AMANDINE CAYOL, ZHULDYZ SAIRAMBAEVA, PIERRE CHABAL (eds.)

THE CHALLENGE OF CHANGE FOR THE LEGAL AND POLITICAL SYSTEMS OF EURASIA

THE IMPACT OF THE NEW SILK ROAD

Cultures juridiques et politiques

PETER LANG
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Kazakhstan-China strategic partnership under the ‘Belt and Road Initiative’

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On 16 September 2013 at Nazarbayev University in Astana Xi Jinping presented a comprehensive and ambitious 'Belt and Road Initiative' (BRI), which would extend across the entire Eurasian continent. The BRI went on to receive full support in Central Asian countries, in particular in Kazakhstan, where the search for economically effective corridors, market expansion, establishment of equal access to common infrastructure, and attracting investments in its economy are absolutely vital. Kazakhstan plays an important role in world economic processes thanks to its significant reserves of natural resources and its location at the intersection of major transcontinental trade and transportation routes.

Kazakhstan, with its enormous territory, small population and lack of sea access has always been located on the periphery of the global trade of goods. Participation in the BRI will enable the country to move away from its dependence on the export of hydrocarbons and to develop other sectors of its economy. Without the necessary transport infrastructure, Kazakhstan’s vast open spaces would be a barrier, but with that infrastructure they would be an advantage. Consequently, Kazakhstan’s interest in the success of this initiative is evident for a partnership with China (I) with benefits (II) out-weighing risks (III).

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After reflecting On the European and Asian origins of legal and political systems: views from Korea, Kazakhstan and France (2018), the authors address in this book three intertwined issues. First, how systems that were established long ago are challenged by the necessity to adapt to change both in time, rapidly after the end of the cold war, and in space, across the continent of Eurasia and no longer ‘simply’ in their sub-region. Second, how these systems evolve both in a sui generis manner and adopt, each for itself, reforms at the national and sub-regional levels, and also in a reciprocal manner, learn and borrow from each other towards a ‘regional legal order’ in the making. Third, how extra-judicial evolutions, such as the logistical and commercial dynamics of the Belt and Road Initiative(s) appear more and more as the source or the cause of that very change affecting all Eurasian actors and interests. Examined elsewhere from a broad social sciences perspective, in the publication Cross-border exchanges: Eurasian perspectives on logistics and diplomacy (2019), these issues are here systematically analysed by a mix of conceptual and doctrinal perspectives and of textual, jurisprudential and positivist perspectives. Naturally, the challenge within the challenge is to ascertain whether a pan-regional or global legal ‘model’ would be capable of impacting change in general and legal change in particular as part of the ‘post-cold-war 2.0’, where the political-military legacy is overcome by and yields to business concerns reaching beyond cautious legal constructions.

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