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## Eurasian Economic Union: Multi-level Governance in the Context of Supranationalism and Nation States

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### *ABSTRACT*

As the title implies the article deals the analysis of the Eurasian Economic Union functioning as a system. It is analysed the role of the EAEU institutions as well as areas of interaction. It is revealed the limits of authorities of the Union. It is identified EAEU multi-level governance at vertical (multiple levels) and at horizontal level (multiple actors). One of the key issues of this paper is to identify levels of competencies and accountabilities shared between EAEU institutions and nation states. It is demonstrated that intergovernmental, supranational and nation states decision-making processes applied within EAEU is effective. It is stressed that EAEU multi-level governance is very balanced and efficient. It is highlighted a role of EAEU common policies. It is emphasised that nation states are primary actors in Eurasian integration process. It is demonstrated an economic growth, deepening of Eurasian integration and its further development. It is underlined Union's external relations, the effect of the EAEU policies and the role of the EAEU at a global level.

*Keywords:* Eurasian Economic Union, Eurasian integration process, multi-level governance, nation states, intergovernmentalism, supranationalism, common policies

## Евразийский экономический союз: многоуровневое управление в контексте наднациональности и суверенитета государств-членов

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### *РЕФЕРАТ*

Статья посвящена анализу функционирования Евразийского экономического союза как системы. В ходе исследования проанализирована роль институтов ЕАЭС, а также сферы взаимодействия. Раскрыты пределы полномочий Союза. Выявлено многоуровневое управление ЕАЭС на вертикальном уровне (множество уровней) и на горизонтальном уровне (множество субъектов). Одним из ключевых вопросов статьи является анализ компетенций и ответственностей, которые разделены между органами ЕАЭС и национальными государствами. Данный анализ демонстрирует эффективность процессов принятия решений на межправительственном, наднациональном и национальном уровнях, применяемых в рамках ЕАЭС. Установлено, что многоуровневое управление ЕАЭС сбалансировано и эффективно. Показана важность общих политик ЕАЭС. Отмечена роль национальных государств, которые являются основными и первичными субъектами евразийского интеграционного процесса. Исследование демонстрирует экономический рост, углубление евразийской интеграции и ее дальнейшее развитие. Особое внимание уделяется внешним связям Союза, влиянию общих политик ЕАЭС и роли ЕАЭС на глобальном уровне.

*Ключевые слова:* Евразийский экономический союз, евразийский интеграционный процесс, многоуровневое управление, интергouverнментализм, национальные государства, наднационализм, общие политики

## Introduction

Eurasian integration process can be defined exclusively as intergovernmental, as well as supranational. It must be highlighted that it is the decision-making process of different actors at multiple levels. Multi-level governance theory claims that competencies within the Eurasian Economic Union (EAEU) are shared between actors of national, intergovernmental and transnational / supranational nature. The theory is based on cooperation in decision-making process of various authorities at different levels. It should be underlined that according to the theory, on the one hand the executive competence of the nation states remains strong but on the other hand they are no longer the only actors of common policies, since supranational, intergovernmental and regional authorities are involved as well. The Union is an international economic and political form of cooperation achieving common goals and interests. Development of common policies is an essential element of the Eurasian integration process. It should be pointed out that this theory probably the best describes the voluntary integration process of independent states derived from the Treaty on Eurasian Economic Union. Decision-making processes within the EAEU institutions are derived from a Treaty as well. The Eurasian integration process and development of common policies is a constantly evolving process. Member states may, at any time, on the basis of the procedures and criteria join or withdraw from the process if they consider that common policies and definitions of common interest no longer meet their national interests. It must be underlined that the primary objective of integration is to achieve peace and security between member states as well as with the rest of the world. The integration project is being built progressively through a large number of common policies that combine common interests of nation states and create genuine cohesion between member states. This is what the Treaty on the EAEU defines. However, decisions on basic common policies taken by the participating governments affect national sovereignty of the member states. Initially, there are set Union's objectives and challenges, but gradually they are turning into joint legal acts. EAEU is a form of international economic integration. It aims to coordinate and unify the partial policies of individual member states. EAEU policies are characterised by diversity. It must be emphasised that specific procedures, principles and methods are used in the implementation. One of the most important goal is to create conditions for free trade, free movement of goods, services, capital and labour what means removing all barriers to trade between member states.

