food Systems in 2021, the President of the Republic of Kazakhstan K.K. Tokayev noted that food security of the countries in the region largely depends on the distribution of water resources and cooperation of the countries within the framework of water diplomacy [2]. Also, the President of the Republic of Tajikistan E. Rakhmon voiced water problems in the region at the opening ceremony of the UN-2023 Water Conference, where he expressed concern about climate change in the region and its economic and environmental consequences for the water resources of transboundary rivers [3].

Throughout the post-independence period, the countries of the Central Asian region have adopted numerous multilateral agreements, declarations, and statements that were largely aimed at maintaining the previously established Soviet standards of energy exchange between the upstream and downstream countries of the region's transboundary rivers [4]. Ultimately, the conditions for transition to more modern and productive ways of cooperation in the field of water allocation have not been adopted, which is evidenced by the statute of limitations of the last joint document (Dushanbe Declaration) signed between the countries back in 2002.

In my article, I will try to consider the issues related to the conditions for establishing a water-energy consortium and the obstacles existing on the way to its realization. Is it possible, taking into account the current conditions, to build water-energy cooperation in the region?

The first part of the article will consider aspects of the legislative framework for cooperation between the Central Asian countries and existing gaps between regional legislation and international water law. The second part of the article will touch upon the issues of territorial disputes between the countries of the region and their impact on further building of the water-energy consortium. In

the final part of the article it is planned to present international experience of water-energy cooperation in other basins and recommendations for their implementation in the region. In order to cover the existing issues more broadly, it is planned to consider the experience of other countries and regions that have similar problems in water resources management and allocation within the framework of water-energy cooperation.

Literature review

First of all, it is necessary to consider what types of water conflicts exist in the world practice. According to Boyarkina, conflict is a natural state of most international relations, which implies that each party has its own interests in various aspects of human life that do not coincide with the interests of other countries. The author divides water conflicts into 4 main types: a clash over the ability to control water resources (Israel-Syria, 1962); use of water as a strategic weapon for military purposes (Iran-Iraq war 1980-1988); as an instrument of political pressure (Ukraine-Crimea, 2014); use as a terrorist target (Israel-Hezbollah, 2006); as a military seizure (Israel-Syria, 1967); disputes based on socio-economic development (Tajikistan-Uzbekistan) [5].

Many conflicts, by their nature, have corresponding dimensions by which it is possible to understand the depth and cause of the conflict. First of all, there is the physical dimension, in other words, land and natural resources, which are the cause of most conflicts. Secondly, the temporal dimension, where we should count the beginning of the conflict and its end. For example, the beginning of the Arab-Israeli conflict should be considered the beginning of the military action during the 6 days war (1967) or from the declaration of Israel's independence (1948). Another type of dimension is the symbolism of the conflict, with which the armed clash between Kosovo and Serbia is associated. For many years, Kosovo has been the birthplace of the entire Serbian nation, from where the history of the formation of the nation of Serbia originates. Such symbols of various kinds are spread all over the world and are an important part of many nations. The last dimension relates to ethnicity. There are

many examples where borders are drawn and mapped without taking into account the ethnic composition of individual territories, which ultimately creates conflict and tension between border populations [6].

When it comes to conflicts over water resources, it should be noted that despite many expert forecasts about impending wars over access to water, the number of major clashes between groups of individuals or states is much smaller than over other natural resources. Moreover, Carius et al. argue that water can be a catalyst not only for conflicts, but also a resource that unites people and states. In order to preserve and favorable existence, conflicting countries, through rational and equitable use of water resources, can benefit economically and ecologically [7].

Water by its nature is involved in many processes of human activity and has a significant impact on humans and their environment. Thus, according to Wolf et al. When organizing water resources management, it is impossible to build management only for the sake of providing drinking water to the population, it is necessary to approach this issue comprehensively, because water affects the interests of many stakeholders and different sectors of the economy. In the process of building relationships between them, contradictions arise, and if state borders are added, the conflict can move from the intra-state level to the international level [8].

The causes of water conflicts can have different nature, depending on the geographical location and ecological state of the river basin. In the article by Haftendorn a table is given where the author notes 4 causes of water conflicts. The first cause of conflict is the use of water resources, for example, for navigation. The second reason the author notes pollution of water resources from the impact of various industrial facilities. The third cause of conflict is due to the equitable distribution of water resources, through the construction of dams and dikes. The last reason is the insufficiency of water resources in arid zones and its availability to the population [9].

