

Annex 11

**Global Environment Facility -- United Nations
Development Programme
Project Development Facility (PDF-B)
Caspian Environment Programme**

Caspian Transboundary Diagnostic
Analysis

Framework

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1. INTRODUCTION

DEFINITION

A Transboundary Diagnostic Analysis (TDA) is a scientific and technical assessment, through which the water-related environmental issues and problems of a region are identified and quantified, their causes analyzed and their impacts, both environmental and economic, assessed. The analysis involves an identification of causes and impacts at national, regional, and global levels and the socio-economic, political and institutional context within which they occur. The identification of the causes would specify sources, locations, and sectors.

The purpose of conducting a Transboundary Diagnostic Analysis (TDA) is to scale the relative importance of sources and causes, both immediate and root, of transboundary 'waters' problems, and to identify potential preventive and remedial actions. The TDA provides the technical basis for development of a Strategic Action Programme (SAP) in the area of international waters of the GEF.

The Operational Strategy states that, *"the overall strategic thrust of GEF-funded international waters activities is to meet the agreed incremental costs of:*

1. *assisting groups of countries to better understand the environmental concerns of their international waters and work collaboratively to address them;*
2. *building the capacity of existing institutions (or, if appropriate, developing the capacity through new institutional arrangements) to utilize a more comprehensive approach for addressing transboundary water-related environmental concerns; and*
3. *implementing measures that address the priority transboundary environmental concerns".*

It is also suggested in the Operational Strategy that a SAP be formulated when the transboundary¹ concerns, the actions needed to address them or their incremental costs are not clear and that it should precede the development of any technical assistance, capacity building or investment projects to be funded by the GEF.

Therefore a SAP is required to describe a framework for regional action, to demonstrate the linkages between the national and regional actions and to identify the incremental costs (e.g., those that address primarily *transboundary* environmental concerns) of the proposed activities. The ultimate product, the SAP, is a set of targeted and costed activities which, once implemented, will together contribute to solve the major water-related environmental problems of the region and thereby will also provide significant global environmental benefits.

The transboundary character of the identified water-related environmental issues and problems and the regional and global significance of benefits to be gained by addressing the specific issues identified during the process of developing a TDA would provide the technical background for the analysis of the incremental costs of the specific actions proposed in the SAP.

Although formulation of a SAP relies on the scientific and technical justification provided in a TDA, the specific combination of activities contained in a SAP is also determined by both national and regional policy considerations that may affect project sustainability and cost effectiveness.

TDA FRAMEWORK

¹ Transboundary environmental issues within the context of a TDA include *inter alia* :

* regional/national issues with transboundary sources

* transboundary issues with national sources

* national issues that are common to a number of riparian countries and that require a common strategy and collective action to address;

* issues that have transboundary elements or implications (e.g. implications of fishery practices on biodiversity)

This Transboundary Diagnostic Analysis (TDA) Framework was prepared as part of the Project Preparation exercise under the PDF-B for the Caspian Environment Programme (CEP). The full TDA will be prepared under the auspices of the GEF project for the CEP, once the project is funded.

The purposes of preparing a TDA Framework as part of the Project Preparation activities are multi-fold:

- To provide background materials for the Project Document, illustrating the environmental context for the GEF project.
- To provide a forum for consensus-building on the environmental issues of highest priority in the Caspian Sea
- To decide on the data requirements for completing the TDA early in the GEF process, to guide the Project Implementation.

This TDA Framework summarizes the results from National Reports prepared by experts from each Caspian country, as well as results from a National TDA expert meeting held in Tehran, Iran, from 26-28 April 1998.

2. GEOGRAPHIC SCOPE

Conducting a comprehensive transboundary diagnostic analysis is only possible if an entire water basin or Large Marine Ecosystem and its associated drainage basin is covered under the study. This is required in order that the interactions between the aquatic, terrestrial and human sub-systems are identified in so far as they are linked through the mechanism of the hydrological cycle. More particularly the impacts of the land based activities on water resources and their contribution to water-related environmental stresses can be demonstrated only if all sources, sinks and shared marine resources are included in the assessment. This requires the commitment of all the countries that are located in the catchment basin or surround the shared marine area to participate in the process.

The TDA must therefore include a basic geographic description of the area involved, including the water cycle within it, inputs/outputs to the system arising through atmospheric transport, the exchange of materials with neighboring watersheds or the open ocean, and characterization of the area's marine and/or freshwater ecosystem(s).

An understanding of the geomorphology of the area and the biophysical processes related to water occurring within the system is fundamental to the conduct of a TDA, since it is necessary to understand the fate and flow of contaminant materials in the system, including temporary storage in transitory sinks, remobilization processes, and ultimate sinks. It serves the purpose of identifying the likely effects of anthropogenic interference in the hydrological and ecological regime and the likely effects of changes in natural processes and human activities. An identification of critical areas and processes that need to be maintained in their natural state for the sustainability of the water dependent living resources will be included as a major consideration in the TDA.

During Almaty meeting the geographic boundaries of the Caspian Environment Programme were discussed. It was agreed to take the boundaries as far out to sea as can be actively managed, and as far inland as the administrative boundaries of coastal provinces. Where these boundaries impinge too far inland, the TDA should concentrate on a corridor width of between 100 and 200 km. Major rivers will be addressed with their lower reaches as a priority and the rest only as much as possible.

3. ANALYSIS OF THE ECONOMIC, LEGAL, ADMINISTRATIVE AND POLITICAL CONTEXT AND CONSTRAINTS TO ACTION

The assessment of economic, legal, administrative and political context of the water-related environmental matters will provide the second basic component for the causal chain analyses of the major perceived issues and problems in the Caspian basin.

The economic analysis will provide an account of relevant economic sectors impacting water quality and quantity, such as agriculture, forestry, energy, industry and fisheries and evaluate their contributions to national and regional economies as well as their dependence on water and related aquatic resources.

In the legal sphere the national, regional, and global context will be presented encompassing an overview of existing instruments and the capacity of the various actors to enforce their provisions. This analysis will encompass the nature of interactions between national, regional and global legal instruments (e.g., regional water quality standards) and mechanisms for further enforcement.

Criteria will be established for assessing the coverage of water and related environmental laws at the national level. The following provides an exemplary set of questions (in this case for the water quantity sector) that can be used for this purpose:

Do water and related environmental laws and regulations:

- base water management on watershed basins and treat the river basin-coastal zone as a management continuum;
- base such laws on sustainable management principles;
- require integrated water and environmental management planning;
- prevent fragmented departmental water allocation and use decisions;
- ensure integrated economic and environmental policy and project appraisals;
- establish water management institutions as outlined below
- establish enforceable incentives for environmentally sustainable water use.