One of the fundamental objectives of the EAEU is to increase competitiveness based on the implementation of common policies in a geographically defined area. Such cooperation in different sectors serves as a driving force at local, national, Union level, increasing competitiveness at global level. Interconnection in a particular territory increases the region's competitiveness in terms of economy, innovations, technology and research. Competition is the basis for development of the EAEU, which must be maintained and supported by appropriate policies and internal cooperation. It leads to the strategic planning in the Union in order to create a favourable economic environment. The functioning of common policies as a system whose policy interventions or tools bring the greatest effect. New possibility of cooperation is using business potential, increasing economic growth of EAEU at a given territory. Common policies are understood as a system of development of a particular region. This stimulates the strengthening of the EAEU strengths. It is about decision-making, strategy and management methods. It must be pointed out important factors such as: natural resources, raw materials, climate, energy capacity, technology, transport and infrastructure, scientific and technical network are needed for competitive advantage. On the one hand there are some factors which are repeatable by other regions, they are not unique. But on the other hand there are specific factors which represent a unique source of competitive advantage, they are not replicable so easily and require specific methods for specific areas of cooperation to create effective mechanisms. It is important to identify and develop EAEU strong sectors suitable for efficiency with potential or real competitive advantage in a geographically defined area. It is about grouping of interconnected sectors in a particular territory within the Union. In sum, EAEU system is defined as a set of institutions of collective decision-making and creating policies which covers wide range of areas. It must be highlighted that the presence of EAEU capacities enables the ability to reach and attract global markets and transcend other actors. It should be noted that nowadays market competition at a global level is based first of all on innovation, price competition and spread of technological trends.

## Research Goal

The purpose of this article is to identify mechanism of EAEU multi-level governance in the context of intergovernmental, supranational authorities and nation states.

## Research Methods

As a research method was applied structural-functional method. It defines the functional purpose of the authorities operating as the main tools of the EAEU functioning. By using of this method were indicated the bodies functions of the EAEU institutional system and their level of efficiency, proving the international importance. It is shown the importance of the Supreme Eurasian Economic Council in decision-making and in forming the interaction of the EAEU with third parties. It emphasised the importance of the Eurasian Economic Commission in implementing common policies and creating a regulatory framework of the EAEU with third parties.

## Discussion

The EAEU acts as a supranational association, but contributes to the interstate principle [2, p. 3]. It should be noted significance of the institutional structure which plays a vital role in the process of Eurasian integration as well as a crucial role of key government entities of the Union. The Eurasian integration is characteristic by the process of strengthening the sovereignty of national states on the basis of equality. S. Yu. Glazyev notes that Eurasian integration is based on the principles of: treating a partner as an equal, compliance with voluntariness and mutual respect for spiritual values and cultural identity of the member states with equal rights in making supranational decisions [1, p. 6]. As for the transferring sovereignty to the supranational level (as in the case of European Union), the EAEU is clearly unable to go that far (especially because, as the experience of 2015–2016 shows, Russia can and will act on its own in case it can not receive sufficient support of the EAEU partners) [6, p. 94]. In other words, nation states are careful in delegating competencies to the supranational body.

Thus, it is necessary to underline an important role of the EAEU bodies in ensuring consistency of common policies. EAEU is a specific integration structure with certain institutions which have a different set of functions, including decision-making processes at the Union level, and at the international level. There are shared or coordinated competencies and accountabilities. Hence, national-supranational dimension and interaction between them. Member states play a central role in EAEU. For instance, foreign and security policy making remains in the hands of national governments. There are different types of policies which are shared between the EAEU and national level. Member states delegate to supranational collective control significant decision-making power in specific areas. It should be underlined that supranational institution within EAEU is represented by Eurasian Economic Commission (EEC). Multi-level governance solves a lot of problems and policy transmission. Multi-level governance regulates vertical and horizontal interaction. It regulates inter-governmental and supranational decision-making institutionally. Eurasian Economic Commission is the main executive body responsible for legislation, implementing policies and managing EAEU common policies.