An important factor in the development of water conflicts is the geographical location of a water basin with

its climatic ecological conditions. Thus, according to Giordano et al. geographical location of countries plays a key role in studying the nature of conflict and its further development. The authors analyzed water conflicts in Israel, India and South Africa and concluded that the intensity and intensity of the conflict depends on climatic conditions of the region, political system of neighboring states, historical relations of the countries in the region and resource potential of the conflicting parties [10].

In addition to the obvious reasons for the lack of constructive dialog and building mutually beneficial cooperation, there is a high level of mistrust among the countries in the region regarding the allocation of water resources of transboundary rivers. Central Asian leaders try to defend their own political interests to the detriment of common economic and environmental benefits. As Tsygankov notes, the future of any regional security depends to a greater extent on full cooperation, which implies surrendering a part of one's independence for the benefit of state security and joint coexistence of countries at a certain point in the world [11].

Further, developing the theme of regional cooperation, it should be recognized that the problems of regional cooperation are largely determined by the political system of neighboring states. Fukuyama notes that countries with a liberal social order are less prone to conflict among themselves. Nevertheless, it cannot be said that these countries have not engaged in military conflicts with other states; clashes have occurred, but only with countries of a different political system. For example, the United States has fought in Vietnam and Iraq, but countries with liberal values do not allow open military conflicts in relation to each other [12].

Similar opinion is held by Petersen-Perlman et al., who believe that the success of water cooperation largely depends on the institutional capacity of each participant, its ability to jointly manage water resources of transboundary rivers. Strengthening water cooperation by implementing international and regional agreements and establishing joint basin organizations will avoid conflicts between states and reduce the likelihood of water disputes [13].

Another reason that has a negative impact on cooperation in the region is the uneven distribution of water resources among the Central Asian countries. The main water resources are located in two upstream countries (Kyrgyzstan and Tajikistan), which consider water resources as an energy resource. The other countries of the region (Kazakhstan, Uzbekistan and Turkmenistan) are pursuing agrarian and food purposes, which require large amounts of water resources from transboundary rivers. This situation puts the countries of the region in a stalemate situation where the hydropower interests of one group of countries contradict the food interests of another group of countries [14].

Significant pressure on water cooperation processes can be exerted by the level of political interests and plans regarding water resources, which lead to aggravation of conflicts of regional character. Under these conditions, it is necessary to strengthen the role of science in the search for opportunities for mutually beneficial cooperation, in other words, to involve specialists of so-called water diplomacy in the dialog, taking into account the transboundary nature of rivers and water bodies. The role of narrowly focused specialists is especially important in the context of growing climate variability and annual increase of arid zones, which have a huge impact on people's livelihoods and push them to various types of conflicts [15].

Taking into account the above-mentioned reasons, it should be noted that in such conditions it is difficult to build equal cooperation on the basis of trusting relations. To date, the rhetoric of the countries of the region is based on protecting and defending their own interests, without taking into account regional security and economic benefits. Despite the convincing intentions for mutually beneficial cooperation of the Heads of Central Asian states, there is a process of strengthening national and political views within the region, leading to misunderstanding and termination of dialog. As a result, since 2016 Kyrgyzstan has decided to suspend its participation in the International Fund for Saving the Aral Sea, motivated by the lack of real measures to reform and develop water and energy cooperation in the region [16].

Methodology

The object of scientific research is the territory of Central Asia with its water resources and territorial boundaries. Transboundary rivers Amu Darya and Syr Darya with adjacent territories and legislative frameworks in the field of water resources use at regional and international level should be considered as the subject of study.

When studying the legislative aspects of water cooperation, it should be taken into account that international law on the use of transboundary rivers is used and implemented depending on the political, economic and geographical peculiarities of the region. In this regard, in order to effectively carry out the study of legislative peculiarities it is necessary to apply the method of comparative analysis, which will allow to identify gaps and analogies of different legal relationships between the participants of water cooperation.

Territorial conflicts and disputes are characterized by their intensity and involvement of the opposing parties with their political goals for further development or termination of the conflict. Therefore, in order to track the event series of a local conflict in a dispute over territories it is necessary to apply the method of content analysis, which will allow to collect the necessary information on the basis of news and text arrays and its further application for the purposes of forecasting and development of the event.

