Legal Life for the Hinge in Eurasia. Regional Infrastructure Development Amidst Contemporary Challenges

Vida jurídica para la bisagra en Eurasia. Desarrollo de infraestructura regional ante desafíos contemporáneos

Vie juridique pour la Charnière en Eurasie. Développement des infrastructures régionales face aux défis contemporains

Rodrigo **Labardini**

https://orcid.org/0000-0002-2547-0549
Institute for Development and Diplomacy (IDD) and
Professor of Practice, ADA University. Azerbaiyán
E-mail: rodrigo.labardini@live.com.mx

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Abstract: Asia and Europe lie in the same landmass, yet are considered two separate continents. Traversing by land, cargo have three alternatives: the northern (Russian) and southern (Iranian) routes with a "Middle Corridor" through the Caspian Sea that was developed with large infrastructure projects and the new 2018 *Convention on the Legal Status of the Caspian Sea*. While the world's oceans are rising, the Caspian Sea is dessicating. This will affect trade, economy, geopolitics and population as its waters recede under a convention not yet in force.
Keywords: Caspian Sea; dessication; climate change; infrastructure.

Resumen: Asia y Europa se encuentran en la misma masa continental, pero se consideran dos continentes separados. Por tierra, la carga tiene tres alternativas: las rutas del norte (Rusia) y del sur (Irán) con un nuevo "Corredor Medio" cruzando el Mar Caspio que se desarrolló con grandes proyectos de infraestructura y la nueva Convención sobre el Estatuto Jurídico del Mar Caspio de 2018. Mientras los océanos del mundo crecen, el Mar Caspio se seca. Esto afectará al comercio, la economía, la geopolítica y la población a medida que sus aguas retrocedan en virtud de una convención que aún no está en vigor.

Palabras clave: Mar Caspio; desecamiento; cambio climático; infraestructura.

Résumé: L'Asie et l'Europe sont situées sur la même masse continentale, mais sont considérées comme deux continents distincts. Pour le passage par voie terrestre, les marchandises ont trois alternatives : les routes du nord (russe) et du sud (iranienne) avec un nouveau « corridor du milieu » à travers la mer Caspienne qui a été développé avec de grands projets d›infrastructures et la nouvelle Convention sur le statut juridique de la mer Caspienne de 2018. À mesure que le niveau des océans s›élève, la mer Caspienne s›assèche. Cela affectera le commerce, l'économie, la géopolitique et la population à mesure que les eaux se retireront en vertu d'une convention qui n'est pas encore en vigueur.
Mots-clés: mer Caspienne; assèchement; changement climatique; infrastructure.

Большому кораблю — большое плавание.
[A great ship needs deep waters.]

I. Introduction

Throughout history, all peoples and nations have been determined by their physical surroundings. They had access to resources available in their territory. The general encircling environment has often defined how peoples and nations act in the domestic, regional and global scenes. Geography surrounds us. Geography makes a nation. One's will defines destiny. Infrastructure transforms geography and puts it into global attention. Eurasia encompasses one land mass and two continents —Europe and Asia— with a large variety of languages, cultures, traditions, and civilizations, where the Caspian Sea functions as a divider and a connector. While independently developed, infrastructure has reshaped Eurasia —including oil pipelines, gas pipelines, transport and energy corridors— and becoming as a consequence what I have denominated as the Hinge in Eurasia.[1]

This required a somewhat common legal environment. The 2018 *Convention on the Legal Status of the Caspian Sea* (CLSCS).[2] Once CLSCS enters

[1] Labardini, Rodrigo, "La Bisagra en Eurasia", *El Economista*, April 26, 2024, https://www.eleconomista.com.mx/opinion/La-bisagra-en-Eurasia-20240426-0036.html, and Labardini, Rodrigo, "A Hinge in Eurasia: Regional Infrastructure and Geopolitical Changes", *Século XXI*, v. 15, no. 1, Jan-Jun 2024, pp. 121-141.

[2] *Convention on the Legal Status of the Caspian Sea,* signed at Aktau, Kazakhstan, 12 Aug, 2018, not in effect as of May 10, 2024. Official texts in Azerbaijani, Farsi, Kazakh, Russian, Turkmen,

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into force it shall regulate the rights and obligations of the parties dealing with sovereignty, navigation, waters, subsoil, natural resources, and environment. CLSCS offered a general framework yet has ample opportunities for improvement. The region faces contemporaneous and very important challenges, including climate change, and consequences.

I shall present a general view of the Caspian Sea region and how infrastructure has changed the face of Eurasia —a recent example being the "Middle Corridor"—, followed by a general comment on CLSCS, pointing to challenges the region faces. As much as the CLSCS offered a legal regime generally applicable to the Caspian Sea, it will be insufficient to deal with contemporaneous perils as this body of water is now facing an existential threat. As oceans are rising due to climate change, the Caspian Sea, like all lakes in the world, is rapidly dessicating. The region must quickly adapt to circumstances, mitigate consequences and set the legal path for the future.

II. The Caspian Sea and the *Convention on the Legal Status of the Caspian Sea*

The Caspian Sea is an endorheic basin, *i.e.,* with no outflows. It is the largest body of water surrounded by land —larger than Japan or Germany yet smaller than California. It contains some 78,360 cubic kilometers of water or approximately 40 %[3] to 44 %[4] of the world's lacustrine water. It covers some 386,400 square kilometers. Larger than Japan or Germany, yet somewhat smaller than California, it is five times the size of Lake Superior, 1½ times the surface area of all the Great Lakes combined, and larger than the combined surface of the world's following seven largest lakes.[5] Ancient peoples saw a lake as it is surrounded by land. Nonetheless, due to its size and salinity it

and English. http://en.kremlin.ru/supplement/5328. In case of disagreement, English prevails (art. 24).