It should be stressed that the EAEU represents an international interstate organisation, but taking into account the dynamics of Eurasian integration and the dynamics of the Union's development at the international level, it also represents "*sui generis*" i. e. a new phenomenon that dynamically changes in historically short time. In a more specific sense, the EAEU can be defined as a specific system that stands above member states in certain areas of interaction, which are carried out through the supranational bodies such as the EEC and the Court of the EAEU.

The countries participating in this integration association agreed voluntarily to regulate economic relations and delegated some of the competencies to a supranational body. According to the economic orientation of the EAEU, the Eurasian integration process is developing in various fields. It should be underlined that Eurasian integration allows the EAEU member states to join international integration processes as well as take part in world trade within conditions of globalisation and thus increase its economic position strengthening the

geopolitical position of this economic space. It should be pointed out that deepening and expansion of Eurasian integration, foremost, in the economic field, as a result of which the formation of the EAEU was formed, it also affects those countries that are not part of the Union.

It must be highlighted that Eurasian integration has historically been developed and is developed according to the principle of multi-format and different-speed regional integration. The main drivers of the Eurasian integration process within the EAEU are the economic capacity, energy capacity, transport and logistics. As for the international elements that contributed to the development of Eurasian integration, we can list following structures: Commonwealth of Independent States (CIS), Shanghai Co-operation Organisation (SCO), the Organisation of the Collective Security Agreement (OSCE), the conjugation of the EAEU and the Silk Road Economic Belt (SREB).

The EAEU was created on the basis of understanding the long-term political and economic goals of the member states, and in this context, its main goal is to help member states to realise the capacity of economic ties within the region, modernise the national economies and create conditions for entering the global market [8, p. 11]. The EAEU is a self-regulating and self-developing mechanism, which for the further development of the Union as well as increasing for the effectiveness of its activities at the level of member states as well as in the international arena, based on the institutional system, uses the separation and interaction of authorities. Thus, in the vertical direction, it is important to identify the functions of the EAEU bodies as well as their interaction with the member states.

The EAEU was created on the basis of adoption key political decisions of sovereign states. These political decisions taken by the heads of the EAEU member countries fulfill and implement economic objectives to achieve the goals according to their own national development strategies and the economic interests of the participating countries.

The EAEU can be defined as a specific economic system that has the corresponding attributes of a political system. In this context, it should be noted that decisions of the Supreme Eurasian Economic Council, which is the supreme body of the Union, can be considered as one of the political attributes of the Union. It must be stressed that the Supreme Eurasian Economic Council is represented by the heads of the EAEU member states. As for the decision-making in the Supreme Eurasian Economic Council it includes the adoption by consensus of decisions to principle issues of the EAEU activity. Within the framework of the Supreme Eurasian Economic Council, the heads of member states make decisions on the main direction and perspectives for further development of Eurasian integration; make decisions on the implementation of the Union's goals; and determine the development strategy of the Union. The heads of the EAEU member states on the basis of their political positions determine, through the Supreme Eurasian Economic Council, the Union's activities at the international level. Supreme Eurasian Economic Council also has the authority to determine the enlargement process of the Union; establishes the procedure for admission of new members to the Union; makes a decision on granting the status of a candidate state to join the Union; and makes decisions on negotiations with a third parties. Within the Supreme Eurasian Economic Council authority, the heads of the EAEU member states decide to conclude international treaties or their termination or suspension, as well as withdrawal from an international treaty. Thus, political decisions of sovereign member states within the framework of this body, which are considered as the highest policy-making body of the EAEU, that determine the fundamental functioning of the EAEU — and also determine its functioning and interaction with other partner states and international associations at the international level. The decision-making procedure in the EAEU is based on the hierarchical principle. It must be stressed that decisions of the Supreme Eurasian Economic Council have priority over the decisions of the Eurasian Intergovernmental Council or Eurasian Economic Commission. If the Supreme Eurasian Economic Council promotes decision-making in accordance with the political positions of the heads of the member states of the Union, then these decisions are prioritised, and thus there is a political attribute within the economic union. These political decisions taken by the heads of the EAEU member countries carry out and implement economic tasks to achieve the goal according to their national development strategies. Thus, political function of the EAEU is the adoption of political decisions at the national and supranational levels by the Supreme Eurasian Economic Council and by the Eurasian Economic Commission in order to fulfil,

