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INTERNATIONAL LEGAL ASPECTS OF THE DEVELOPMENT OF THE TRANS-AFGHAN TRANSPORT CORRIDOR

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Abstract. The article examines the international legal aspects of the development of the Trans-Afghan transport corridor as a major infrastructure initiative aimed at strengthening economic integration between Central and South Asia. The author analyzes the geostrategic importance of the project for the Republic of Uzbekistan and Afghanistan, as well as its role in enhancing transport connectivity, expanding foreign trade, and facilitating access to international markets.

Particular attention is paid to the international legal framework governing the implementation of the project, including multilateral agreements regulating international railway transport, such as the Intergovernmental Agreement on the Trans-Asian Railway Network and the Transit Transport Framework Agreement (TTFA) of the Economic Cooperation Organization. The article explores legal mechanisms for harmonizing customs procedures, technical standards, and ensuring interoperability between national transport systems.

The author also identifies key challenges to the implementation of the project, including issues related to the international legal status of Afghanistan, financial risks, and infrastructure security concerns. The role of Uzbekistan's initiatives in promoting the project at the international level, particularly within the framework of the United Nations, is emphasized.

In conclusion, the article highlights the need to develop a comprehensive international legal framework, including the adoption of a dedicated UN resolution, effective utilization of existing agreements, and the attraction of international investment to ensure the sustainable implementation of the Trans-Afghan transport corridor.

Keywords: Trans-Afghan transport corridor, international law, transport integration, railway infrastructure, transit transport, Central Asia, Afghanistan, international treaties, TTFA, Trans-Asian Railway Network, economic cooperation, geostrategic location, investment, regional security.

**TRANS-AFG‘ON TRANSPORT KORIDORINI RIVOJLANTIRISHNING
XALQARO-HUQUQIY JIHATLARI**

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Annotatsiya. Maqola Trans-Afg‘on transport koridorini rivojlantirishning xalqaro-huquqiy jihatlari bag‘ishlangan bo‘lib, ushbu loyiha Markaziy va Janubiy Osiyo davlatlari o‘rtasida iqtisodiy integratsiyani kuchaytirishga qaratilgan muhim infratuzilmaviy tashabbus sifatida tahlil qilinadi. Muallif loyiha doirasida O‘zbekiston Respublikasi va Afg‘onistonning geostrategik ahamiyatini, transport bog‘liqligini ta‘minlash, tashqi savdoni rivojlantirish hamda xalqaro bozorlarga chiqish imkoniyatlarini kengaytirishdagi rolini yoritadi.

Maqolada loyihani amalga oshirishning xalqaro-huquqiy asoslari, xususan, xalqaro temiryo‘l tashuvlarini tartibga soluvchi ko‘p tomonlama bitimlar, jumladan Transosiyo temiryo‘l tarmog‘i to‘g‘risidagi hukumatlararo bitim hamda Iqtisodiy hamkorlik tashkilotining Tranzit transport to‘g‘risidagi doiraviy bitimi (TTFA) tahlil qilinadi. Shuningdek, bojxona tartib-taomillarini uyg‘unlashtirish, texnik standartlarni moslashtirish va transport tizimlari o‘rtasida o‘zaro muvofiqlikni ta‘minlashning huquqiy mexanizmlari ko‘rib chiqiladi.

Muallif loyiha amalga oshirilishidagi asosiy muammolarni, jumladan Afg‘onistonning xalqaro-huquqiy maqomi, moliyalashtirish bilan bog‘liq xatarlar hamda infratuzilma xavfsizligini ta‘minlash masalalarini ham tahlil qiladi. O‘zbekiston Respublikasining ushbu loyihani xalqaro maydonda ilgari surishdagi tashabbuslari, xususan Birlashgan Millatlar Tashkiloti doirasidagi faoliyati alohida ta‘kidlanadi.

Xulosa sifatida Trans-Afg‘on transport koridorini samarali amalga oshirish uchun kompleks xalqaro-huquqiy mexanizmni shakllantirish, jumladan BMT doirasida maxsus rezolyutsiya qabul qilish, mavjud xalqaro bitimlardan samarali foydalanish va xalqaro investitsiyalarni jalb etish zarurligi asoslab beriladi.

Kalit so‘zlar: Trans-Afg‘on transport koridori, xalqaro huquq, transport integratsiyasi, temiryo‘l infratuzilmasi, tranzit tashuvlar, Markaziy Osiyo, Afg‘oniston, xalqaro shartnomalar, TTFA, Transosiyo temiryo‘l tarmog‘i, iqtisodiy hamkorlik, geostrategik joylashuv, investitsiyalar, mintaqaviy xavfsizlik.