In addition, the complexity of water conflicts lies in the fact that water is a transboundary resource that is owned by several states on the basis of equitable and mutually beneficial use. In such circumstances, careful collection and processing of information is an essential part of the study and is achieved by using the document analysis method.

Therefore, for a comprehensive study of the problems of water and territorial disputes, it is necessary to resort

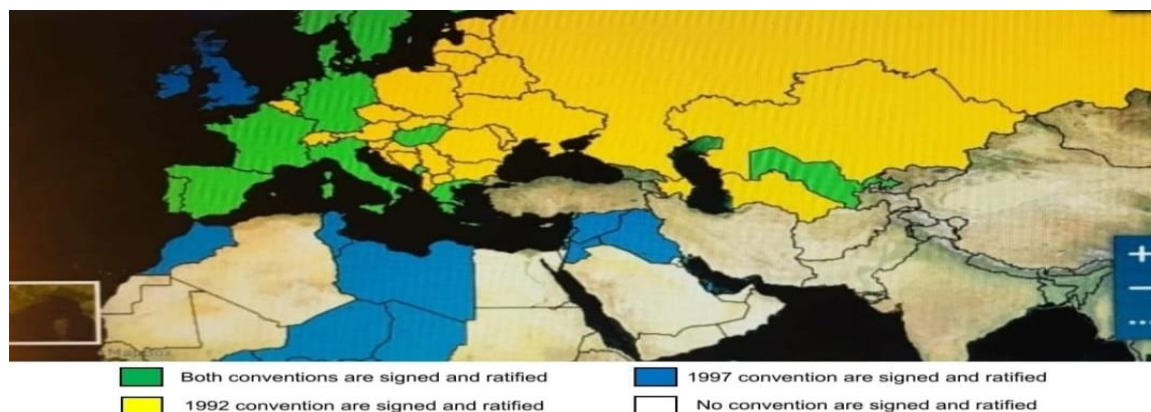
to the international experience of other basins with similar scenarios of confrontation in order to find solutions to the problems and prevent future clashes.

Legal aspects of cooperation

The importance of water cooperation today is due to the fact that transboundary rivers and lakes cover more than half of the Earth's landmass, where 40% of the world's population live, and about 90% of the inhabitants live in the countries through which transboundary watercourses run [17]. Taking into account the importance of water, water cooperation should be built on the basis of generally accepted legislative norms, in particular the Convention on the Law of the Non-navigational Uses of International Watercourses and the Convention on the Protection and Use of Transboundary Watercourses and International Lakes [18]. The practice of conducting relations between states sharing transboundary watercourses on the basis of international agreements is more common in Europe and North America than in other regions of the world, such as the Mekong, Nile and Jordan river basins. [19]. The reason for this state of affairs lies not only in the fact that the countries of Europe and North America adhere to liberal principles of cooperation, but also in the fact that most transboundary rivers are located in the territory of developing, non-industrialized countries [20].

Water cooperation in Central Asia dates back to the signing in 1992 of the Agreement "On Cooperation in the Sphere of Joint Management of Use and Protection of Water Resources of Interstate Sources" between the five countries of the region. Then a number of joint declarations and governmental agreements were adopted, the latest of which was signed in 1998 and addresses the issues of water-energy cooperation between the Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Tajikistan and the Republic of Uzbekistan [21].

Figure 2. Central Asia position on UN Convention (1997) and UNECE Convention (1992)



Source: Water diplomacy training in Tashkent August 2024

Despite multiple regional agreements on water resources management, the internal compass of regional cooperation development needs to be directed towards joint water resources management with emphasis on international law and conventions on water resources management, which unfortunately have been ratified by only three out of five countries [22]. In other words, in terms of political and economic interests, the attitude to the norms of international law of upstream countries (Kyrgyzstan, Tajikistan) sharply differs from downstream countries (Kazakhstan, Uzbekistan, Turkmenistan), which believe that water resources of transboundary rivers are not the natural property of all countries in the region, making water an energy resource only for those countries from which they originate.

To date, 153 countries share water resources of transboundary rivers in

different parts of the world. However, only 48 countries or 31% of the total number of countries located on transboundary rivers are parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes [23]. Moreover, Table 1 shows that the countries of the two river basins (Danube and Rhine) located in Europe have confirmed their commitment to international treaties by ratifying the international instrument. In contrast, the countries of the African, Asian and Middle Eastern River basins have either partially or completely rejected its adoption. There is a certain regularity in which mutually beneficial multilateral water cooperation between the country's parties to the Convention and permanent conflict in the river basins that are completely or partially outside its jurisdiction are noted.