[3] Szalay, Jessie, "Caspian Sea: Largest Inland Body of Water", *Live Science,* June 24, 2018. https://www.livescience.com/57999-caspian-sea-facts.html

[4] Coffey, Luke, "A Secure and Stable Caspian Is in America's Interest", *Backgrounder*, The Heritage Foundation, Dec. 4, 2015, p. 17. http://report.heritage.org/bg3070

[5] Superior (Canada and USA), Victoria (Kenya, Tanzania, Uganda), Huron (Canada and USA), Michigan (USA), Tanganyika (Burundi, Dem. Rep. of Congo), Baikal (Russia), and Great Bear (Canada).

was concomitantly considered a sea. This ambivalence is reflected in CLSCS. CLSCS does not define the Caspian Sea as lake or sea,[6] yet by *verbatim* drawing from international lacustrine law and the *United Nations Convention on the Law of the Sea* (UNCLOS),[7] it sometimes implies a lake or a sea. The apparent result was to avoid such definition, enabling the adoption of the incipient legal regime the Caspian-5 desired, and to assure (one/all) countries to have and use common space, ensuring security, while allowing bordering states to exploit transboundary resources and laying pipelines only with the aquiescence of the countries whose territories are involved; all without clear rules for border maritime rules.[8]

The Caspian Sea is not connected *per natura* to the world's oceans. Since 1952, with the Volga-Don Canal,[9] the Caspian Sea connected to the world's oceans via the Black Sea, the Baltic Sea and the White Sea by hooking it up with the Volga-Baltic Waterway (1960)[10] and the White Sea-Baltic Canal,[11]

[6] "Caspian Sea" is the current designator for the body of water between contemporaneous Azerbaijan, Iran, Kazakhstan, Russia, and Turkmenistan. CLSCS stipulated it is the body of water surrounded by the territories of the Caspian Sea states as outlined in three nautical charts of the General Department of Navigation and Oceanography of the Ministry of Defense of the Russian Federation in Saint Petersburg (article 1-CLSCS): charts No. 32003, archive edition Apr. 17, 1997, published 1998, No. 31004, archive edition July 4, 1998, published 1999, and No. 31005, archive edition Nov. 16, 1996, published 1998.

[7] Montego Bay, 10 Dec. 1982, No. 31363, 1833 U.N.T.S. 396, entry into force 16 november 1994. As of May 10, 2024: Azerbaijan acceded 16 Jun. 2016, Iran signed 10 Dec. 1982, Russia ratified 12 Mar. 1997, Kazakhstan and Turkmenistan have not signed.

[8] Labardini, Rodrigo, "The Legal Definition of the Caspian Sea", *Anuario Mexicano de Derecho Internacional,* vol. XX, 2020, pp. 235-272.

[9] For its construction, up to 100,000 gulag and other prisoners worked daily. A day spent on construction counted as three days in prison, encouraging prisoners to work. Some convicts were awarded the Order of the Red Banner of Labor after their release. After completion, the Volga-Don canal became an important communication route of the heavy waterway transport system in the European part of the Soviet Union.

[10] The Мариинская водная система (credit to Empress Maria Feodorovna, second wife of Emperor Paul I of Russia) was originally constructed in the early 19th century, the system was rebuilt for larger vessels in the 1960s, becoming a part of the Unified Deep Water System of European Russia.

[11] Ship canal opened on 2 August 1933. It connects the White Sea, in the Arctic Ocean, with Lake Onega, which is further connected to the Baltic Sea. Until 1961, it was called by its original name: the Stalin White Sea–Baltic Canal (Беломорско–Балтийский канал имени Сталина).

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and using the Volga, Don, Neva, and Svir rivers. These canals are subject to seasonally freezing waters. The Caspian Sea's salinity is approximately a third of seawater. The salinity is in large part a residue of the sea's origin, with the Northern part sweeter than the Southern Caspian, due to the inflow of waters from the Volga River.

The Caspian Sea straddles several cultural, ethnic, religious, and civilizational axes. It involves Persian, Slavic, and Turkic peoples; two religious cosmovisions: Christianity and Islam; and withing the latter it refers to two divergent interpretations: Sunnism in Kazakhstan, Turkmenistan, and the Dagestani (Russia's) shores, while Shiism is prevalent in Iran and Azerbaijan.[12]

In recent decades —essentially, since the demise of the USSR— attention to the Caspian Sea has sharply risen due to its vast hydrocarbons resources. Some have estimated that the Caspian basin contains 48 billion barrels of proven oil reserves, while natural gas reserves are estimated at 8.76 trillion cubic meters,[13] 10% of the world's gas and oil reserves,[14] 15% of the world's oil reserves, albeit producing 2% of the world's oil output in 2011.[15] Others consider it contains 16% of the world's oil.[16] Hence, it is to no surprise that the Caspian has been referred to as "another Persian Gulf".[17]

[12] Pheiffer, Evan, "Caspian: Sea or Lake?", *The BusinessYear*, July 4, 2018. https://www.thebusinessyear.com/five-countries-debate-caspian-sea-or-lake-russia-kazakhstan-turkmenistan-azerbaijan-iran/focus

[13] Indeo, Fabio, "Settling the Caspian Issue and Realizing the Trans-Caspian Energy Corridor", *The Diplomat*, July 10, 2018. https://thediplomat.com/2018/07/settling-the-caspian-issue-and-realizing-the-trans-caspian-energy-corridor/

[14] Penkova, Tomislava, "Russia in the Caspian Region: An Attempt to Preseve an Inherited Role", in C. Frappi & A. Garibov (Eds.), *The Caspian Sea Chessboard. Geo-political, geo-strategic and geo-economic analysis,* Institute for International Political Studies (ISPI) and Center for Strategic Studies (SAM), 2014, pp. 113-128, at p. 113.

[15] O'Neil, Bradley, Hawkins, Robert & Zilhaver, Cody, "National Security & Caspian Basin Hydrocarbons", *IAEE Energy Forum*, 2010, pp. 9-15, at p. 10.

[16] Hays, Jeffrey, "Caspian Sea, Facts and Details", May 2016, http://factsanddetails.com/russia/Nature_Science_Animals/sub9_8a/entry-5055.html, Fenvesi, Charles, "Caspian Sea: US Experts say oil reserves are huge", *RFE/RL,* May 5, 1998.

[17] Altunisik, Meliha, "The Political Economy of Caspian Oil". *Jahrbuch für internationale Sicherheitspolitik 1999*, December 1999, Federal Ministry of Defence – Austria, http://www.bundesheer.at/pdf_pool/publikationen/03_jb99_32.pdf.

Historically, the Caspian Sea was considered a lake or a sea depending on who controlled its waters.[18] Researchers —even official documents[19]— concentrated on this issue.[20] The debate was considered fundamental to the region's future,[21] yet obviating that the five riparian could determine by themselves —as they finally did— the legal framework for this body of water.[22]

CLSCS has been considered an interim solution, including on delimitation principles between the opposite and adjacent Caspian States which shall be bilaterally determined.[23] CLSCS's approach on seabed delimitation was deemed "evasive" but "expected"[24] or having "kicked the can down the road".[25] For some the CLSCS did not define the legal status of the Caspian Sea, leaving

[18] It was a lake "when it was entirely or to a considerable degree under the control of a single power which supervised the access to it and determined the legal–political regime that governed navigation and trade. When, on the other hand, the geopolitical influence was diffused among several states or when a geopolitical void prevailed in the area, it was a 'sea'." Raczka, Witt, "A sea or a lake? The Caspian's long odyssey", *Central Asian Survey*, vol. 19, no. 2, p. 197.

