

Dynamics and Trends of Conflict and Cooperation in the Caspian



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Strategic Basin

- Europe's energy diversification (SGC: TCP?)
- Global energy security
- Transport hub (TRACECA, INSC)
- Global supplies of caviar

Legalization

- Lake or Sea? A futile debate
- Truth is that Caspian states are entirely free to reach any arrangement they wish (Blum 2003)
- International law can only offer **general legal principles** (Romano 2000: 148)
- De facto legal regime: « Common Waters, Divided Bottom »
- Bilateral agreements (Az, Kz, Ru, Tk)

Astrakhan 2014

- Waters: 15 + 25nm (Sovereignty/Exclusive fishing rights)
- 'stable balance of arms in the Caspian Sea': Military presence and activities based on mutual security
- Exclusivity clause: merchant and military shipping both restricted to littoral states
- 3 technical agreements:
 - On Emergency Prevention and Response
 - On Hydrometeorology
 - On the Preservation and rational use of water biological resources

Main Outstanding Issues

- Competing Claims over Oilfields
- Iran's position
- Pipelines/Ecological concerns

Some Recent Developments

- Kz/Tk seabed demarcation agreement (Nov 2014; Ratified 20015-05-26 [TK]; 20015-05-27 [Kz])
- Amendments to Kz/Ru 1998 Agreement (Oct 2015)
- 45th Meeting of ad hoc Working Group: formulations on navigation regime and seabed delimitation added to draft convention (Jun 2016)
- Ru-Az-Ir Meeting: Multilayered economic deals (transport, investments, O&G) + communique on legal status (Aug 2016)
- Toward joint exploitation on Az/Tk, Az/Ir overlapping fields?

Russian Missile Strikes

- Fact on the ground with multiple subtexts:
- Access
 - Strengthens the joint waters principle
 - Muted reactions
- Authority
 - Moscow as the dominant military power
 - Cruise missiles

Security Management

- 2010 Treaty on security cooperation
- Russian proposal for a Collective Security system based on two pillars:
 - Agreement on preventing incidents
 - Council of naval Commanders(MoD visit to Baku 2014; Meeting St. Petersburg 2015)
- Az-Kz bilateral defense cooperation agreement Oct 2014

Astana 2017

Optimism

- Rahimpur (Ir) : "preconditions for finally resolving the Caspian status issue in the near future" now exist (Sep 2015)
- Khalafov (Az): Az has already ratified all the agreements inked in Astrakhan (April 2016)
- Bratchik (Ru): a large number of provisions of the Convention have been agreed SINCE the Astrakhan summit (May 2016)
- Lavrov (Ru): "Progress is obvious. Experts are now to settle about half a dozen questions that have remained unsettled for many years". "There remain two or three key issues" (April 2016)

Pessimism

- Astana Summit initially scheduled for 2016
- Signature had already been forthcoming in 2010 and 2013

Conclusions