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GLAWCAL COMMENT

PROTECTING NATURAL RESOURCES IN THE CASPIAN SEA

Based on:

Pawletta, Barbara. Legal Framework for the Interstate Cooperation on Development and Transport of Fossil Natural Resources of the Caspian Sea. The Journal of World Energy Law & Business, 2020.

A gLAWcal comment on Pawletta, Barbara. Legal Framework for the Interstate Cooperation on Development and Transport of Fossil Natural Resources of the Caspian Sea. The Journal of World Energy Law & Business, 2020.

In her article “Legal framework for the interstate cooperation on development and transport of fossil natural resources of the Caspian Sea” the author Barbara Janusz-Pawletta deals mainly with the legal framework of the signed convention for the economy, but she also briefly discusses environmental protection in connection with the natural resources of the Caspian Sea. This was an important event for the environmental protection efforts, as it is the first international agreement in this respect that all five riparian states - Russia, Azerbaijan, Turkmenistan, Iran, and Kazakhstan - have signed. It is a sign of international cooperation for the conservation of nature around, and within, the Caspian Sea. As Janusz-Pawletta explained, the agreement was followed in the following years by four other protocols for environmental protection. An important milestone, however, is the protocol signed in 2018, in which the riparian states commit themselves to carry out their industrial and energy projects while respecting nature and human health. The Caspian Sea Convention, which was adopted shortly afterwards, also contains ecological references. It refers to the protection of the environment, the conservation, restoration and rational usage of the Caspian Sea and how the states are obliged to comply. The oil reserves under the Caspian Sea are among the most important and largest in the world, with up to 48 billion barrels. However, due to the production of oil and natural gas, the ecosystem in the Caspian Sea is subject to particular stress. Accordingly, the protocol, which has long since become necessary, is intended to regulate forest clearance and oil production. Similar to the pipeline regulation of the Caspian Sea Convention, a state whose environment is threatened by the activities of another country can take appropriate countermeasures. This is intended to raise awareness of the impact on the environment. The protection and regulation of the Caspian Sea is particularly important in view of the current situation of man-made climate change and the widespread efforts to contain it. Fossil fuels play an important role in climate change. It is already clear that if all fossil fuels are extracted and consumed, it will have catastrophic effects on our environment. Accordingly, the Paris Climate Change Convention has imposed specific limits on the extraction. It is therefore also necessary to take into account the long-term opportunities that the Caspian Sea Convention offers to the riparian states. The riparian states expect an enormous economic success through the extraction. However, the investment in the extraction of fossil fuels also bears the risk of stranded assets and thus of economic damage to the country concerned. If the production limit is not observed, however, it inevitably has dramatic consequences for the environment worldwide due to the large quantities involved. Janusz-Pawletta shows us in her article how important the regulation of resource exploitation is for the environment, especially in the Caspian Sea.



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