Table 1. Information on ratification of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes by transboundary river basins

Basin	Countries	Information about ratification
Danube	Germany, Austria, Slovakia, Hungary, Hungary, Croatia, Serbia, Bulgaria, Romania, Ukraine, Moldavia	All countries have ratified
Rhine	Switzerland, Liechtenstein, Austria, Germany, France, Netherlands	All countries have ratified
Mekong	China, Myanmar, Laos, Thailand, Cambodia, Vietnam	All countries have not ratified
Nile	Burundi, Congo, Egypt, Eritrea, Ethiopia, Kenya, Rwanda, Sudan, Tanzania, Uganda	All countries have not ratified
Brahmaputra	China, India, Bangladesh, Bhutan	All countries have not ratified
Jordan	Syria, Israel, Palestine, Lebanon, Jordan	All countries have not ratified

Senegal	Guinea, Mali Senegal, Mauritania	Ratified by Guinea and Senegal
Euphrates and Tigris	Turkey, Syria, Iraq	Ratified by Iraq
Amu Darya and Syr Darya	Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan, Turkmenistan, Uzbekistan, Afghanistan	Ratified by Kazakhstan, Uzbekistan, Turkmenistan

Consequently, given the framework nature of regional agreements, ratification of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes by all countries of the region is fundamental, as its adoption ensures compliance with the principle of «Pacta Sunt Servanda», adopted by the Vienna Convention on the Law of Treaties in 1969, and guarantees equitable and rational use of water resources of transboundary rivers by all countries of the region. Thus, the absence of an international treaty on transboundary river water management adopted by all in the region is a “loophole” through which the countries of the region can unilaterally During the planned economy of the Soviet period, residents of neighboring countries lived in historical territories without regard to administrative boundaries, forming an ethnic group around their settlement to maintain cultural ties with the historical homeland. Independence has delineated new borders that lack any documentary evidence; delimitation of borders without appropriate treaties has been the subject of long and persistent litigation over every scrap of land. As a consequence, territorial conflicts and disputes have centered around ethnic enclaves, where armed conflicts with numerous casualties have periodically erupted.

As of today, there are 8 enclaves in the Fergana Valley region, which are located as follows:

- Tajik enclaves Vorukh and Kairagach on the territory of Kyrgyzstan;
- The Tajik enclave of Sarvak on the territory of Uzbekistan;

Despite painstaking work on border delimitation, relations between Uzbekista and Tajikistan remain difficult, especially on

agreements. Thus, of the total length of the border, which is violate bilateral and multilateral agreements, which further aggravates the disagreement between them.

Territorial disputes

After the collapse of the Soviet Union, the previously established administrative boundaries between the Central Asian countries became state borders and caused many border disputes and clashes. Previously established transportation and logistical links fell into disrepair, the newly established independent republics established control over resources and their further movement, family ties and friendly ties acquired a visa status [24].

- Uzbek enclaves of Sokh, Shakhimardan, Chon-Gara and Jangail on the territory of Kyrgyzstan; Kyrgyz enclave Barak on the territory of Uzbekistan [25].

The main territorial disputes in Central Asia have centered around the three states of Uzbekistan, Kyrgyzstan and Tajikistan, which since independence have disputed border territories based on Soviet-era maps dating back to the 1920s, 1950s and 1980s [26], where Uzbekistan and Tajikistan propose the border line based on the maps of 1924 – 1927, the Kyrgyz side on the contrary relies on the information of 1955, 1956 and 1989 [27]. In the absence of specific marked borders on the maps of those years, each side tried to interpret the border line in accordance with its national interests, laying the conflict mood of the enclaves’ inhabitants for many years to come.

the parts of the border where the parties cannot reach appropriate

Figure 2. Map of location enclaves



	Name of enclave	Ethnic population	Location
1	VORUKH	Tajiks	Kyrgyzstan
2	KAIRAGACH	Tajiks	Kyrgyzstan
3	SARVAK	Tajiks	Uzbekistan
4	SOKH	Uzbeks	Kyrgyzstan
5	SHAKHIMARDAN	Uzbeks	Kyrgyzstan
6	CHON-GARA	Uzbeks	Kyrgyzstan
7	DJANGAYL	Uzbeks	Kyrgyzstan
8	BARAK	Kyrgyz	Uzbekistan

Source: <https://yde.neu.edu.tr/border-conflicts-in-central-asia-failed-opportunities-and-sovietness-at-play/>

1,332 kilometers, 84% of the borders have been agreed upon, while 93 kilometers remain unresolved. Regarding the Kyrgyz-Tajik border, it should be noted that relations between these two countries on border issues remain the most acute in the region. The length of the common border is 970 km, of which 517 km remain undetermined due to the difficulty of negotiating border sections through mountainous terrain. [28].