In dealing with the administrative context, the TDA will focus on those water and environment management institutions that are in place for the management of water resources. The assessment will cover the issues of institutional and human resource capacity and the specific mandates of the organizations. Assessment of the institutional capacities will require a consideration of issues related to technical proficiency, equipment/lab facilities and personnel/management. In assessing the institutional framework and mandates of "water" organizations, the paramount considerations will be coordination of surface and ground water management, coordination of water quality and quantity management, provision of incentives for greater economic and physical efficiencies in water use and protection of instream flow values and other public values related to water systems. Further depth of analysis can also be achieved in the assessment of institutional capacity of water management organizations by considering the following:

- ♦ capability of coordinating water plans and management procedures with other functional agencies;
- ♦ capability of considering a wide range of alternative solutions to water problems, including non-structural measures and use of economic instruments (pricing, taxes, tradeable permits subsidies etc.);
- ♦ separation of functions of planning & evaluation from construction & management;
- ♦ existence of multidisciplinary expertise to carry out multiple-objective planning and evaluation;
- ♦ observation/application of "subsidiarity principle" in assigning responsibilities to agencies at national, provincial and local levels;

- ♦ existence of expertise to involve all stakeholders in the planning;
- ♦ reward structures to stimulate creativity and innovation;
- ♦ reward structure that stimulates learning through ex-post analyses.

4. MAJOR PERCEIVED WATER-RELATED ENVIRONMENTAL ISSUES AND PROBLEMS

The identification of the major perceived² issues will be the first step in the TDA process and it will provide the justification for the in-depth analyses. A distinction will be made between national and regional issues and then will be ranked according relative significance from the national, regional and global perspectives. As these distinctions become clearer, the emphasis in the TDA will gradually shift to those issues that are clearly demonstrated to be more significant at a regional or global level and to those issues that are characterized as transboundary.

The significance of the perceived issues and problems will be substantiated on environmental, economic, social, and cultural grounds. The economic costs and losses (consequences/implications), in the broad sense, of a perceived issue such as "degradation of natural landscapes" could include loss of value for tourism. The scale of economic losses that are implied by not addressing the issue can be used to justify intervention at national and/or regional levels depending on whether the issue is national or transboundary in nature.

² "Perceived" is used to include issues which may not have been identified or proved to be major problems as yet due to data gaps or lack of analysis or which are expected to lead to major problems in the future under prevailing conditions.

Regional Data Summary - Step I:
Major Perceived Water-related Environmental Issues and Problems

Perceived Major Problem	Transboundary Elements
1. Degradation of biodiversity, loss of coastal habitats, loss or imminent loss of endangered species and their genomes	Due to the total land locked character and specific circulation patterns of the Caspian, the harmful substances might be spread around the whole basin. Migratory bird habitat and nursery ground may assimilate transboundary pollution. Endemic and rare species (especially sturgeons) are of regional and global significance and have life cycles that cross national borders.
2. Unsustainable use of commercial fish stocks (especially high value species)	Virtually all fisheries resources are shared or transzonal and management requires the effort of more than one country
3. Degradation of landscape	Loss of aesthetic value of regional and global significance (including protected areas)
4. Desertification	Regional climatological and hydrological changes are of transboundary nature
5. Poor or unsatisfactory human health quality, unsanitary conditions in many beaches and bathing waters, unsafe drinking water, contaminated fish and shellfish products, poorly or untreated sewage and industrial discharges to coastal waters	The health of the human population has been adversely affected by many environmental factors through airborne pollution and water-borne dispersion of contaminants and pathogens. Pollution of groundwater that cross national borders. Migration/export of contaminated fish between Caspian countries.
6. Inadequate freshwater resources	Regional and in some cases transboundary (e.g., to extent that certain rivers and groundwater resources are transboundary).
7. Damage to coastal habitats and infrastructure from sea level fluctuations	Fluctuating sea levels have basin-wide impacts and appear to be caused by complex, still poorly understood changes in the climatological and hydrological regimes.

5. ANALYSIS OF ROOT CAUSES OF THE IDENTIFIED ISSUES AND PROBLEMS

This analysis will identify the underlying factors or root causes that contribute to the major perceived issues and problems so that these will be addressed in the implementation of a Strategic Action Programme. As such it will improve recognition of connections between the components of the environmental and socio-economic sub-systems through a causal chain analysis.

Regional Data Summary - Step II: Analysis of Root Causes of the Identified Issues and Problems

Main Root Causes	Specific Features
1. Poor or ineffective legal framework at the national level and absence at the regional level, inadequate implementation of regulatory instruments	Lack of observance of international environmental laws and regulations
	Lack of international coordination
	Poorly defined national environmental laws and regulations
	Ineffective EIA's/Environmental audits
	Ineffective inspectorates
	Inadequate compliance and trend monitoring
	Ineffective economic/financial mechanisms
	Inadequate enforcement
2. Inadequate planning and management practices	Poorly planned urban/industrial/ recreational/agricultural/coastal zone development
	Poor intersectoral coordination
	Accidental oil spills from historical offshore development
	Insufficient contingency plans
	Linear (cradle-to-grave) vs. cyclic approaches to human and industrial waste and pollution management
	Farming and grazing in wetland areas (including deltas)
3. Poor or insufficient public involvement	Lack of general awareness of environmental issues
	Deficient public participation/lack of transparency
	Inadequate identification and involvement of stakeholders
4. Sea level fluctuation	Poorly planned urban/industrial/ recreational/agricultural development in the coastal zone
	Ineffective trend monitoring and forecast
	Inefficient emergency plans
	Resettlement of population and growing unemployment
	Desertification
5. Inadequate knowledge and infrastructure base	Insufficient understanding of sustainable fisheries yields in context of ecosystem health and stability
	Poor understanding of sustainable, low cost pollution management approaches and technologies.
	Limited capacity to simulate human and ecosystem responses to different marine resource and pollution management strategies
6. Inadequate funding base	Unsettled economies in transition

	Early stages of natural resource development
	Low priority on national agendas
7. Underemployment/lack of jobs	Poaching increased to gain livelihoods
	Degrading protected areas for fuel sources
8. Inappropriate environmental regulatory infrastructure	
9. Lack of regional legal instruments	Inadequate regional cooperation

6. PRIORITY AREAS OF FUTURE INTERVENTIONS:

ANALYSIS OF AREAS WHERE ACTIONS IS PROPOSED: PROBLEMS, STAKEHOLDERS, ACTIONS, OUTPUTS

The Priorities for national and regional perspectives will be clear from the output of the Policy Option analysis. Priorities at the national level should serve to establish or strengthen the foundation for interventions at regional and international scales. The cost estimates of proposed investments will be provided, to the fullest extent possible.