[19] "If the Caspian is a 'sea' in legal terms, coastal countries would apply the United Nations Convention on the Law of the Sea of 1982 (UNCLOS). If the Caspian is legally defined as a 'lake', the countries could use the international law concerning border lakes to set boundaries", considering border lakes are part of the internal waters of a country. EIA, *Caspian Sea Region, Overview of oil and natural gas in the Caspian Sea region,* U.S. Energy Information Administration, Aug. 26, 2013, p. 4. https://www.eia.gov/beta/international/analysis_includes/regions_of_interest/Caspian_Sea/caspian_sea.pdf

[20] Janusz, Barbara, "The Caspian Sea. Legal Status and Regime Problems", *Briefing Paper,* Chatham House, August 2005, https://www.chathamhouse.org/sites/default/files/public/Research/Russia%20and%20Eurasia/bp0805caspian.pdf

[21] Coffey, *op. cit*.

[22] Labardini, *op. cit*.

[23] Karataeva, Elena, "The Convention on the Legal Status of the Caspian Sea: The Final Answer or an Interim Solution to the Caspian Question?", *The International Journal of Marine and Coastal Law,* vol. 35, 2020, pp. 232-263.

[24] O'Byrne, David, "With draft convention, resolution of Caspian Sea status appears closer than ever", June 27, 2018, *Eurasianet.org.* https://eurasianet.org/with-draft-convention-resolution-of-caspian-sea-status-appears-closer-than-ever.

[25] Dudley, Dominic, "Tehran Tries To Face Down Domestic Critics Of Caspian Sea Deal", *Forbes*, August 14, 2018. https://www.forbes.com/sites/dominicdudley/2018/08/14/tehran-skeptics-of-caspian-sea-deal/#2d0012b750fc.

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several issues unresolved,[26] yet indicating that the "definition problem" is marginal.[27] Hence, CLSCS has several window opportunities for improvement.[28]

III. A Eurasian geopolitical Hinge via infrastructure development

Europe and Asia are located in the same landmass yet they are perceived as two very different continents.[29] Mainlands that are simultaneously *connected and divided* by the Caspian Sea. In landlocked Eurasia[30] —Caucasus, Caspian Sea and Central Asia— we find simultaneous interaction between geography, political will, technology, infrastructure, and legal norms, all vying for resources to reach markets efficiently and opportunely. Domestic development, regional interaction and international presence are based on the nation's geographical factors and how it fosters and expands its technological capabilities to erect infrastructure to pursue national, regional and international goals, affecting economic development, international incidence and relevance. "Economic, social and demographic change, all linked to rapid

[26] Majidli, Jamila, "New Opportunities and Unresolved Issues in the Context of the Convention on the Legal Status of the Caspian Sea", *Azerbaijan Science Center,* 2021. http://dx.doi.org/10.36719/2706-6185/03/58-63

[27] Pietkiewicz, Michal, "Legal status of Caspian Sea – problem solved?", *Marine Policy,* vol. 123, January 2021. https://doi.org/10.1016/j.marpol.2020.104321

[28] Gudev, Pavel, "Legal Status of the Caspian Sea: Gaps in the Convention Regim" [Правовой статус Каспийского моря: пробелы конвенционного режима]. *Post-Soviet Issues [Проблемы постсоветского пространства],* vol. 9, no. 2, pp.168-182.

[29] Europe, Asia and Africa integrate the Afro-Eurasian landmass. For current purposes, I refer only to Europe and Asia —comments on numerous issues, such as distance, culture, geopolitics, and infrastructure equally apply.

[30] Out of the world's 44 landlocked countries, seven of them (16 %) are in the area: two in the Caucasus (Azerbaijan and Armenia) and all five countries of Central Asia —plus Afghanistan—; including the largest landlocked country in the world (Kazakhstan). One of the seven Eurasian —Uzbekistan— is double-landlocked, *i.e.,* to reach the oceans it must cross two countries. The only other double landlocked country in the world is Liechtenstein, in a very different context. "List of Landlocked Developing Countries", UNCTAD, 2023. https://unctad.org/topic/landlocked-developing-countries/list-of-LLDCs

technological change, have global implications which may mark out the times we live in now from those that went before".[31]

Since the XX century, Eurasia has risen to the front with infrastructure projects battling to connect East (China) to West (Europe), clashing to link energy sources and goods to the markets. Contemporary pipelines and transport corridors are presented as more cost-efficient and faster,[32] while being profitable and thus considering them as sound economical alternatives[33] to traditional hauling via the oceans.[34]

After the Russian invasion of Ukraine there has been increased references to the "Middle Corridor" of transportation of goods and energy through Eurasia —or the Silk Road (SR) region— as an alternative to Russian energy sources (oil and gas), trade routes, and digital highways.[35] This situation is the result of a long history and regional leaders with a vision for the future with a very important potential for their countries and the world.[36] The "Middle Corridor" has been included under different names in various international

[31] Scarlett, John, "Foreword", en Tim Marshall, *Prisoners of Geography. Ten Maps that Tell You Everything You Need to know about Global Politics,* London, Elliot and Thompson Limited, p. 303.

[32] Goods travelling by sea between China and Europe take 60 days, by land they will take 12-15 days, Lee, Dmitry, "Aktau and Kuryk Ports should be provided with own vessels", *Astana Times,* November 4, 2016. https://astanatimes.com/2016/11/aktau-and-kuryk-seaports-should-be-provided-with-own-vessels; Shahbazov, Fuad, "China to Europe By Way of Azerbaijan's Trans-Caspian Gateway. The Trans-Caspian International Transit Route is set to reinvigorate regional economic growth", *The Diplomat*, February 16, 2018. https://thediplomat.com/2018/02/china-to-europe-by-way-of-azerbaijans-trans-caspian-gateway/

[33] In the U.S., oil pipeline shipments account for more than 17% of the freight moved nationally, but less than 2% of the national freight cost, Wilson, Rosalyn, *Transportation in America.* ENO Transportation Foundation, Washington, D.C., 2007.

