

Intergovernmental Protocol

Between the Government of the Kyrgyz Republic and the Government of the Republic of Uzbekistan on Use of the Naryn-Syr Darya Water and Energy Resources in 2000

16 March 2000, Osh, Kyrgyzstan

The Governments of the Kyrgyz Republic and the Republic of Uzbekistan, hereinafter referred to as “the Parties”, recognizing the necessity to coordinate reservoir control and release modes and rationally use water, fuel and energy,

Have agreed as follows:

1. The Kyrgyz Republic will release 1.3 billion m³ of excess water from Toktogul Reservoir in summer according to the irrigation schedule.
2. To secure irrigation releases the Republic of Uzbekistan will receive 580 million kWh of electric power in summer from the Kyrgyz Republic.
3. Based on mutual settlements the Republic of Uzbekistan will supply Bishkek and Osh TES with 152 million m³ of natural gas before October 2000 and fuel oil before 1 July 2000, \$2.167 million total, for the summer electric power deliveries.
4. To decide the issue of natural gas and fuel oil delivery from the Republic of Uzbekistan to the Bishkek and Osh TES of the Kyrgyz Republic in order to exclude increased fall-winter releases in 2000-2001, maintain Toktogul water, and ensure vegetation irrigation in 2001. During the first ten days of July 2000, in Bishkek to establish terms, amounts and time for the deliveries in Quarter IY, 2000 and Quarter 1, 2001
5. Mutual settlements between the economic entities of the Kyrgyz Republic and Republic of Uzbekistan are negotiated at the prices:

1 kWh of electric power	\$0.0334
1000 m ³ of natural gas	\$54.174
1 ton of fuel oil	\$54.174
6. Fuel oil and natural gas is delivered according to the Agreement between SC Kyrgyzenergo, SC Uztransgas and the Uzbek Ministry of Energy based on actual electric power mutual transfers, fuel oil and gas deliveries, transit pays-off, and frequency regulation.
The Parties agreed that for 2000 material and technical resources, critical for sustainability of the energy system, might be regarded as mutual settlement units.
7. The Parties agreed that the products (works, services) within this Protocol shall be free of all export-import customs duties.

8. The Protocol in respect to electric power transfers and reservoir releases may be to the full extent implemented in case the 500 kV power scheme is normal.
9. If the water and energy situation changes the power transfer and fuel delivery debts will be reckoned in the Intergovernmental Protocol for 2001.
10. The interested parties will make a collateral agreement to determine necessity of increasing Toktogul releases.
11. Any disputes or disagreements concerning the Protocol's application will be resolved through negotiations and mutual consultations. If the Parties do not bring the case into accord, the disputable issue will be considered by arbitration summoned for each specific case.
12. While implementing the statements of the Protocol the Parties will be guided by 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 of the Syr Darya Basin signed 17 March 1998 in Bishkek.
13. The issue of use of the Naryn-Syr Darya water and energy resources for 2001 will be carried over consideration in August 2000 in Bishkek at the Working Meeting of the representatives from water, fuel and energy complexes of the Kyrgyz Republic and the Republic of Uzbekistan.
14. The Protocol shall enter into force from the signature date.

For the Government
of the Kyrgyz Republic
(Signature)

For the Government
of the Republic of Uzbekistan
(Signature)