Data and research needs will be identified as a basis for future activities in the design and targeting of research as well as data collection & interpretation, monitoring and evaluation. The main objective will be to assist in overcoming the scientific uncertainties and/or barriers in the application of management and policy tools for the sustainable use of water resources.

Background information regarding management tools that are prescribed as part of the proposed solutions or that are implied in the proposed solutions will be provided.

A description of all the stakeholders, including institutions, organizations, ministries, agencies and industry related to the perceived issues will also be incorporated. The information pertaining to this list will include the effect of the issue on stakeholders, the nature and effectiveness of the interactions between the stakeholders as well as their strengths and weaknesses in view of their actual and/or potential role in managing water and water dependent resources.

**Regional Data Summary – Step III:
Area I. Abatement of Contamination**

Areas Where Action is Proposed		Problem	Stakeholders	Proposed Actions	Products
Abatement of contamination	Assessment of the discharge of chemical and microbiological contaminants to coastal and marine areas	National reports revealed that some contaminants inputs are quite significant (data Table1) and should be reduced	<ul style="list-style-type: none"> • Ministries of Environment • Regulatory bodies • Private and state industries • Municipalities • GEF Partners/Int. Agencies 	<ul style="list-style-type: none"> • Using WHO guidelines undertake assessment and QA • Control of sewage pollution • Ban or enforcement of existing disposal of municipal solid waste • Modify industrial processes to reduce/eliminate certain feedstocks and wastes or at least safely store them, • test economic instruments to reduce toxic release (emission taxes, tradable permits) • Ban certain industrial waste streams 	<ul style="list-style-type: none"> • First regional assessment prioritizing contaminants • Reduction of contaminant input • Improved water quality

	<p>Monitoring of the levels and effects of pollutants (point and surface) for compliance and long-term trends, data exchange</p> <p>ID pathways of contaminants and prediction of distribution</p>	<ul style="list-style-type: none"> • Insufficient national monitoring programs • Lack of modern instruments and techniques • Lack of regional monitoring protocols • Poor data exchange • No regional data management mechanism • No regional plan for phasing in standards (no compliance with standards) 	<ul style="list-style-type: none"> • Ministries of Environment and Health • Local authorities • Private sector • Municipalities • Research institutes 	<ul style="list-style-type: none"> • Strengthening and equipping CREC labs • Establishment of Caspian Monitoring System • Facilitate information and data exchange • Development of regional Data base Management System and GIS • Assurance of analytical quality point and surface monitoring • Establishment of reference laboratory and QA • Assessment of Environmental Impact and Ecological carrying capacity 	<ul style="list-style-type: none"> • A working network of analytical labs • A fully operating regional monitoring system • Regional system for data quality assurance • A fully operating and properly maintained Information Data base Management and GIS system
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Areas Where Action is Proposed		Problem	Stakeholders	Proposed Actions	Products
Abatement of contamination (cont'd)	Hot-spot analysis and options for remedial actions	Severe impact on human health, tourism, fisheries and biodiversity from a number of heavily polluting land-based point sources within coastal and upstream areas of each Caspian country	<ul style="list-style-type: none"> • Polluting state and private enterprises • Ministries of Environment and Health • Municipalities • Tourism industry • Fish industry 	<ul style="list-style-type: none"> • Identification, quantification and prioritization of Hot Spots • Formulation of urgent investment portfolio for hot spot remediation • Identification of industrial process retrofitting, waste stock exchange and other waste and feedstock reduction approaches 	<ul style="list-style-type: none"> • Regional list of pollution hot spots • Strategies and investments for hot spot remediation
	Reduction and regulation of operational discharges from offshore development, vessels and dumping	<ul style="list-style-type: none"> • Discharges of harmful substances and persistent organic pollutants from drilling and shipping activities are reported • Possibility of introduction of alien species 	<ul style="list-style-type: none"> • Ministries of Environment • Regulatory committee for the environment • Private and state industries • Municipalities • Ministries of Transport 	<ul style="list-style-type: none"> • Regulating of operational discharges by introducing a licensing system • Adoption of marine quality objectives • Monitoring and assessment of dumping activities • Regulation of ballast water discharge 	<ul style="list-style-type: none"> • Operational national licensing system • Harmonized marine quality objectives • Regulation of dumping activities
	Prevention of emergencies and contingency planning	<ul style="list-style-type: none"> • Lack of national contingency plans • Lack of regional contingency plan • Ship traffic e.g. pollution from collisions, grounding 	<ul style="list-style-type: none"> • National authorities • Regional and local authorities 	<ul style="list-style-type: none"> • Development and adoption of contingency plans at the local and national level • Development and adoption of regional contingency plan 	<ul style="list-style-type: none"> • Operational national contingency plans • Harmonized regional contingency plan

Regional Data Summary – Step III:
Area II. Protection of Biodiversity

	Areas Where Action is Proposed	Problem	Stakeholders	Proposed Actions	Products
Protection of Biodiversity	Protection of rare and endangered water animals and plant species	Loss of endangered species		Ban on harvesting	
		Lack of common regional methodology in protecting endangered and rare species		Development of regional methodology in protecting endangered and rare species	
		Deterioration of spawning grounds and habitats of endangered species		Regulation or restriction of industrial development in the areas of spawning grounds and reproductive areas	
	Strengthening of protected and conservation areas strategy	Insufficient protected areas system and management/enforcement in existing system			
		Lack of a regional strategy for conservation areas			
	Protection of habitats and landscape/seascape	Deterioration of valuable habitats in marine and coastal areas			
		Degradation of landscape			
		Desertification			
	Identification of the risk of introduction of exotic species and develop strategies for preventing such threats	Possible introduction of exotic species with ballast waters or ship hulls			

Regional Data Summary – Step III:
Area III. Sustainable Management of Fish Resources and other aquatic Bioresources