[34] In the U.S., some pipelines —such as *Big Inch* and *Little Big Inch*— were built to counter the threat of German submarine attacks on coastal tankers; *Colonial Pipeline* to counter the strike of the maritime union; and *Trans-Alaska Pipeline* to meet the challenge posed by the 1973 Arab oil embargo, Liu, Henry, "Oil pipelines", *Britannica.com*, 2020. https://www.britannica.com/technology/pipeline-technology/Oil-pipelines

[35] Labardini, Rodrigo, "The Silk Road Turned a Middle Corridor. History in the Making", 6 September 2023, *Analytical Policy Paper*, Institute for Development and Diplomacy (IDD), ADA University. https://idd.az/media/2023/09/07/idd_policy_brief_-_labardini_-_6_september.pdf

[36] Kenderdine, Tristan and Bucsky, Péter, "Middle Corridor - Policy Development and Trade Potential of the Trans-Caspian International Transport Route", *ADBI Working Paper 1268,* Asian Development Bank Institute, Tokyo, 2021.

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collaboration schemes. It was incorporated into the 1998 *Transport Corridor Europe Caucasus Asia* (TRACECA), the 2013 China's *Belt and Road Initiative* (BRI),[37] and the 2017 *Trans-Caspian International Transport Route* (TITR).[38]

Before the Russo-Ukrainian war, the geopolitical environment in the Silk Road region had already been changing as the result of two major trends. First, the development and construction of large regional infrastructure projects by SR countries, such as oil and gas pipelines [*Baku-Tbilisi-Ceyhan* (BTC), *Southern Gas Corridor* (SGC) and *Caspian Pipeline Consortium* (CPC)] and railways [*Baku-Tbilisi-Kars* railroad (BTK)], ending Russia's monopoly over Caspian Sea hydrocarbons and commercial connectivity.[39] Secondly, a renewed interest in the region from powers like China, European Union (EU), and the U.S., on account as well on energy security and commercial connectivity, or by regional heavyweights like Russia vying to reassert itself with varying outcomes —as seen with the latter's invasion of Ukraine (2022-to date) or in the Caucasus in the aftermath of the Second Karabakh War (2020) when Azerbaijan liberated the majority of its territory under Armenian military occupation. These circumstances escalated competition for trade, energy, digitalization, and other resources, as well as regional influence. After the demise of the Soviet Union, new alliances and partnerships have been created, with political and economic competition evinced by the Collective Security Treaty Organization (CSTO) (1992), European Union (1993), GUAM (1997), the Eurasian Economic Union (EEU) (2014). A recent example is the transformation in 2021 of the Turkic Council into the Organization of Turkic States (OTS) having a mounting imprint in the region, particularly after the second phase of theh Karabakh War (2020). As a result, strategic factors have amplified in importance while determining how policies and initiatives shape the Silk Road region.

Its strategic geographical location between Europe and Asia, its vast hydrocarbon potential, along with contemporary commercial dynamics —the

[37] Uatkhanov, Yerbolat, "Kazakhstan, Azerbaijan and Georgia sign Trans-Caspian International Transport Route protocol", *The Astana Times*, April 7, 2017. https://astanatimes.com/2017/04/kazakhstan-azerbaijan-and-georgia-sign-trans-caspian-international-transport-route-protocol/

[38] McBride, James, Berman, Noah, and Chatzky, Andrew, "China's Massive Belt and Road Initiative", *Council on Foreign Relations*, February 2, 2023. https://www.cfr.org/backgrounder/chinas-massive-belt-and-road-initiative

[39] Labardini, Rodrigo, "Oil Pipelines: Eurasian geopolitical reconfiguration", *Khazar Journal of Humanities and Social Sciences*, vol. 24, no. 2, 2021, Khazar University Press, pp. 29-58.

East-West and the North-South transport corridors, including the Belt and Road Initiative[40]— and expectant regional infrastructure energetic and transport projects, make the practical linking of Europe and Asia seem quite natural, business-prone and necessary.

The Caucasus and the Caspian Sea possess a unique geographical twofold location between East (China) and West (Europe) as well as between North (Russia and the Baltic Sea) and South (Iran, the Persian Gulf and India).[41] Their location places them in a strategically important crossroads and one of key geopolitical interest to Russia, Iran, Türkiye, USA, and the EU,[42] China and other powers. The region is known for its volatility, particularly after the demise of the USSR due to existing ethnic, religious, political and military tensions after the collapse of the Soviet Union.[43]

IV. Eurasian connectivity, the Caspian Sea and geopolitics

Today, the Caucasus/Caspian Sea region has significant transit infrastructure architecture, hosting major oil transcaucasian pipelines: *Caspian Pipeline Consortium* (CPC), *Baku-Novorossiysk pipeline* (BNP), *Baku-Supsa pipeline* (BSP), *Baku-Tbilisi-Ceyhan pipeline* (BTC) and, inasmuch as it reaches the same destination point and thus becomes a competitor, *Kirkuk-Ceyhan Pipeline* (KCP). The region also hosts major gas pipelines: *Baku-Tbilisi-Erzurum* (BTE) and *Southern Gas Corridor* (SGC) composed by *Southern Caucusus Pipeline Expansion* (SCPX), *Trans-Anatolia Pipeline* (TANAP) and *Trans-Adriatic Pipeline* (TAP) to

40 Labardini, Rodrigo "Conflating or Encumbering Intentions? North-South Corridor Possibilities", Dec. 20, 2023, *Analytical Policy Paper,* Institute for Development and Diiplomacy, ADA University. https://idd.az/media/2023/12/23/idd_policy_brief_-_rodrigo_labardini_-_20_december.pdf

41 Labardini, *op. cit*.

42 Kochlazade, Manana, "Geopolitics of South Caucasus: Georgia and Oil Prices", April 1, 2016, Heinrich Böll Stiftung Tbilisi. https://ge.boell.org/en/2016/04/01/geopolitics-south-caucasus-georgia-and-oil-prices

43 Examples are the First (1994-1996) and Second Chechen (1999-2009) Wars, the 2008 Russo-Georgian War, the 1988-1994 Azerbaijan-Armenia War and the ensuing thirty-year conflict regarding the Azerbaijani territory of Nagorno-Karabakh and seven additional Azerbaijani provinces that were under Armenian occupation and that ended in 2023 when Azerbaijan resumed full sovereignty of its territory.