primarily, economic tasks. The Supreme Eurasian Economic Council and the EEC contribute to decision-making in accordance with the positions of the heads of member states. Such decisions are prioritised. EAEU can be defined as a specific economic system that has relevant political attributes. The EAEU operates in accordance with the interstate and supranational principle.

In this regard, it is important to note the role of the Court of the Eurasian Economic Union, which is a permanent judicial body of the Union. The Court of the EAEU control compliance with the Treaty on the EAEU, as well as international treaties of the Union with third parties, and inclusively considers disputes on the implementation of the Treaty on the EAEU and international treaties. Thus, it controls not only the compliance of these contracts, but also controls the results of the decisions taken by the Supreme Eurasian Economic Council.

The Eurasian Intergovernmental Council, which consist the heads of governments of the member states, also ensures control over the implementation of the EAEU Treaty, international treaties adopted within the framework of the Union and the decisions adopted by Supreme Council. One of the main roles of the Eurasian Intergovernmental Council is the approval of the draft budget of the Union in accordance with the principal tasks and objectives established by the Supreme Eurasian Economic Council. Thus, it can be noted that the Eurasian Intergovernmental Council ensures the implementation of the approved decisions.

In this regard, it is important to note that the Eurasian Economic Commission, in accordance with its status as a supranational body of the Union [4], implements approved decisions adopted by the Supreme Council. The supranational body of the EAEU established by the Treaty on the Eurasian Economic Union of May 29, 2014, provides legal regulation of the implementation of decisions taken on the issues of interstate relations of the EAEU member states, as well as on the relations of the EAEU with partner states and other international associations at the international level. The EEC is submit the interests of each member state and possesses clear authorities for the implementation of specific tasks. Member states delegate their authority to the supranational body to the EEC in the decision-making process in clearly defined areas. For instance, the EAEU and the SREB mechanism of conjugation operate on the basis of negotiations between the EAEU and China at the level of the Eurasian Economic Commission (at supranational level) and at the level of bilateral interstate relations (nation states level) [3]. The competencies of the EEC within conjugation of the EAEU and the SREB are limited. In the horizontal direction, these steps can be considered as an extension of the scope of the Union and enhancing the role of Eurasian integration through the creation of a free trade area with China, within conjugation with the SREB, as well as with Vietnam, Iran. Moreover, it is also important to stress co-operation with Vietnam, Iran, India, ASEAN, MERCOSUR, Singapore, Moldova, Chile, the Andean Community, Thailand, Cuba and Cambodia. It must be underlined that EAEU carries out inter-regional co-operation. Such interaction is carried out through the institutionalisation of relationships. In this context, it should be noted a format of the EAEU-ASEAN, EAEU-MERCOSUR, EAEU-SCO.

The EAEU established the main formats of international co-operation such as: memorandums of co-operation, memorandums of understanding, non-preferential trade and economic agreements, agreements on a free trade area, the status of an observer state under the EAEU [7]. On the basis of memorandums, permanent interaction mechanisms are implemented between the EAEU and third parties, including economic associations or international organisations. The basic format is a format of memorandum of understanding as well as memorandum of co-operation between the Eurasian Economic Commission and the governments of third countries, international organisations and integration associations. In this context, it is necessary to stress that the highest degree of integration in the EAEU is full membership with full scope of rights and obligations, what corresponds to the stage of an economic union: common customs territory, common technical regulation, implementation of the principle of four freedoms, agreed and coordinated policies, etc.; secondly, preferential free trade agreements what represent the opening of preferential, most favourable access to markets; non-preferential trade agreements which do not imply the elimination of duty, however, they form the institutional base for the development of interaction; and observer status provides an opportunity, by invitation, to attend official meetings in the EAEU bodies [10]. However, it must be noted that effectiveness of the Eurasian Economic Union in trade-related matters depends on the relevant cooperation partner and on the type of the trade agreement.