	Areas Where Action is Proposed	Problem	Stakeholders	Proposed Actions	Products
Sustainable management of fish resources and other aquatic bioresources	Development of international agreement on the conservation, rational exploitation and sustainable management of bioresources	Unregulated use and overexploitation of valuable Caspian bioresources.			
	Development and implementation of unified intergovernmental programme for the recovery of sturgeon population	Dramatic decrease in sturgeon stocks.		Design and implement resource management strategies to ensure the sustainable use of sturgeon stocks	
	Development of international scientific programme for investigation of Caspian bioresources.	Lack of reliable information on stocks.			
	Development of joint coordinated activities for regulation of harvesting aquatic bioresources especially transboundary species.	Lack of common rules and regulations of harvesting practices.			
	Artificial reproduction of fish resources and other valuable aquatic bioresources. (aquaculture /mariculture)	Lack of regulation and coordination of activities.		Build local and national capacities for development of aquaculture industries.	
	Enforcement of protection of fish resources and other bioresources, e.g. sturgeons	Increased poaching			
	Conservation of Caspian seal.	Lack of information on stock and abundance.		Assess seal population, habitat, food needs, create necessary laws and protect areas to maintain and enhance seal population	

Regional Data Summary – Step III:
Area IV. Integrated Coastal Zone Management

	Areas Where Action is Proposed	Problem	Stakeholders	Proposed Actions	Products
Integrated Coastal Zone Management	Development of an integrated coastal zone management (urban and industrial areas)				
	Development of appropriate institutional and legislative regime for ICZM				
	Develop a harmonized strategy for environmentally friendly tourism industry				
	Development of guidelines for land and water use				
	Development of ICZM Plans				

Regional Data Summary – Step III:
Area V. Institutional and Human Development

	Areas Where Action is Proposed	Problem	Stakeholders	Proposed Actions	Products
Institutional and human development	Strengthen institutional capacity building				
	Involve the public and NGO's in decision-making process				
	Community strengthening.				
	Involvement of private sector				

Regional Data Summary – Step III:
Area VI. Water Level Fluctuations

	Areas Where Action is Proposed	Problem	Stakeholders	Proposed Actions	Products
Water level fluctuations	Prepare a regional strategy to adapt to water fluctuations				
	Prepare emergency plans				
	Storm surgery prediction				

7. DETAILED INFORMATION ON ACTION AREAS

To motivate and support the actions described in section 8, data from the Caspian states have been acquired. These data are taken from the National Reports prepared as part of the UNDP/GEF PDF-B Project Preparation phase, as well as from numerous publications from within each country.

These data will be summarized during the GEF project for the CEP;

ANNEX 12: HISTORICAL REGIONAL AGREEMENTS

CONVENTION (AGREEMENT) ON CONSERVATION AND UTILIZATION OF BIORESOURCES OF THE CASPIAN SEA

The Government of the Republic of Azerbaijan, the Government of the Islamic Republic of Iran, the Government of the Republic of Kazakhstan the Government of the Russian Federation, and the Government of Turkmenistan names hereafter as "Parties,"

- acting on the desire to develop friendly and kind-hearted relations,
- admitting that all bioresources of the Caspian Sea should be considered as common property of the PreCaspian states,
- considering their special responsibility for the conservation, natural reproduction and optimum utilization of unique resources of the Caspian sturgeon fish which make up 90% of the world reserves,
- recognizing the necessity for creation of methods for conservation and restoration of bioresources of the Caspian Sea,
- admitting that the Caspian Sea is an indivisible ecological complex,
- taking into consideration interests of the Parties in the conservation, natural reproduction, optimal utilization and management of bioresources of the Caspian Sea,
- considering the necessity for cooperation on matters of export and import operations on the world fish markets,
- considering traditional fisheries of the Parties in the Caspian Sea and its economical importance for coastal populations and its involvement,
- marking the importance of joint scientific research for the conservation, natural reproduction and optimal utilization of Caspian Sea bioresources,
- expressing the desire to create an efficient international mechanism for the conservation, utilization, and management of Caspian Sea bioresources,

have agreed on the following:

ARTICLE 1

The region of the action of this Agreement,, referred hereafter as "Area," shall be all the water areas of the Caspian Sea including sections of the rivers which are migration and spawning areas for diadromous and fluvial anadromous fish.

ARTICLE 2

For the purposes of this Agreement, the term:

1. "Bioresources" means fish, mollusks, crustaceans, mammals and all other forms of flora and fauna of the Caspian Sea.
2. "Migratory Fish" means fish which migrate from the sea into the rivers and vice versa, as well as from one part of the sea into another. These include sturgeon fish, shad, salmon, carp, and mullet.
3. "Diadromous fish" means fish living in the sea and migrating to rivers for spawning. These include sturgeon fish (Beluga, sturgeon,, starred sturgeon, barbel sturgeon) and salmon (Caspian salmon, inconnu).
4. "Fluvial anadromous fish" means fish feeding in pre-delta areas of the sea and migrating into rivers for spawning. These include carp, darters, and catfish.
5. "Fishery" means:
 - a) fishing, extraction or production of bioresources or any other activity resulting in fishing, extraction or production of bioresources;
 - b) any operation in the Area, for preparation or for direct assistance to any activity mentioned in subpoint "a" of this article.
6. "Specialized fishery" means the fishery of a single species of bioresources.
7. "Accidental take" means fishing, taking or production of a species of bioresources while carrying out the specialized fishery of another species of bioresources.
8. "Natural reproduction" means the renewal of the bioresources and includes:
 - a) maintaining the natural spawning and breeding areas at the required level, allowing spawners to pass to the spawning areas (natural reproduction).
 - b) breeding, growing and release of the larvae of young fishes by fish farms (artificial natural reproduction).
 - c) creation of conditions for feeding of young fishes and adults at natural feeding areas as well as for their hibernation.

ARTICLE 3

1. The objects of this Agreement shall be conservation, natural reproduction, optimal utilization and management of the Area's bioresources.
2. The Parties shall confirm that only citizens and legal entities of PreCaspian states have the right to fisheries in the Area.
3. The Parties shall cooperate in matters of export to the world market of fish products, especially relating to the sturgeon fish and their caviar.

ARTICLE 4

1. Fishery of bioresources shall be reserved only for the coast Party within the limits of (Azerbaijan-40, Iran-30, Kazakhstan--25, Russia-15, Turkmenistan--40)** mile zone for fisheries jurisdiction, the width of which can be changed in compliance with the establishment of the legal status of the Caspian Sea.
2. Each Party shall provide the opportunity to continue fishery in its zone of fishing jurisdiction for the fishing boats of the other Parties on a license basis.