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deliver Caspian Sea gas to Europe over 3,500 kilometers. This brings to fore that for the US and EU the region matters as a transit route for energy goods from the Caspian Sea[44] as well as energy source diversification for the EU.[45]

V. Eurasia/Caspian Sea faces climate change challenges

The Caspian Sea is at the center of Eurasia/the Silk Road region and has become The Hinge between East (China) and West (Europe), as well as between North (the Baltic Sea) and South (the Persian Gulf and Indian Ocean). Today, as the rest of the world, the Caspian Sea faces daunting challenges, including water level fluctuation, environmental pollution, the introduction of exotic species to the Caspian Sea, loss of flora reservoirs, and eutrophication.[46] A clear indicator is the oscillation of the Caspian Sea level, which will have surprising and unnerving regional and global consequences with climate changes.

The Caspian Sea —as an endorheic basin— is going through a dessication process similar to the world's lakes that are shrinking since the 1960s.[47] As an example, Lake Chapala, Mexico,[48] and Lake Montbel, France, have lost 52% and 72% of their water capacity in recent years, Lake Chad —once the size of the Caspian Sea— in West-Central Africa which since 1960s has lost 95% of its capacity, or the Aral Sea currently at 10% of its capacity.[49]

[44] Lynch, Don, "Why Georgia matters", *EU Institute for Security Studies,* Paris, 2006.

[45] Bayramov, Agha, "The Role of the Caspian Sea countries in European Energy Diversification", *Geopolitica.info,* June 23, 2015, Centro Studi Dal 2004. https://www.geopolitica.info/european-energy-diversification/

[46] Nejat, S.A., Hermidas Bavand, D., and Farschi, P., Environmental challenges in the Caspian Sea and international responsibility of its littoral states", *Caspian Journal of Environmental Sciences*, vol. 16, no. 2, June 2018, pp. 97-110.

[47] Yao et al., "Satellites reveal widespread decline in global lake water storage", 380 (6646) *Science* 743 (2023).

[48] Rangel, Israel, "El Lago de Chapala al 48% de su capacidad", *Meganoticias,* 16 Janaury 2024. https://www.meganoticias.mx/guadalajara/noticia/el-lago-de-chapala-al-48-de-su-capacidad/490626

[49] Marks, Kelley, "27 Worst Drying Lakes in the World", *Owlcation.com,* 14 August 2023. https://owlcation.com/stem/10-Worst-Drying-Lakes-in-the-World

Whereas the world's oceans will rise with climate change,[50] the opposite seems will happen in the Caspian Sea, affecting not only the five Caspian Sea riparian States (Azerbaijan, Iran, Kazahkstan, Russia, and Turkmenistan), but the whole Caspian Sea basin and —due to its sheer size (larger than Japan or Germany)— even the world. The oscillation of the Caspian Sea Level (CSL) has been a growing concern in recent decades and subject of research of many scientific centers and experts. There have been calls indicating the CSL decline in 1930-1977 led to shallowing of the coastal waters, especially in the northern part of the sea, which never reaches a depth of more than 25 m and is less than 5 m deep over two-thirds of its area.[51] In 2017 the CSL hit a contemporaneous record low of 29 meters below median sea level in 1978.[52] This was followed by a continuous rising trend of 12 centimeters annually until 1995 to reach 24.68 meters below median sea level, followed by a decreasing trend of the CSL by 7 centimeters annually starting in 1996 and reaching a total of 1.5 m in 2015. Numerous sources are now alerting of a regional environmental crisis due to a sharp decrease in the CSL,[53] with some even predicting that the CSL is likely to drop from 9 to18 meters *circa* 2070,[54] following a steady drop of the CSL by 6-7 centimeters per year that

[50] Human-induced climate change, including more frequent and intense extreme events, has caused widespread adverse impacts and related losses and damages to nature and people, beyond natural climate variability. Some development and adaptation efforts have reduced vulnerability. Across sectors and regions the most vulnerable people and systems are observed to be disproportionately affected. The rise in weather and climate extremes has led to some irreversible impacts as natural and human systems are pushed beyond their ability to adapt, Intergovernmental Panel on Climate Change (IPCC), *Sixth Assessment Report, Climate Change 2022: Impacts, Adaptation and Vulnerability,* https://www.ipcc.ch/report/ar6/wg2/.

[51] Parkhomchik, Lydia, "The Caspian Sea Level Changes: Causes and Consequences", *Eurasian Research Center*, 2018. https://www.eurasian-research.org/publication/the-caspian-sea-level-changes-causes-and-consequences/

[52] Advancing Earth and Space Sciences, "Caspian Sea Evaporating As Temperatures Rise, Study Finds", 29 August 2017. https://news.agu.org/press-release/caspian-sea-evaporating-as-temperatures-rise-study-finds/

[53] *See inter alia*, Mousavi, Hanna, "Iran, Russia, and the Caspian Environmental Crisis: A need for collaboration", 31 August 2023, *Middle East Institute.* https://www.mei.edu/publications/iran-russia-and-caspian-environmental-crisis-need-collaboration; EurasiaNet, "Caspian faces catastrophic drop in water levels of the Caspian Sea", January 5, 2021, at https://eurasianet.org/caspian-faces-catastrophic-drop-in-water-levels-this-century.

[54] Samant, Rohit, and Prange, Matthias, *Climate-driven 21st century Caspian Sea level decline esti-*

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will result in the disappearance of the Northern Caspian Sea.[55] Thus: the historic registered high CSL was 1900 at -25.65 m, dropping in 1977 to -28.92 m, rising in 1995 to -26.54, and dropping by the end of last year to -29.02 m, with a drop of 1.65 meters between 2013 and 2023, confirming that the sharpest drop has happened after the year 2000, at an accelerated rate.[56]

The situation seems dire with several causes affecting the CSL, including water evaporation —solar or wind-effected—, not enough refill of the Caspian's waters, attributable to different factors, such as diminished precipitation,[57] building of dams in the rivers irrigating the Caspian,[58] strong winds evaporating the Caspian waters,[59] tectonic plate movement, exploitation of hydrocarbons (oil and gas), air and water temperature.[60] Irrespective of the causes, due to the Caspian Sea's characteristics, while such changes will affect all five Caspian states, the Northern part will be initially affected in Kazakhstan and Russia.[61]

mated from CMIP6 projections, 4 *Communications Earth & Environment* 357 (2023), 7 October 2023. https://doi.org/10.1038/s43247-023-01017-8

55 Prange, Matthias, Wilke, Thomas and Wesselingh, Frank, "The other side of sea level change", *Communicatiions, Earth & Environment,* Vol. 1, article number 69 , 2020.

