

BRI and Kazakhstan

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Asia's Contribution to Five Principles of

**PEACEFUL
COEXISTENCE**

:Past and Future

Greeting to the Organisers and Participants of the Colloquium

Dear organisers and participants of the Colloquium, let me cordially welcome you and thank the organisers, especially Ms. Teresa CHENG, for the invitation to speak in front of a highly professional audience!

It is difficult to overstate the theoretical relevance and practical importance of the issues proposed for discussion within the framework of the “Belt and Road Initiative” panel.

Организаторы



AAIL FOUNDATION



中国国际法学会
Chinese Society of International Law

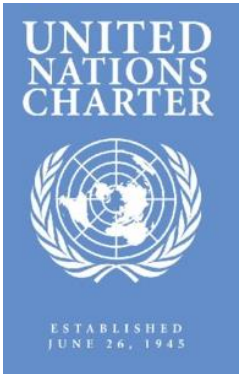
Главный спонсор



Основной спонсор



Kazakhstan on the Global Stage



As to matters of foreign policy, Kazakhstan:

- is committed to multilateral cooperation;
- advocates compliance with the UN Charter as the basis of modern international law;
- prioritizes national interests;
- advocates the resolution of all disputable issues through rational compromise.



This year is rich with international events for Kazakhstan



On July 2-4, 2024, at the invitation of President K.-J. Tokayev, Chinese President Xi Jinping paid a state visit to the Republic of Kazakhstan, and also took part in the 24th meeting of the Council of Heads of State of the Shanghai Cooperation Organization.

The summit of the SCO has become one of the most important high-level international forums over the past few years.

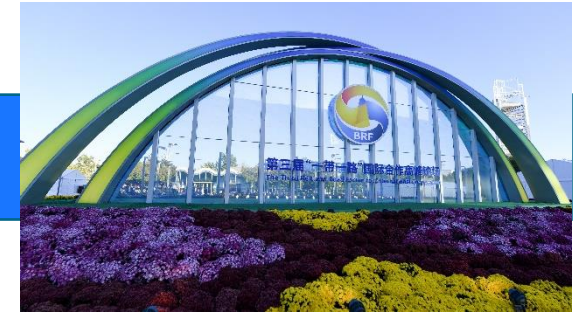
Holding such a large-scale event testifies to Kazakhstan's great authority on the global stage.

In addition to the SCO, this year the country also presides over five international structures.

One Belt One Road Initiative



ROAD AND BELT INITIATIVE



It is symbolic that more than 10 years ago, it was in Kazakhstan, in Astana, that Chinese President Xi Jinping originally announced the One Belt One Road Initiative. The project reflects the economic power of the PRC and its focus on new levels in the global arena.

Today in the conditions of turbulence of economy and world order, this Initiative has proven its relevance and has received recognition from the world community. It has become a platform for large-scale international cooperation and a grandiose global project.

Kazakhstan, due to its geopolitical location, plays a significant role in the implementation of the goals and objectives of the One Belt One Road Initiative.



Infrastructure Projects in Kazakhstan within the Framework of the One Belt One Road Initiative



The Republic of Kazakhstan as a huge inland state sharing a long common border with China, is making serious efforts to become a transport and logistics hub of international importance.



As the President of Kazakhstan K.-J. Tokayev noted, Kazakhstan accounts for about 85 % of all land transit traffic from China to Europe. Attaching great importance to the development of the transit transport industry, over the past 15 years Kazakhstan has allocated over \$35 billion for this purpose.



The following major infrastructure projects have been launched:

Kazakh-Chinese Logistics Centre
in Lianyungang



Khorgos Dry Port



Western Europe-Western China
Transit Highway



Railway Corridor from China to Iran



New Projects in Kazakhstan within the Framework of the Chinese Global Initiative

A special role in the implementation of the PRC Initiative should be played by the construction in Kazakhstan of the Trans-Caspian International Transport Route, designed to connect China, Central Asia and Europe.

Kazakhstan also plans :



To lay 1,300 kilometers of new railway tracks within 3 years



To open a 3rd railway checkpoint on the border with China



To build new dry ports at Bakhty and Kalzhat

These are real examples of Kazakhstan's major economic projects being paired with the global Chinese initiative.

Constitutional Reform in Kazakhstan

Large-scale economic projects are supported in Kazakhstan by significant institutional reforms in the political and legal areas carried out over the past two years.

In 2022, constitutional reform was implemented at the proposal of the President K.-J. Tokayev.

Updated Constitution of Kazakhstan:



Provided for new approaches to the functioning of unified state authorities and socio-political institutions.

Aimed at implementing the key formula: “Strong President – Influential Parliament – accountable Government”.

Provided for the creation of a mechanic to protect the rights of citizens:

- Institute of the Commissioner for Human Rights;
- Constitutional Court (citizens of Kazakhstan received the right to appeal to the Constitutional Court).

State Sovereignty and International Order



One of the problems of law is the concept of state sovereignty and its correlation with the international legal order and the principles of international law.

The basis of a state sovereignty is its Constitution.

The Constitution of Kazakhstan provides

We, the people of Kazakhstan, creating a state on the native Kazakh land, based on our sovereign right, accept this CONSTITUTION



THE PEOPLE AS THE ONLY SOURCE OF POWER HAVE SOVEREIGNTY

THE PEOPLE WHO ADOPTED THE CONSTITUTION AND CREATED A SOVEREIGN STATE HAVE THE RIGHT TO THEIR CONSTITUTIONAL IDENTITY, THAT IS, THEIR DISTINCTIVENESS FROM OTHER STATES



At the same time, there is a philosophical concept of “unity in diversity”



THE DIVERSITY IS MANIFESTED IN THE DIVERSITY OF SOVEREIGN STATES

THE UNITY IS MANIFESTED IN THE GENERAL PRINCIPLES AND NORMS OF INTERNATIONAL LAW RECOGNIZED BY THESE STATES

The Relationship between the Principles of International Law and National Constitutional Identity



According to the Constitution of Kazakhstan, the sovereignty of the state extends to the entire its territory. Thus, everything that is regulated by law in this territory is subject to the judicial protection of the Constitution (constitutional identity) and . must be subject to the constitutional control of the Constitutional Court.



The Constitutional Court has the right, based on the Constitution of Kazakhstan, to proclaim those principles that are laid down by the sovereign people of Kazakhstan as fundamental, and from this point of view, to check, among other things, international treaties and decisions of international organizations for their compliance with the Constitution of the Republic of Kazakhstan.



In the modern world, the constitutional legal orders of different states are different but interconnected. At the same time, there cannot be similar constitutional identities in different states, just as there cannot be absolutely identical constitutional values.



Different and mutually influencing constitutional orders have common international legal obligations, which, however, are understood in each state in their own way. They are interpreted in the light of national constitutions and legal traditions but at any time a minimum level of common understanding should be achieved.



Each State "coordinates" its legal system with international obligations. The objectives of such a coordination are to preserve the openness of the legal system to new positive changes and ensure its sustainability in order to comply with national constitutional norms and human rights guarantees.

Equality and Cooperation for Mutual Benefit



In Kazakhstan, all political, economic and legal conditions have been created for the participation of the State in international initiatives for the benefit of the common interests of all countries.

Let me once again thank the organisers for the successful Colloquium on International Law and wish success to the event.



THANK YOU FOR ATTENTION!