At the same time, the tension of the conflict situation between Uzbekistan, Kyrgyzstan and Tajikistan is aggravated by the fact that the border line separating the countries in most cases runs along riverbeds, has steep turns and bends, which in turn create obstacles for the movement of residents. For example, for residents of Osh and Jalal-Abad oblasts in ethnic composition of populated territories, historical aspects of economic activity and geographical peculiarities of the area. As a consequence, people who lived in one country, had free access to water and land resources, engaged in agriculture, without paying attention to administrative boundaries, at one moment became residents of other countries, separated by state borders [30]. For a long time, territorial disputes in Central Asia have remained a «stumbling block» to meaningful political

the south of the Kyrgyz Republic, the main done to resolve these problems, even at the cost of human casualties. transportation artery for communication runs through the territory of the Republic of Uzbekistan. A similar picture is observed for residents of the Republic of Tajikistan, who have to pass the state border with the Republic of Uzbekistan when traveling from the city of Dushanbe to the city of Khujand. Such intertwining of state borders is a constant source of resentment for the residents of border settlements and can at any time escalate into an armed conflict [29]. Thus, it should be noted that in Soviet times, the division of borders was carried out without taking into account the

and economic cooperation, although much has been

Senegal river basin

The Senegal River basin covers an area of 300,000 km² and is located in two climatic zones. The Senegal River originates in the southern humid tropics of Guinea, passes through the semi-arid zone of the Sahara Desert in the north and discharges into the Atlantic Ocean. The transboundary character of the river is due

to the fact that it crosses the four countries of Guinea, Mali, Mauritania and Senegal from source to mouth [31]. The Senegal River Basin is home to about 3.5 million people, 85% of whom live in close proximity to the river. The climatic conditions of the river basin range from mountainous zones with an average annual rainfall of 1,475 mm to arid zones with less than 270 mm of key role is to prevent salt water from reaching irrigated lands and further protect soils from solarization [34]. Unlike the two

In the face of dramatic climate change and population growth, the countries of the Senegal River Basin (Mali, Mauritania and Senegal) signed the Convention on the Status of the Senegal River in 1972 to promote irrigation, improved access to water resources, mutually beneficial energy and agricultural cooperation. The main idea of the Concept can be formulated as follows: the countries of the Senegal River basin have no right to change the characteristics of the river regime, influence its navigational conditions, use it for agricultural and industrial purposes, change the sanitary condition of the river and its biological properties, as well as change the level of the river without prior agreement with all participating countries [36].

The experience of water-energy cooperation of the Senegal River Basin countries is important for the Central Asian region in terms of the use and application of international treaties. The value of this experience lies in the fact that the Organization for Development of the Senegal River Basin, established within the framework of the Convention “On the Status of the Senegal River”, started its activities two decades before the adoption of the UN Convention on the Protection and Use of Transboundary Watercourses and International Lakes of 1992. In other words, water cooperation between the countries of the transboundary Senegal River is the most striking example that countries sharing common water resources can cooperate without certain framework conditions of international intervention based on the awareness of mutually beneficial and equitable water resources management.

annual rainfall [32]. The river infrastructure is built around three main dams Manantali, Diama and Felou. The construction of the Manantali dam was primarily aimed at the multipurpose nature of its use with a key function of regulating water flow for irrigation in agriculture, power generation and a storage capacity of up to 11.3 billion m³ of water [33]. As for the Diama dam, its dams mentioned above, the sole purpose of the Felou dam is to generate electricity [35].