56 The previous drop rate had been 1.469 meters in 26 years (1996-2021) or 1.431 meters in 16 years (2005-2021), Samant and Prange, *op. cit., supra* note 54.

57 In 1962-1990 the average annual precipitation was 0.96% more than the norm, whereas the 1991-2022 it was 34.5% less; in 1991-2022 only in 1995 and 2000 were there more precipitation than the norm (24% and 3%, respectively), Ministry of Ecology and Natural Resources of the Republic of Azerbaijan (MENR), "Impact of climate changes on the hydrometeorological conditions of the Caspian Sea", *Caspian blue Horizons Workshop on the eve of COP29,* ADA University, June 10-11, 2024.

58 Salarijazi, Meysam, Ghorbani, Khalil, Dehghani, Amir Ahmad, and Zargari, Ali, "Effect of dam construction on changes in river's environmental flow (case study: Gorganrood river in the south of the Caspian Sea)", *Applied Water Science,* vol. 13, p. 212, 2023. https://www.researchgate.net/publication/374799658_Effect_of_dam_construction_on_changes_in_river's_environmental_flow_case_study_Gorganrood_river_in_the_south_of_the_Caspian_Sea

59 Safarov, Said and Safarov, Elnur, "On possible effects of modern Caspian Sea level fluctuations", *Caspian Basin in Transition – COP 29,* presented June 4, 2024, Baku, Azerbaijan, summary in Caspian Basin Conference Book of Abstracts, French-Azerbaijani University (UFAZ), 2024.

60 Caspian Sea's temperature has increased 4-6°C between 2011 and 2023, MENR, *op. cit.*

61 The water balance (budget) is mainly determined by the river runoff, atmospheric precipitation (input), evaporation, and runoff into the Kara-Bogaz-Gol (output). The decisive factor concerning inputs is the river runoff, with >80% from the Volga. The water input into the Caspian is almost 100% balanced by evaporation. The mean long-term annual values of the Cas-

An important issue is the inflow of waters into the Caspian Sea, coming from some 130 rivers, with over 92% of inflow coming from four rivers: Volga (>80%), Kura-Araz (6.5%), Ural (3.0%) and Terek (2.5%). While the Caspian Sea is an endorheic basin and thus has no outflow to any ocean, there are still discharges to the Kara-Bogaz-Gol Bay, further influenced by the ecological/environmental/industrial situation of the Caspian Sea.[62] Further, water is withdrawn for irrigation and other land-use purposes, or restrained when building dams. Other factors are misappropriation of coastal areas, mismanagement of the sea and subsequent restriction of fishing. The socio-economic environment is being impacted with the increase in CSL causing flooding of large areas of agricultural land, destruction of roads and power transmission lines, as industrial and fish-breeding enterprises.[63] Drops in the CSL causes socio-economic degradation of the coastal areas affecting health risk, increasing unemployment by damages to coastal enterprises and becomes a burden for fishermen in the littoral states. The latter have depended for generations on the plentiful sturgeon and other marine species for their livelihood, and will certainly be affected by variances in the CSL, threatening their livelihood. The receded Caspian Sea waters also adversely impact on the health of the population inhabiting the coastal areas.

The Caspian Sea has been an essential geographical point in the Silk Road region and has been a clear element in framing regional geopolitics and geo-economics of its littoral states and other international powers, to which building of infrastructure has strongly contributed. As an inland sea, it borders with five littoral states and can only be accessed from the world's oceans through Russia's Volga-Don Rivers and its canals connecting to the Black Sea,

pian water balance components for the period of 1900–1990 were as follows (km3/cm of water layer): river runoff 300/77, atmospheric precipitation 77/20, groundwater discharge 4/1, evaporation 377/97, runoff into Kara-Bogaz-Gol 13/3, Zonn, Igor, Kostianoy, Andrey, Kosarev, Aleksey, and Glantz, Michael, *The Caspian Sea Encyclopedia,* Springer, 2010, p. 113.

62 Labardini, Rodrigo and Baghirova, Nazrin, "Dessication in the Caspian Sea. On the Need to Implement Domestic and Regional Countermeasures", 23 December 2023, *Analytical Policy Paper*, Institute for Development and Diplomacy (IDD), ADA University, Baku, Azerbaijan. https://idd.az/media/old/2023/12/21/idd_policy_brief_-_labardini-baghirova_22_december.pdf?v=1.1

63 "due to a sharp increase in the level of the Caspian Sea in 1978-1995, over 400,000 hectares of coastal areas were flooded", which damaged agriculture in the coastal areas and inflicted a 2 billion-damage on Azerbaijan's economy, Parkhomchik, *op. cit*.

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the Baltic Sea and the Sea of Azov. In 2018 five Caspian Sea littoral states signed the *Convention on the Legal Status of the Caspian Sea* (CLSCS), not yet in force. CLSCS established the first mutually accorded legal regime for this body of water.

According to the Convention, the water of the Caspian Sea is divided into internal waters, territorial waters, fishery zones and the common maritime space (art. 5). Each riparian State has full jurisdiction over 15 nautical miles [nm] of "territorial waters",[64] and have control in additional 10 nm of "fishery zones"[65] where they harvest aquatic biological resources. The rest of this body of water is denominated as the "common maritime space".[66] CLSCS defines "normal baselines" at minus 28.0 meters large-scale in charts officially recognized by that State.[67] Where the coastline is indented, "straight baselines" join relevant points on the coastline.[68] An important subject to keep in mind is that in accordance to CLSCS, the Caspian Sea is a body of water identified in specific charts in Saint Petersburg.[69]

With rising oceans, the world has been exploring different issues,[70] including: "In a world of rising sea levels and shifting baselines, the law of the

64 " "Territorial waters" – a belt of sea to which the sovereignty of a coastal State extends", art. 1-CLSCS.

65 " "Fishery zone" – a belt of sea where a coastal State holds an exclusive right to harvest aquatic biological resources", art. 1-CLSCS.

66 " "Common maritime space" – a water area located outside the outer limits of fishery zones and open for use by all the Parties.", art. 1-CLSCS.

67 " "Normal baseline" – the line of the multi-year mean level of the Caspian Sea measured at minus 28.0 meters mark of the 1977 Baltic Sea Level Datum from the zero-point of the Kronstadt sea-gauge, running through the continental or insular part of the territory of a Caspian littoral State as marked on large-scale charts officially recognized by that State", art. 1-CLSCS.