3. Outside of this zone of fishing jurisdiction specified in paragraph 1 of this article as well as outside of the preserve zones and specially protected territories recognized by the Parties, all Parties shall have equal rights for the fishery on the basis of the unified regulation measures which are taken by the Commission being created in compliance with Article 10 of this Agreement.
4. Specification of the boundaries of the fishing jurisdiction zones shall not affect the development of mineral resources, navigation, and other types of authorized activity which does not relate to the conservation and utilization of the bioresources of the Area.

ARTICLE 5

1. In the Area:
 - a.) Specialized fishery of sturgeon fish shall be carried out only in the rivers and their estuaries. In case of the impossibility of the fishing of the allocated volume in its rivers and estuaries by one Side, its quota can be passed for the development of another Party on the basis of an agreement. If it is impossible to pass the quota or to develop it by the other Side, it shall be developed by the first mentioned Party within its fishing jurisdiction zone with the notification of the Commission and or outside the zone upon the approval by the Commission within the volume of the allocated quota and under approval by the Commission within the volume of the allocated quota and under supervision of the inspectorate. Fishing of sturgeon fish by Iran shall be carried out in compliance with the Enclosure which shall be part and parcel of this Agreement;
 - b.) Accidental taking of sturgeon fish shall be minimized by all means;
 - c.) Keeping of sturgeon fish and other diadromous fish which have been caught as an accidental taking while fishing other fish species shall be forbidden, and any of these sturgeon fish and other diadromous fish species shall be immediately released into the sea.
1. The provision of paragraph 1 of this article shall not be applied to the fishery for the scientific and research purposes in accordance with Article 8 of this Agreement.
2. The fishery of shad, mullet and Caspian sprats shall be allowed by methods which maximize exclusion of accidental catch of sturgeon fish.
3. The Parties shall take corresponding measures individually or jointly in compliance with their national laws and regulations to prevent marketing of sturgeon fish and other diadromous fish species, which were produced in violation of this Agreement as well as their products and to prosecute physical and legal entities in that marketing.

ARTICLE 6

The Party which is carrying out sturgeon fishing in its rivers and their estuaries within the limits of another Party's quota shall share a specified portion of the sturgeon fish volume or compensate by agreement a certain part of their value to the other Parties which refrain from that fishery or do not have the opportunity for the total development of that quota.

In case of the quota development according to subpoint "a" of paragraph 1 Article 5 export of the fished or processed sturgeon fish, caviar included, shall be carried out according to bilateral agreement on a non-license basis as well as without custom taxation and any other taxes for the Party that carries out the fishing.

ARTICLE 7

The Parties shall work out joint and individual programs designed for the conservation of all the sturgeon species to ensure higher and stable fishing. To accomplish the above programs, the Parties shall take measures for natural and artificial natural reproduction of the sturgeon, improvement of the environmental situation in the Area, protection against pollution of their habitats and assurance of the necessary releases of the water from reservoirs along the lower reaches of the rivers.

ARTICLE 8

1. The Parties shall cooperate in scientific studies in the Area for the purposes of bioresource conservation.
2. The Parties shall take measures for the preparation of close scientific cooperation between the organizations and enterprises on joint and individual programs for the conservation, natural reproduction of the reserves and optimum utilization of the Area's bioresources.
3. In relation to the fishery and scientific studies in the Area, the Parties shall cooperate in carrying out the collection, presentation, and exchange of information, including statistics on the catch and fishing efforts. In the event the Commission requests, the Parties shall submit to it that information at no charge.
4. The Parties shall carry out scientific exchange by the way of seminars and exchange of scientific personnel, including scientific observers for the accomplishment of the objects of this Agreement.
5. The Parties shall present to the Commission their scientific and research programs on provisions for specialized fishery or accidental taking of sturgeon fish and other diadromous fish in the Area.
6. The volume of any species of bioresources, which has been limited by the Commission, taken for scientific or other non-commercial purposes, shall be counted for in the agreed quotas of fishing of the given Side. The data on the volumes of catch of these species of bioresources for the above-mentioned purposes in the Area shall be presented to the Commission within 9 months.

ARTICLE 9

1. Caviar export shall be the state monopoly of the Parties. The Parties will cooperate with the objects to prevent illegal export of the sturgeon caviar.
2. The Parties shall negotiate directly or through the Commission the coordination of the sale, price control, and determination of export quotas for sturgeon and other fishing production of the Area at the world market, as well as in the case of mutual interests they shall carry out joint export-import operations.

ARTICLE 10

1. The Parties shall establish a Commission on Conservation and Utilization of Caspian Sea bioresources for the implementation of this Agreement, referred hereafter as "Commission."

2. The Commission shall be the legal entity and in its relations with other international and national organizations it shall use the rights of a legal entity which may be necessary for carrying out its functions and achievement of its goals.
3. Immunity and privileges which the Commission and its officials enjoy in the other Party's territory shall be defined by the agreement between the Commission and each Side.
4. Official languages of the Commission shall be state languages of all Parties. Working languages shall be Russian and Persian.
5. Headquarters of the Commission shall be located in (Astrakhan, Russia, or Enzely, Iran)**. By the request of a member of the Commission and in case a decision is taken by the majority of the votes of Commission members, the headquarters can be transferred to another city of any PreCaspian state.
6. Each Party shall be -a member of the Commission and shall appoint no more than one representative who may be accompanied by experts and advisors during the Commission sessions. Presence of all Commission members shall be required to conduct its meeting.
7. Each Party's representatives shall have only one vote. Commission decisions on 0 the paragraphs of Article 11 shall be taken by the Parties unanimously, and while discussing other matters, they shall be taken by a majority of the votes.
8. The Commission shall appoint a Chairman and Vice-Chairman from the Party's representatives and in rotating order. Each of the above officials shall hold his position for two years.
9. The Commission shall approve a Secretariat consisting of an executive director and corresponding staff.
10. Commission sessions shall be conducted once each year. The time and place of each session shall be defined at the previous session. If it is necessary and as an exception, the Commission can call for emergency sessions. These sessions shall be called for on the proposal of the Commission Chairman or upon the request of not fewer than two Parties, which shall be submitted in written form (by letter) to the Commission Chairman.
11. The Commission shall adopt its regulations, procedures, as well as financial regulations.
12. The Commission activity and operation of its Secretariat shall be financed by the Commission budget.
13. The Commission budget shall be derived from the Parties' contributions in hard currency which are defined depending on the allocated bioresource quotas for these Parties. The budget estimate shall be prepared by the Secretariat and it shall be approved at the Commission's annual sessions.