However, in 1989, water cooperation between the Senegal River

Figure 3. Map of Senegal river basin



Source: https://www.un.org/waterforlifedecade/water_cooperation_2013/senegal_river.shtml

Basin countries was put to the test by territorial disputes between the inhabitants of Senegal and Mauritania. The conflict was based on land disputes when Mauritanian border guards killed Senegalese farmers who clashed with Mauritanian pastoralists. Information about the conflict caused massive aggression among the inhabitants of the two countries towards each other. For example, during pogroms and ethnic

clashes in Mauritania, more than 100 Senegalese were killed and about 700 were injured of varying complexity. As a result of bilateral violence, diplomatic relations between the two countries were suspended [37]. A notable fact of the conflict settlement between the two countries is that one of the important factors of reconciliation between the conflicting parties was the preservation of the existing water infrastructure and established water and energy cooperation. In the course of the interstate conflict,

diplomatic relations were maintained only within the framework of discussing further development of water cooperation and preservation of the agreements reached, which further mitigated the confrontation and led to a peace agreement in 1992 [38].

Thus, water-energy cooperation of the Senegal River Basin countries is based on the principles of transboundary river water resources utilization as indivisible joint property of the countries-participants of the treaty. Consequently, all countries share the costs and benefits depending on the allocated quotas and the contribution of each country. The uniqueness of water-energy cooperation is based on multilateral responsibility of the countries, which implies distribution of benefits not on the basis of the volume of contribution, but on the principle of development of the relevant sector of the economy. Consequently, the development of the water potential of the Senegal River contributes to economic growth, reduction of harmful impacts on the basin's ecosystem, building long-term and friendly relations, and ensuring food security of the countries participating in the treaty [39].

Results and conclusions

Recently, political processes in the Central Asian region have attracted the close attention of international actors and organizations of various levels, offering their services to stimulate the sustainable development of trade, economic and diplomatic relations. As Vinokurov notes, globalization processes are weakening significantly, and the vector of development of many countries is aimed at regionalization [40], and water resources of transboundary rivers in Central Asia can serve as a trigger for full-fledged mutually beneficial cooperation in the region. Under current conditions, disputes over water force the countries of the region to create various obstacles in the way of water flow, which have a significant impact on the environment and lead to environmental consequences. For example, uncoordinated actions of water cooperation partners have led to the destruction of the Aral Sea and its ecosystem, which is a vivid example of non-rational anthropological impact.

Most of the problems of multilateral water cooperation between the countries of the region lie in the legal plane, where there are no clear rules of the game and disciplinary consequences for their violation. The main part of interstate relations on water resources is conducted in the space of framework agreements and declarations, under which each country can at a certain moment interrupt or suspend cooperation to serve its own interests. Under these conditions, the countries of the region should strive to organize a legal field of international character, without which all attempts to establish a water-energy consortium will be exposed to a constant risk of its termination at any stage of cooperation.

Another problem of water cooperation has deeper roots, which periodically aggravate the situation in the border territories and complicate the processes of closer cooperation in water resources management. Territorial disputes remain a bleeding wound on the body of the region, they remind us with certain periodicity of the mistakes of ethnic territorial division of the Soviet period. Delimitation and demarcation of borders between the countries of the region are a strategically important step towards building water cooperation, which should be carried out with the participation of a third party that has certain experience in resolving territorial disputes, as well as friendly and partnership relations with the opposing parties.

Regarding the experience of the Senegal River Basin countries in building and conducting interstate relations in the field of water resources management, it should be noted that it is important for the Central Asian countries, taking into account a number of similar aspects between them. With the exception of the Republic of Kazakhstan, the countries of the two river basins have roughly the same territorial area, socio-economic indicators, GDP, ever-growing populations and water and energy infrastructure. At the same time, it should be taken into account that in 2018 a large delegation of Central Asian countries visited the Senegal River Basin to study the experience of water-energy cooperation and its further application.

In conclusion, it is necessary to answer the question asked at the beginning of the article. Given the current conditions, is it possible to build a water-energy consortium in the region? Taking into account the common historical heritage of Central Asian countries, religious and traditional similarity, good neighborly relations on many issues of international cooperation, we should answer "POSSIBLE". However,

without the creation of common rules based on international law and the adoption of relevant international agreements, without the resolution of territorial disputes and border claims, without the active participation of international actors, Russia and China, this consortium may remain only on paper.

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ОРТАЛЫҚ АЗИЯДА СУ-ЭНЕРГЕТИКА КОНСОРЦИУМЫН ҚҰРУДАҒЫ КЕДЕРГІЛЕР

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ПРЕПЯТСТВИЯ НА ПУТИ СОЗДАНИЯ ВОДНО-ЭНЕРГЕТИЧЕСКОГО КОНСОРЦИУМА В ЦЕНТРАЛЬНОЙ АЗИИ

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