68 " "Straight baselines" – straight lines joining relevant/appropriate points on the coastline and forming the baseline in locations where the coastline is indented or where there is a fringe of islands along the coast in its immediate vicinity.", art. 1-CLSCS.

69 " "The Caspian Sea" – the body of water surrounded by the land territories of the Parties and outlined on the 1:750,000-scale nautical charts of the General Department of Navigation and Oceanography of the Ministry of Defense of the Russian Federation, Saint Petersburg, No. 31003, archive edition of 17.04.1997 published in 1998; No. 31004, archive edition of 04.07.1998 published in 1999; No. 31005, archive edition of 16.11.1996 published in 1998, certified copies of which are attached to this Convention and form an integral part thereof", art. 1-CLSCS.

70 Cfr. *inter alia,* Barnes, Richard, "An Advisory Opinion on Climate Change Obligations

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sea must answer the question of whether the outer limits of each of these maritime zones moves landward as the relevant baselines do so. … If a geographical feature forming a base point is submerged, does that baseline cease to exist?".[71] In the Caspian Sea, such an effort must be undertaken to reach agreement and define the legal path henceforth.

Contrary to the oceans, the world's lakes are shrinking fast: 53% of have shrunk 1992-2020. Climate change and human activities are increasingly threatening lakes that store 87% of Earth's liquid surface fresh water. One quarter of the world's population resides in a basin of a drying lake. Net volume loss in natural lakes is largely attributable to: climate change, increasing evaporation, and human water consumption.

The Caspian Sea —as an endorheic basin, *i.e.,* with no outflow— will reduce in size and its coastlines will not recede landward but they will swell seawards in the direction of the deepest part of the Caspian Sea. In the Caspian Sea, "delimitation of internal and territorial waters between States with adjacent coasts shall be effected by agreement between those States" taking into account principles and norms of international law (art. 7(3)-CLSCS). CLSCS stipulates that territorial waters may not exceed 15 nautical miles,[72] measured from normal baselines (art. 7(1)-CLSCS), with the outer limit of the territorial waters considered the state's borders (art. 7(2)-CLSCS). Environment is also an important element in CLSCS, whereby the five riparian States committed to "promote the use of the Caspian Sea for peaceful purposes and rational management of its resources, as well as exploration, protection and conservation of its environment,"[73] a principle to guide the Parties in carry-

Under International Law: A Realistic Prospect?", *Ocean Development & International Law*, 2022, 53, pp. 2-3, 180-213, https://doi.org/10.1080/00908320.2022.2106329 ; Mitra, Ryan and Sanghi, Sanskriti, "The small island states in the Indo-Pacific: sovereignty lost?", *Asia Pacific Law Review* (2023), 31:2, 428-450, https://doi.org/10.1080/10192557.2023.2181806; Matthews, Daniel, Birrell, Kathleen and Lindgren, Tim, "Sovereignty in the Anthropocene", *Griffith Law Review,* vol. 31, no. 3, 2022, pp. 435-451, https://doi.org/ 10.1080/10383441.2022.2108582

[71] Moorehead, Matthew, "Legal implications of rising sea levels", *Commonwealth Law Bulletin,* vol. 44, no. 4, 2018, pp. 701-720. https://doi.org/10.1080/03050718.2019.1675948

[72] To determine "the outer limit of the territorial waters, the outermost permanent harbour works which form an integral part of the harbour system shall be regarded as forming part of the coast. Off-shore installations and artificial islands shall not be considered as permanent harbour works.", art. 7(2)-CLSCS.

[73] Preamble, 8th paragraph-CLSCS.

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ing out their activities,[74] which they apply while regulating activites vying to for the "preservation of the environment of the coastal State and prevention, reduction and control of pollution thereof".[75] Hence, laying of submarine pipelines and cables must "comply with environmental standards and requirements embodied in the international agreements to which they are parties".[76]

The most relevant treaties and international agreements are the *Framework Convention for the Protection of the Marine Environment of the Caspian Sea* (Tehran Convention) and its Aktau and Moscow protocols on oil and land based pollution, as all three are in force.[77] On the other hand, the 1992 Water Convention (UNECE) and its 1999 Protocol and Health,[78] as well as the 1997 UN Watercourse Convention (UNWC)[79] have not been ratified by all five riparian nor by the nine states of the Caspian Sea basin.[80]

Once the CLSCS comes into force, all water-related concepts will be set in reference to normal baselines which are fixed by CLSCS at minus 28 me-

[74] "The Parties shall carry out their activities in the Caspian Sea in accordance with the following principles: … 14) Protection of the environment of the Caspian Sea, conservation, restoration and rational use of its biological resources;", art. 3(14)-CLSCS.

[75] Art. 11(8)(f)-CLSCS.

[76] Art. 14(2)-CLSCS.

[77] Tehran Convention, signed in Tehran 4 November 2003, in force 12 August 2006. *The Protocol Concerning Regional Preparedness, Response and Co-operation in Combating Oil Pollution Incidents* ("Aktau Protocol"), signed in Aktau, Kazakhstan, on 12 August 2011, in force 25 July 2016, *The Protocol for the Protection of the Caspian Sea against Pollution from Land-based Sources and Activities* ("Moscow Protocol"), signed in Moscow, Russian Federation, on 12 December 2012, in force 6 November 2023 (90 days after the last [Russia's ratification: 15 August 2023], art. 22(5). *The Protocol for the Conservation of Biological Diversity* ("Ashgabat Protocol"), adopted in Ashgabat, Turkmenistan, on 30 May 2014; and *The Protocol on Environmental Impact Assessment in a Transboundary Context,* in Moscow, on 20 July 2018; both not in force as of 11 May 2024. *The Protocol on Monitoring, Assessment and Information Exchange* is being negotiated by the Contracting Parties to the Tehran Convention.

[78] *Convention on the Protection and Use of Transboundary Watercourses and International Lakes* (1992) (UNECE), 1936 U.N.T.S. 269, no. 33207, in force 1996, and *1999 Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes,* 2331 U.N.T.S. 202, entered in force 2005.

[79] *Convention on the Law of the Nonnavigational Uses of International Watercourses* (1997), 2999 U.N.T.S. 77, in force 2014.