ARTICLE 11

The Commission shall have the following powers:

1. Coordinate the activity of the Parties on the conservation, natural reproduction, optimum utilization of bioresources and their management in the Area.
2. Define the volumes of the total permissible fishing of migratory fish species (sturgeon, salmon, shad) as well as Caspian seal. These quotas shall be set annually and on the basis of scientific studies.

3. Define the volumes of total permissible fishing of other species of bioresources outside the fishing jurisdiction zone upon the recommendation of the fishery scientists.
4. Define the quotas of fishing of bioresources for each of the Parties from the volumes of total permissible fishing, provided for in points 2 and 3 of this Article, with consideration of the contribution of each Party into the bioresource's natural reproduction including measures on improvement of habitat conditions and artificial natural reproduction, as well as other important factors determined by the Commission.
5. Assist implementation of sturgeon fishing quotas passed by one Party to another in compliance with Article 5, which is carrying out fisheries in its own rivers and their estuaries. Take corresponding decisions.
6. Coordinate measures for fishery regulations in the Area.
7. Develop recommendations for the utilization of tools and new technologies for fisheries.
8. Coordinate regulations and conditions for giving permits for fishing outside the fishery jurisdiction zone, including their suspension or cancellation.
9. Consider the reports presented on the implementation of the permits issued in compliance with this Article and on the realization of the other decisions made by the Commission.
10. Develop and submit for the Parties' approval a Statute of the Commission for conservation and utilization of bioresources of the Caspian Sea and a Statute of International Inspection.
11. Approve fishing regulations in the Area on the basis of fishery science recommendations.
12. Coordinate the matters of protection of the endangered species of bioresources and their habitats.
13. Introduce proposals on the prevention of water pollution of the Area and on measures for emergency response to emergency situations.
14. Coordinate the value of compensation for the damage to the Area's bioresources.
15. Consider and develop proposals to the Parties on the matters of sanctions applied to the physical and legal entities for the violation of this Agreement's provisions.
16. Consider and develop proposals for the Parties on the certificates of production of sturgeon fish and the other bioresource species of the Area.
17. Develop corresponding recommendations for any Party on the scientific and research activity relating to the Area's bioresources and distribution of their results.
18. Cooperate with corresponding international organizations for obtaining scientific information.
19. Adopt the regulations for conduct of ecology expert examination of projects or programs whose implementation may influence the bioresources in the Area.
20. Assist in the decisions of the disputed issues in the field of conservation, optimum utilization of bioresources, and their management in the Area.
21. Define the volumes of the production and release of the young sturgeon fish with the goal of their conservation and natural reproduction in the Area.
22. Coordinate conservation and establishment of preserve zones especially important for the bioresources of the Area.
23. Establish the necessary centers and subcommittees, define the direction and programs of their activity.

24. Give permission for any introduction of new species of flora and fauna to the Area by the Parties.
25. Consider the reports of the Parties on their implementation of Commission decisions.
26. Consider also the other matters relating to this Agreement.

ARTICLE 12

The Parties shall establish a system of international inspection for assistance in the objects and provisions of this Agreement. This inspection shall act in compliance with the Statute approved by the Commission.

ARTICLE 13

Disputes on the understanding or application of the articles of this Agreement shall be decided by the Parties by talks or other peaceful means.

ARTICLE 14

The Original of this Agreement shall be kept by the Government of the Country where the Commission headquarters are located, known as the Depository. The Depository shall forward its certified copies to all the Parties which signed this Agreement.

ARTICLE 15

1. Amendments to this Agreement can be proposed by any Party at any time. The proposals on these amendments shall be forwarded to the Commission and the Commission shall notify all Parties which shall inform the Commission as soon as possible of their approval or rejection of the amendment. The amendment shall be adopted in the event of unanimous approval by all Parties.
2. The amendment shall take effect 90 days after the Commission's receipt of the last notification of approval. The Commission shall forward the adopted amendment to the Depository.

ARTICLE 16

Any Party shall be able to leave this Agreement having forwarded the notification letter on this to the Depository 12 months prior to the date of separation. Upon receipt of this notification, the Depository shall immediately inform the other Parties.

ARTICLE 17

This Agreement and Enclosure shall take effect on the day the Depository receives the last notification that all Parties have completed their internal procedures for the approval of this Agreement.

Accomplished in year..... which corresponds to..... by Iranian calendar in Azerbaijan, Kazakh, Persian, Russian and Turkmenian languages. All texts have equal force.

ENCLOSURE

Specialized fishery of sturgeon fish along the Iranian coast of the Caspian Sea shall be carried out by Iran using traditional methods, within the quota allocated to it under Commission supervision.

** These two items have not yet been agreed upon, as of 11 April 1994.

DECLARATION ON ENVIRONMENTAL COOPERATION IN THE CASPIAN SEA

Meeting of Representatives of the Caspian Sea coastal states assembled in Almaty on 26 May 1994,

Developing and implementing the main ideas of the Resolution of the First Baku Conference on Ecological Problems of the Caspian Sea, held on 13-17 June 1991 in Baku;

Recalling the decisions of the United Nations Conference on Environment and Development (Brazil, 1992) including the policy guidance (Agenda 21);

Recalling the Convention for Protection of Biodiversity, prepared for signature at UNCED, and its call for international action to preserve biological species diversity, habitat diversity, and integrity of ecosystems;

Reaffirming the provisions of the draft Convention for the Conservation and Utilization of Bioresources of the Caspian Sea;

Concerned about the environmental degradation of the Caspian Sea basin and particularly in its coastal zone, and about marine biological resources;

Recognizing the unique and varied biological resources of the Caspian Sea (sturgeon fish, birds, seals, and myriad other forms of endemic fauna and flora) which make it a global treasure;

Determined to take coordinated actions to prevent the degradation of this unique water body, and to prevent ecological catastrophe resulting from anthropogenic activity;

Acknowledging the severity of environmental problems caused by sea-level rise, contamination, irrational utilization of natural resources, poaching, and other negative factors;

Intending by all means to broaden and protect reserve areas and water bodies; and

Convinced that development of cooperation amongst all Caspian Sea states is the basis for resolution of the complex environmental pressures on the Caspian Sea,

Declare that:

- sea-level rise, irrational utilization of natural resources, and other adverse factors represent significant risks to the region of the Caspian Sea;
- urgent needs exist to define the status of the Caspian Sea and its bioresources, including specially protected reserve territories and water bodies;
- the fastest implementation of coordinated measures on stabilization of the ecological situation will prevent degradation of the ecosystem of the Caspian Sea and its coastal territories;
- coordination of international cooperation in research, management, economic incentives, and harmonization of legislation with the goal of conserving the biodiversity of the Caspian Sea and its coastal zone is the highest priority task of all Caspian Sea states;
- the Caspian Sea states affirm their desire to cooperate constructively in environmental management and actions aimed at sustainable and ongoing utilization of the biological resources of the Caspian Sea;
- the Caspian Sea states will cooperate fully in the preparation and implementation of programs of joint activities on protection of the environment which should establish the basis for rational utilization natural resources and identify priority spheres of activities;
- the representatives of the Caspian Sea states call on the international community to support their joint efforts provide assistance in the development of the environmental program;

**For Government of Azerbaijanian
Republic**

**For Government of Kazakhstan
Republic**

**For Government of Islamic
Republic of Iran**

**For Government of Russian
Federation**

For Government of Turkmenistan

PROTOCOL

**OF THE MEETING ON PROGRAMS FOR THE PROTECTION OF THE
ENVIRONMENT IN THE CASPIAN SEA REGION**

In Almaty on 26 May 1994, a meeting of representatives of the Caspian Sea states, Republic of Azerbaijan, the Islamic Republic of Iran, Republic of Kazakhstan, and the Russian Federation, was held to discuss the project "Conservation of the Biodiversity of the Caspian Sea and its Coastal Zone."

Recognizing the historical value of the documents issued by the United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro (Brazil) in 1992, it is necessary to take joint measures for the implementation of the Convention on Biological Diversity.

Recognizing that the Caspian Sea is a unique ecological system and relies on the commonly adopted norms of international law,

the above states express their interest in the implementation of a joint project, "Conservation of Biodiversity of the Caspian Sea and its Coastal Zone."

The participants of the meeting note that:

- International cooperation in research, management, economic incentives, and legislation for the purpose of conservation of the biological diversity of the Caspian Sea and its coastal zone is a vital need for the Caspian States;
- the Caspian Sea states affirm their desire to intensify cooperation in I environmental management and take actions aimed at sustainable and equitable management of the biodiversity and natural resource management of the Caspian Sea area and its catchment;
- the Caspian Sea states will cooperate fully in the preparation and implementation of the program of activities designed to establish the foundation for sustainable management of a program and to identify priority activities in the framework of cooperation between Caspian Sea states;
- the Caspian Sea states call on the international community to support their joint efforts of cooperation and provide assistance in the implementation of the environmental program; and
- the participants of the meeting charge the Government of Kazakhstan with the submittal by of the project prepared by the Kazakhstan Republic to the Glob2.1 Environmental Facility and to the World Bank after additional work and

discussion with the Islamic Republic of Iran, Russian federation, and Turkmenistan.

**For Government of Azerbaijanian
Republic**

**For Government of Kazakhstan
Republic**

**For Government of Islamic
Republic of Iran**

**For Government of Russian
Federation**

For Government of Turkmenistan

FINAL RESOLUTION
THE FIRST INTERNATIONAL BAKU CONFERENCE
ON THE PROBLEMS OF THE CASPIAN SEA

Recognizing the great economic, social, and cultural value of the Caspian ecosystem and its resources for the Caspian region people and the whole of mankind;

Marking the large-scale anthropogenic influence on the Caspian ecosystem, causing regional natural resource degradation;

Being conscious of the sowing danger for the Caspian Sea natural resources, which is fraught with irreversible consequences for the integrity of its ecosystem;

Emphasizing the urgency for creation of the scientific and technological potential, modern methods and technologies to be used for the Caspian region natural resource protection;

Admitting the significance of mutual aid and international cooperation in information exchange, concerning different states' abilities to react to the extreme situations in the Caspian Sea basin, such as accidental ecological disaster and oil floods;

Creating new climate of cooperation and understanding between the Caspian region states;

Wishing to improve further regional cooperation on the Caspian Sea;

Admitting that such collaboration enables realization of joint coordinated efforts on environmental improvement in the region and will help to carry out national technological programs;

Acknowledging the importance of regional cooperation in the Caspian Sea environmental protection as an inalienable part of peaceful collaboration and mutual understanding between Caspian region nations;

1. Admits that the real threat of ecological unbalance in the region of the Caspian Sea exists, which can lead to the ecosystem's destruction and to establishment of serious impediments in the life improvement in the region;

2. Expresses the hope in the Caspian region states will and readiness to develop scientific, technological nature protection cooperation in the Caspian Sea region;

3. Makes decision to create the Supreme Regional Council on the Caspian Sea problems (Caspian Council) which should:

- a) evaluate the Caspian Sea ecosystem;
- b) Create the common program of monitoring;

- c) Set up priorities for solutions to problems and to design the conceptual basis for such solutions;
- d) Coordinate states' national programs;
- e) Work out the Common Regional Program concept;
- f) Elaborate a Convention for the Caspian Sea pollution prevention;
- g) Provide a legal basis for management of natural resource use;
- h) Work out further cooperation directions of the governments concerned.

4. Appeals to the Caspian states governments about the urgency of the authorities recognition of the Supreme Caspian Council as an intergovernmental advisory body for solution of the region's ecological problems;

5. Appeals to the Caspian states governments to create and to adopt during one year industry ecological national plans, paying priority attention to the considerable reduction of floods;

6. Asks for the Caspian region states governments to make an agreement on common nature protection requirements in the light of further improvement in planning, concerning all aspects of social and economic processes;

7. Recommends to the Caspian states governments the conceivable assistance in the further improvement of nature protection, information and knowledge exchange as well as ecologically pure technology management on a bilateral and multi-lateral and commercial basis;

8. Asks the Caspian region states governments in the bounds of the Caspian Sea problems conference in 1993 to discuss and make an agreement at the level of the states and government leaders for the Caspian Sea Pollution Convention Adoption;

9. Emphasizes the urgency of creation of a Fund for the salvation of the Caspian Sea;

10. Draws attention of foreign states and international organizations to the problems of the, Caspian Sea ecosystem and its global importance with the slogan to increases scientific-technological, informational, legal, and commercial cooperation;

11. Appeals to the world community, public ecological organizations, independent funds and different commercial organizations to provide assistance to the solution of the problems of the Caspian Sea for the benefit of mankind and admits the necessity of the creation of an independent international Caspi Salvation Fund.