**МЕЖДУНАРОДНО-ПРАВОВЫЕ АСПЕКТЫ РАЗВИТИЯ ТРАНС-
АФГАНСКОГО ТРАНСПОРТНОГО КОРИДОРА**

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Аннотация. Статья посвящена анализу международно-правовых аспектов развития Транс-Афганского транспортного коридора как ключевого инфраструктурного проекта, направленного на укрепление экономической интеграции стран Центральной и Южной Азии. Автор рассматривает геостратегическое значение проекта для Республики Узбекистан и Афганистана, его роль в обеспечении транспортной связанности, развитии внешней торговли и доступе к международным рынкам.

Особое внимание уделяется международно-правовой базе реализации проекта, включая многосторонние соглашения в сфере международных перевозок, в частности Межправительственное соглашение по Трансзиатской железнодорожной сети и Соглашение о транзитно-транспортном сотрудничестве Экономической организации сотрудничества (ТТФА). Анализируются правовые механизмы унификации таможенных процедур, технических стандартов и обеспечения совместимости транспортных систем.

В заключение делается вывод о необходимости формирования комплексного международно-правового механизма, включающего принятие специальной резолюции ООН, эффективное использование действующих соглашений и привлечение международных инвестиций, что позволит обеспечить устойчивую реализацию Транс-Афганского транспортного коридора.

Ключевые слова: Транс-Афганский транспортный коридор, международное право, транспортная интеграция, железнодорожная инфраструктура, транзитные перевозки, Центральная Азия, Афганистан, международные договоры, ТТФА, Трансзиатская железнодорожная сеть, экономическое сотрудничество, геостратегическое положение, инвестиции, региональная безопасность.

Introduction

The Trans-Afghan transport corridor is currently emerging as one of the most significant infrastructure projects in Central and South Asia. Its importance is driven by the dual need for regional economic integration and the stabilization of Afghanistan, a country long affected by political instability and limited infrastructure [1]. The project is seen not only as a logistical initiative but as a strategic tool to strengthen interregional trade, promote economic cooperation, and facilitate Afghanistan's integration into international markets [2].

Landlocked countries, such as Uzbekistan and other Central Asian states, face structural limitations in accessing global markets, including high transportation costs, long transit times, and limited direct connections to seaports [3]. In this context, the creation of a functional transport corridor through Afghanistan can serve as a critical

instrument to reduce these barriers, increase competitiveness, and promote economic diversification [4].

Afghanistan, situated at the crossroads of South Asia, Central Asia, and the Middle East, possesses a strategic geographic position that can potentially transform it into a regional transit hub [5]. The establishment of a transport corridor linking Termez – Mazar-i-Sharif – Kabul – Peshawar not only addresses logistical constraints but also provides a platform for regional cooperation and sustainable development. The corridor would connect Central Asian countries to South Asian markets, particularly India and Pakistan, thereby linking landlocked economies to the Indian Ocean and broader international trade routes [6].

Uzbekistan, as one of the largest economies in Central Asia, plays a central role in this initiative. The country's location along major Eurasian trade routes makes it a natural hub for the corridor, facilitating efficient cargo and passenger transit in multiple directions [7]. The Uzbek government has emphasized its commitment to regional integration, recognizing that sustainable economic growth depends on both internal development and cross-border connectivity.

Geopolitical and Economic Significance

The foreign policy of the Republic of Uzbekistan in recent years has prioritized strengthening relations with neighboring countries, particularly Afghanistan. This policy includes not only traditional diplomatic engagement but also proactive measures in infrastructure development, humanitarian assistance, and economic cooperation. Uzbekistan has invested in energy projects, education, and transport infrastructure to support Afghanistan's economic recovery and regional integration.

The national development framework of Uzbekistan, including the Strategy 2030, highlights comprehensive regional integration as a core objective. The development of transport corridors such as the Trans-Afghan railway is therefore not only an economic priority but also a strategic policy aimed at enhancing regional stability. By improving connectivity, Uzbekistan seeks to facilitate trade flows, attract foreign investment, and reduce the vulnerability of landlocked economies.

President Shavkat Mirziyoyev has repeatedly emphasized the strategic importance of Afghanistan in regional development. During his address to the United Nations General Assembly in 2025, he proposed the adoption of a UN resolution to promote international transport and energy corridors through Afghanistan. [8]. This initiative reflects the recognition that multilateral legal instruments are crucial for providing legitimacy, facilitating cooperation, and attracting international funding for large-scale infrastructure projects.

Central Asia occupies a critical geostrategic position, serving as a bridge between China, South Asia, Iran, Russia, and the broader Middle East [9]. This position has historically made the region a key transit zone for trade and economic exchange. The Trans-Afghan corridor can thus complement existing initiatives, such as the Belt and Road Initiative, by offering shorter and more efficient routes to global markets. [10].

Economic Potential of the Trans-Afghan Railway

The proposed Trans-Afghan railway is expected to follow the route Termez – Mazar-i-Sharif – Kabul – Peshawar, spanning approximately 760 kilometers. Preliminary estimates suggest that it could handle up to 20 million tons of cargo annually, making it one of the most significant transport projects in the region [11].