[80] Armenia, Azerbaijan, Georgia, Iran, Kazakhstan, Russia, Türkiye, Turkmenistan, and Uzbekistan. The 2008 International Law Commission's *Draft Articles on the Law of Transboundary Aquifers* remain inapplicable.

ters mark of the 1977 Baltic Sea Level Datum from the zero-point of the Kronstadt sea-gauge" (art. 1-CLSCS). *Prima facie* this would mean that the normal baselines are fixed and would not be subject to any variance —except *ad minimum* through the express and ratified consent of all CLSCS parties. Nonetheless, fishery zones, where the coastal States hold exclusive rights to harvest aquatic biological resources (art. 1-CLSCS), will undoubtedly be affected because as the Caspian Sea dessicates, its waters will increase in salinity and foreseeably negatively influence on fish and plants close to the coastline, thus placing important hurdles for the Caspian Sea states to fulfill their obligations in accordance to CLSCS.

Several questions arise and will need some kind of response. When the Caspian Sea waters reduce in size, would the legal situation and the cirumstances may be considered the mirror of that in the oceans? How will the reduction of the Caspian Sea affect maritime zones —even if the normal baselines do not move as they are fixed at minus 28 meters? *I.e.,* with waters receding would water-related obligations cease? What will the impact be on maritime boundary agreements, when they have not, as of May 10, 2024, yet been agreed to? What will be the effect on human rights?

As the Caspian Sea is an endorheic basin, where all riparian States *ad minimum* share its "common waters" as defined by art. 1-CLSCS, should it be considered a "regional commons"[81] and since its waters mainly come from the river inflow do upstream countries have obligations to downstream countries, not by UNECE or UNWC provisions, but by the *Trail Smelter* transboundary principle: "No State has the right to use or permit the use of its territory in such a manner as to cause injury … to the territory of another or the properties or persons therein, when the case is of serious consequence and the injury is established by clear and convinving evidence".[82] This prin-

[81] "The Caspian has not been treated nationally or internationally as a global commons, governed by the law of the sea. Secondly, there exists "no internationally navigable outlet" to the world ocean. As a body of water, the Caspian is landlocked and isolated from the world's ocean. Thirdly, the only navigable outlets from the Caspian are lengthy inland Russian rivers that may not be used without Russian permission. It is counterintuitive to argue persuasively that sovereign national waterways can suffice as open, international links to the world ocean". Joyner, Christopher and Walters, Kelly Zack, "The Caspian Conundrum: Reflections on the Interplay between Law, the Environment and Geopolitics", *International Journal of Marine and Coastal Law*, vol. 21, núm. 173, 2006.

[82] *Trail Smelter II (U.S. v. Can.),* 3 R.I.I.A.1938 (1941), at 1965.

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ciple has been followed in several documents: *Stockholm Declaration on the Human Environment* (1972),[83] 1992 *Convention on Biological Diversity*, the 1992 *Framework Convention on Climate Change*,[84] and 1997 *Convention on the Law of the Non-navigational Uses of International Watercourses*.[85]

VI. Final Comments

While Asia and Europe lie in the same landmass, due to numerous factors, including the vast distance between them and multiple cultural and political elements, the regions were considered two separate continents. The land link between East (China) and West (Europe) —the Silk Road— worked well until the XV century when military hostilities resurfaced in Central Asia, diverting trade to the oceans. Since then, the maritime route has been dominant[86] —more than 95% of containers East-West traverse the oceans.

Throughout history, all East-West land routes had only three choices: the Caspian Sea and the Caucasus, or its northern shores or its southern shores. Interestingly, with 1,200 kms. between the northern and southern shores, the environment and nature were very different (one cold and the other hot) and, save for some decades under the Mongols, both were always under control of two different political entities. In today's global world vying to reach the markets, the land route has increasingly grown to start challenging —albeit distantly and with only 5% of the market— the maritime route dominance. And in today's world with sanctions applied to both northern and southern shores, plus wars and political tensions arising, have enabled the surge of the so-called Middle Corridor, *i.e.,* the Caspian Sea/Caucasus vs. the northern and southern land routes.

[83] U.N. Conference on the Human Environment, *Declaration of the United Nations Conference on the Human Environment,* 5, U.N Doc. A/ CONF.48/14/Rev.1 (June 16, 1972) (generally known as the Stockholm Declaration).

[84] *Convention on Biological Diversity* 147 (Rio de Janeiro, 5 June 1992) 1760 U.N.T.S. 79, entered into force 29 Dec. 1993; *United Nations Framework Convention on Climate Change* 166 (New York, 9 May 1992) 1771 U.N.T.S. 107, 31 I.L.M. 849 (1992), entered into force 21 Mar. 1994.

[85] *Convention on the Law of the Non-Navigational Uses of International Watercourses,* art. 7, ¶ 1, opened for signature May 21, 1997, 2999 U.N.T.S. 77, entered into force 17 Aug. 2014.

[86] Kalyuzhnova, Y., and Pomfret, R., *Trade Corridors in the Caspian Region: Present and Future,* Tokyo, Asian Development Bank, 2021.

This would still have been insufficient. Geography imposes itself. But to seize it and develop it changes a dot in the map to make it of interest to regional and world powers. Infrastructure —legal, oil, gas, and currently transport and logistic— had to be built for geography to acquire any global relevance. Large regional infrastructure projects are very complicated and face great challenges and difficulties to come to fruition. They are very complicated projects (technical, financial, social, political), very expensive for all involved (governments, corporations, international financial institutions, technicians), and quite unstable from their conception and development, followed during construction with great endurance and resilience. Regional infrastructure has to survive numerous issues, both domestic (employment, investment priorities, national economy and development, political views from right and left, changes in leaders with changes in governments and elections) and international (needing to survive global crises, domestic crises, regional and global geopolitics, changes in political eras. After decades and becoming operational they likely evidence a regional constant: national interest and country and region as a shared destiny.

Between East and West lies a door in the Caspian Sea between jambs in its northern and southern shores allowing geopolitical, commercial and cultural flows between both continents via the Caucasus/Azerbaijan. Functioning as its lubricant, infrastructure in Eurasia has transformed a dot in a map into a living reality and is reshaping geopolitics —regionally and globally.

However, while the oceans are rising, the Caspian Sea —as an endorheic basin and the world's largest inland body of water— is an dessication process, similar to the one that the world's lakes are going through, with 53% of them having significantly shrunk. It is currently foreseeable that the northern Caspian Sea will disappear by 2070. This will not only affect coastal populations, cultures, trade, and infrastructure, but will have profound legal implications for the region's future.

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