The governing bodies deepen integration and regulate external relations, with the aim to intensify co-operation and expand areas of integration. Institutional structure create a more efficient social, economic, political, technological system, what subsequently helps in the development of human potential, in the region and in the world. The EAEU bodies provide regional co-operation between the member states, which covers various areas, such as economy, trade, energy, industry, agriculture, customs union, transboundary, education, health, environmental protection. In this regard, it is necessary to note the important role of the Eurasian Development Bank (EDB) and the Eurasian Fund for Stabilisation and Development (EFSD). The institutional structure of the EAEU systematically implements instruments to achieve goals, represents and promotes the interests of the Union, makes decisions, ensures consistency, efficiency and continuity of interaction in various fields. The conceptual model of the Eurasian Economic Union institutions was created with great attention to the historical features of the countries of the Eurasian region and to the experience of the European Union.

To achieve a high level of integration, the EAEU assumes the level of an “Energy Union” and “Transport Union” — a single transport area as well as market services. It is also suggested deepen the areas of interaction such as: renewable resources, outer space, the environment, ecology and medicine. Within the Union, the coordination of common industrial, energy, investment, transport, agricultural, and medical policies is carried out. It must be emphasised that by 2025 should be created: a single financial market, a common market for energy resources (gas, oil, petroleum products and electricity), a single digital space [8]. Moreover, by this year, the barriers to the free movement of goods, labour, services and capital should be eliminated. The single market contributes not only to the economic development, but also directly affects the lives of citizens of the member states, in particular by creating jobs, reduces social tensions. It should be noted that EAEU is demanding the removal of trade barriers and at the same time protecting some economic sectors. General access to medication is one of the cornerstones of human rights. The problem of improving health care in general as well as access to medicines in particular, is a global problem and its solution, from the UN point of view, is one of the goals within the “Sustainable Development Goals” (SDGs) for 2016–2030 adopted by the UN in 2016.

One of the main factors of an integration association development is the innovation sphere, the scientific and technological areas. One of the most important tasks is to create a common innovation and scientific and technological space. It is first of all about the development of medical biotechnology, pharmaceuticals, information and communication technologies, aerospace and nuclear technologies, energy, transport, metallurgy, resource extraction, chemistry, petrochemistry, electronics, agriculture, agro-industry and biotechnology. The implementation of this aspect of Eurasian integration allows consider the EAEU in the short-term, mid-term and long-term perspectives. On the other hand, it is necessary to consider the availability and ability to acquire financial and investment resources for the modernisation processes implementation.

It should be noted that one of the Union’s priority policies is the energy sector. It must be stressed a significant capacity of the member states in this area. Of special importance is nuclear energy. EAEU contributes to the development of nuclear energy in the member states, in order to create a single energy market of the EAEU. This will solve the problem of exporting electricity to other EAEU member states. In this regard, it is important to note that the supplier of reactor technologies within the EAEU is only Russia. It should be underlined that the Russian Federation and the People's Republic of China are deepening co-operation in the nuclear power industry as part of the conjugation between the EAEU and the SREB. An important area of nuclear power is the use of nuclear ship installations. Russia has the largest icebreaking fleet in the world, which is extremely important in the development of the northern direction “One Belt — One Road”. To conclude, the atomic energy sector of the EAEU has a very high potential and it is a very important driver for the further development of the Union and for the strengthening of its role in the system of international relations.