June 17, 1991, Baku, USSR

**COMMUNIQUE
OF REPRESENTATIVES OF THE CASPIAN STATES
(TEHERAN COMMUNIQUE)**

October, 1992

On the basis of agreements, reached by the leaders and other high level representatives of the Caspian states during the meeting held in Teheran in February 1992, high level representatives of these states gathered in Teheran on 3-4 October 1992 to review the project on Convention for Organization of Cooperation of the Caspian States.

Mr. A. Mansurov, the leader of the Azerbaijan delegation, Mr. M. Zharkenov, the leader of the delegation of Republic of Kazakhstan, Mr. O. Kolbasov, leader of the delegation of the Russian Federation, Mr. T. Berdyiev, leader of the delegation of Turkmenistan, leading the delegations of experts of their states under the leadership of the head of the Iranian delegation Mr. M. Vazai, exchanged their opinions on the project of Convention for Organization of Cooperation of Caspian States, as suggested by the party from Iran.

During this meeting the delegates were accepted by the President of Iran, Mr. A. Hashemi-Rafsanjani. The participants of the meeting, pointing out strong historical links and general traditions of their peoples, stressed that implementation of an agreement on setting up an Organization of Cooperation of the Caspian States due to the initiative of the Islamic Republic of Iran, taking into consideration the existence of differing spheres of cooperation in the region of the Caspian Sea, will be a large and important step towards rapprochement between peoples of this region.

Representatives of interested countries, again acknowledging serious efforts from the Iranian side, agreed to set up in the shortest period of time specialized and technical committees with participation by representatives of all country-founders listed below.

The titles of committees, coordinated between five Caspian states during the meeting in Teheran, are as following:

1. Committee on investigation of reasons for and monitoring of sea-level in the Caspian Sea.
2. Committee on nature preservation
3. Committee on conservation and utilization of bioresources of the Caspian Sea.
4. Committee on the status of the Caspian Sea.
5. Committee on shipping and use of ports of the Caspian Sea.
6. Committee on scientific investigation of the Caspian Sea.

Representatives of countries-participants agreed that the Islamic Republic of Iran will be coordinator on aspects of establishment of the above mentioned committees.

These delegations, after discussion and exchange of opinions on identification of principles and purposes of cooperation and financial questions of Organization of

Cooperation of the Caspian States, agreed with some outlines of Convention and also agreed that during the following meeting that will take place a few days in advance of the meeting of Ministers of Foreign Affairs, the outlines of the draft Convention will be discussed again. The leaders of the delegations also considered desirable to hold meetings of Ministers of Foreign Affairs and leaders of the Caspian states before the end of 1992 in Teheran.

**COMMUNIQUE
OF PARTICIPANTS OF THE MEETING ON THE PROBLEMS
OF THE CASPIAN SEA**

14 October 1993
Astrakhan

The leaders of the Governments of the Azerbaijan Republic, the Republic of Kazakhstan, Russian Federation and Turkmenistan, considering the sovereignty of each state and reconfirming adherence to the goals and principles of dynamic and harmonic development of economics of their states., recognizing that the Caspian Sea is an integral ecological complex, taking into account intention of States Participants of this meeting to maintain and properly use bioresources of the Caspian Sea, following the international legislation, expressed their interest in implementation of joint investigations aimed at rational utilization of the water surface of the Caspian Sea.

The parties agreed to the main direction for the joint activity:

- protection of reserve areas and natural resources of the Caspian sea
- maintenance of the reproduction and optimal utilization of the bioresources of the sea
- extraction of mineral resources of the Caspian Sea, considering economical interests of the parties
- determination of the rational shipping routes with account of ecological requirements
- control of sea-level

Parties charge appropriate organizations of the state administration to prepare suggestions for implementation of the achieved agreements on effective utilization of the water surface of the Caspian sea.

Parties believe that the complex decisions on the problem of the rational utilization of the water surface of the Caspian Sea requires the participation of all Caspian States.

In order to work out coordination mechanisms, the Parties form a working group from the representatives of the states' participants.

**For the Government of
Azerbaijan Republic**

**For the Government of
Russian Federation**

**For the Government of
Republic of Kazakhstan**

**For the Government of
Turkmenistan**

**STATUS
OF THE EXISTING SOVIET-IRAN AGREEMENTS
ON THE CASPIAN SEA**

From the agreement between Russian Socialistic Federal Soviet Republic and Iran
(Persia) dated 26 February 1921.

Article 11.

Based on the fact that due to the announcement of the principles in the Article I of the current Agreement, the peaceful treaty between Persia and Russia and Turkmenistan dated 10 February 1828, article 8 of which deprived Persia of its rights to have its fleet on the Caspian Sea, lost its meaning, two High negotiating Parties are agree that from the moment of signing of current Agreement they will equally use the right of free shipping in the Caspian Sea under their own flags.

From the agreement on trade and shipping between Union of Soviet Socialistic Republics and
Iran dated 25 March 1940.

Article 12

1. Trade ships, operating in the Caspian Sea under the flag of one of the Negotiating Parties, will be treated in ports of the other Party on entry, at dock and on exit on the same basis as national ships.

2. The mentioned ships will not pay other port taxes except those legally settled for the national ships on the same basis and with the same exceptions...

3. Cabotage is a right of the national ships of the negotiating Parties. But, it is agreed, that each Negotiating Party shall provide the ships under flags of the other Party with cabotage for transportation of passengers and goods in the Caspian Sea.

4. Regardless of previous agreements, each Negotiating Party reserves fish catch for the ships of its own flag in the waters adjacent to its coast in a 10 mile zone, and also reserves right for privilege and advantages for transport of fish that is the catch of crew of ships, going under its flag.

Article 13

Negotiating Parties agree that in accordance with principles, set up by agreement dated 26 February 1921 between Russian Socialistic Federal Soviet Republic and Persia, over the entire Caspian Sea ships of Union of Soviet Social Republics and Iran only may be present, and also ships belong to individuals, trade and transport organizations of one of the Negotiating Parties and which go under flag of Union of the Soviet Socialist Republics and Iran.

Exchange letters to the Agreement dated 25 March 1940.

“Mister, Minister,

I have the honor to let you know the following:

Due to the fact that the Caspian Sea, considered by both Negotiating Parties as the sea of the Soviet and Iran, is of great importance, it is agreed that both Governments take necessary measures in order that citizens of third countries, serving on the ships of the appropriate Negotiating Party and in its ports on the Caspian Sea, don't use their service and stay on ships and in ports for purposes beyond their duties.

With high regards, Mister Minister,

/signature/

Teheran, 25 March 1940