

ENVIRONMENTAL IMPACT ASSESSMENT AS AN INTERNATIONAL LEGAL INTERACTION IN THE ARAL SEA BASIN

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ABSTRACT

International law emerges through the process of interaction among sovereign states and other actors and sets parameters for such interaction which is crucial for the development of a sound governance system. Four characteristics of an international legal interaction include participation, transparency, discursiveness, and institutionalisation. This paper will focus on the Aral Sea Basin, as a regional case study, to discuss the role of international legal interaction in enabling and constraining the conduct of six riparian countries -Afghanistan, Kazakhstan, the Kyrgyz Republic, Tajikistan, Turkmenistan, and Uzbekistan - with respect to their shared waters. Particularly, it will explore whether the obligation to conduct environment impact assessment (EIA) where state's activities may cause transboundary effects - as an example of an interaction - reflects the characteristics of an effective interaction. The obligation to conduct EIA deserves a special attention in the context of the current large scale hydropower development in the region.

PALAVRA-CHAVE: law, transboundary waters, governance