Economically, the project offers multiple advantages. The expected reduction in delivery times from 35 days to approximately 5 days represents a substantial improvement in efficiency. [12]. This reduction, coupled with an estimated decrease in transport costs of at least 40%, could significantly enhance the competitiveness of goods from Central Asia in South Asian and global markets. [13]

For Uzbekistan, the railway presents an opportunity to diversify trade routes, access South Asian markets, and secure direct access to seaports on the Indian Ocean. This diversification reduces dependence on traditional northern corridors, mitigates geopolitical risks, and strengthens the country's trade resilience.

Afghanistan, with a population of over 40 million and limited infrastructure, stands to benefit substantially. The corridor would facilitate trade, improve access to regional and global markets, increase export capacity, and generate transit revenues. It would also create employment opportunities in construction, logistics, and service sectors, contributing to poverty reduction and economic stabilization.

Challenges and Risks

Despite its potential, the construction of the Trans-Afghan railway faces several serious challenges. The estimated cost of the project ranges between 6–7 billion USD and may increase due to Afghanistan's mountainous terrain and underdeveloped infrastructure [14]. Construction in such challenging environments requires advanced engineering solutions and substantial investment, which adds to project complexity.

Another major challenge is the legal and diplomatic uncertainty surrounding the current Afghan authorities. The lack of broad international recognition creates complications for contract enforcement, investment security, and access to international financial institutions. These issues could delay project implementation and raise costs.

Security is another critical concern. Afghanistan remains a fragile state with localized conflict risks. Protecting personnel, equipment, and the railway infrastructure throughout construction and operation phases is essential to prevent disruptions and ensure continuity.

Nevertheless, several countries have expressed interest in supporting the project. Qatar, China, and Russia have indicated potential financial and political involvement, signaling the strategic importance of the corridor for regional connectivity.

International Legal Framework

The implementation of the Trans-Afghan railway relies on a robust legal foundation to facilitate cross-border cooperation, investment protection, and operational standardization. Several international agreements provide this framework.

Trans-Asian Railway Agreement

One of the most relevant instruments is the Intergovernmental Agreement on the Trans-Asian Railway Network. Adopted under the auspices of the United Nations Economic and Social Commission for Asia and the Pacific, this agreement establishes coordinated railway networks across Asia and into Europe, providing technical standards, operational guidelines, and regulatory frameworks for member states [15]. Uzbekistan and Pakistan are parties to this agreement, while Afghanistan remains eligible to accede, offering the potential for legal integration of the Trans-Afghan corridor into a broader regional system.

Transit Transport Framework Agreement

Another key legal instrument is the Transit Transport Framework Agreement, adopted within the framework of the Economic Cooperation Organization. This legally binding agreement standardizes customs procedures, documentation, and technical requirements among ten member states, facilitating efficient cross-border transport [16].

The TTFA ensures interoperability of national railway systems, reduces administrative delays, and establishes a predictable legal environment for investors. Its binding nature provides the legal certainty necessary to secure investment for multi-billion-dollar infrastructure projects, including the Trans-Afghan railway.

General Principles of International Law

General principles of international law, such as *pacta sunt servanda* (agreements must be kept) and the principle of good faith, also underpin the legal framework for the corridor. These principles ensure that participating states honor treaty commitments, facilitate dispute resolution, and support international investment agreements.

Future Perspectives

The Trans-Afghan railway is expected to be transformative for regional connectivity. It would provide landlocked Central Asian states with the shortest and most efficient access to South Asian seaports, enabling integration into global maritime trade networks.

Beyond economic benefits, the corridor has political and social implications. By promoting economic interdependence and regional cooperation, it can contribute to long-term stability in Afghanistan. Infrastructure development also supports governance, state-building, and the delivery of social services.

Furthermore, the corridor may catalyze complementary projects in energy, digital infrastructure, and logistics, forming a comprehensive regional transport network linking Central and South Asia to international markets.

Conclusion

The development of the Trans-Afghan transport corridor represents a unique opportunity for Central and South Asia. It can significantly enhance trade efficiency, strengthen economic integration, and promote regional stability.

The project's success depends on a coordinated approach that integrates political, legal, and financial dimensions. Adoption of a UN resolution would enhance legitimacy and provide a multilateral legal framework. Securing financial resources requires guarantees of stability and active engagement from regional and global stakeholders. Finally, effective use of legal instruments such as the TTFA and Trans-Asian Railway Agreement is essential for harmonized standards, risk mitigation, and operational efficiency.

By leveraging strategic geography, international law, and regional cooperation, the Trans-Afghan railway has the potential to transform trade, economic development, and regional stability, becoming a cornerstone of sustainable growth in Central and South Asia.

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