It must be stressed that importance of economic and energy factors affecting the functioning mechanism of the EAEU. Thus, important indicators of the dynamics of Eurasian integration can be considered the general economic indicators, including industrial production, the volume of intra-EAEU trade and volume of external trade, as well as the gross domestic product of the Union. As part of the energy factor, it is important to note



the main indicators as: oil production, gas production, including electricity. Furthermore, it is important to stress a crucial role of infrastructure in forming a transport union. Indicators exposes to the stability of the integration association, its effectiveness at the international level, and at the meanwhile allow analysing the Union in the short and medium term. It is important to note that the GDP per capita in the EAEU member states is increasing, what surely is proof of the economic growth of the Union and its national economies of the member states. Special indicators are internal trade between member states and external trade with third parties.

In accordance the typology of regional organisations [5, p. 9] EAEU can be defined as an “active regional organisation”, since it is created purposefully; established goals are largely achieved; trade and economic relations between the participating countries are intensifying; it do not change the mandate; functioning takes place at a very active level, including a high level of regular meetings. One of the key criteria is considered the effectiveness of the integration association common policies implementation. EAEU will develop for a long time, as it represents an “active regional organisation” as well as within the Union it is observed the implementation of projects and common policies. The prerequisites for sustainable development of the Union in the long term can be attributed the intensification of trade and economic relations within the Union and at the interregional and trans-regional levels, economic growth, and the ability to effectively implement common policies. In this regard, it is necessary to stress the effectiveness of the EAEU institutions in achieving goals, which proves the activity of the organisation.

One of the most important sectors of the Union is infrastructure and logistics. Continental and maritime spaces play a significant role in world trade. The development of transport is a major factor of the dynamism of Eurasian integration. Importance of the EAEU geostrategic position makes it a potentially significant transit and transport hub connecting Europe and Asia.

Of special importance is the ability to participate in the use of outer space, including the development of outer space technologies what is also carried out by international integration associations. Outer space represents a huge economic and energy potential. It should be stressed that international integration processes, within the framework of integration associations, co-operate in the sphere of outer space. In this context, it should be stressed that EAEU possess the means of using space. In this context, it must be emphasised the adoption by the EAEU member states of the first joint outer space project in 2018. According to the Eurasian Economic Commission data, the adopted joint space project unify scientific, industrial and government organisations for equitable access of EAEU member states to outer space services, for creating Outer Bank and for joint development of satellite production of the countries of the Union. Within the Eurasian Economic Union, was created a *Consortium of the Eurasian Technological Platform (ETP)* — “Outer Space and Geographic Information Technologies of the EAEU”, project of the Interstate Programme “Integrated system of EAEU member states” for the production and provision of outer space and geo-information services based on national sources of remote sensing data of the earth [9]. It must be noted that Russia, Kazakhstan, Belarus and Armenia actively participate in this project. According to EEC data, implementation of the programme will improve the quality of technological and innovative co-operation of enterprises in outer space and geo-information sphere of activities of the EAEU member states and achieve global competitiveness in the world market [9]. EAEU is competitive in the specific sphere such as outer space by means of exploration, developing joint space programmes, developing space technology, launching satellites and manned spacecraft.

It must be noted that EAEU contributes to the achievement of the UN Sustainable Development Goals 2016–2030, participates in world development and global governance, solving important international-global problems within a certain territory at the regional / local level.

## Conclusion

Multi-level governance illustrate number of EAEU common policies what subsequently reflects effective policy-making and delivery of economic growth. Multi-level governance plays a vital role in developing EAEU. To sum up, the Eurasian integration process within the EAEU is developing dynamically considering the effectiveness of the stages of economic integration in a short period of time. To conclude, economic and energy



factors are the main mechanisms of the Eurasian integration process. It must be pointed out that economic and energy capacity of the EAEU increases the role of the Union not only at the regional level, but also globally. The single market is being strengthened, the areas of interaction of the EAEU are expanded, and barriers to the implementation of the four freedoms are eliminated. The volume of internal and external trade of the Union is increasing. Common policies and projects are successfully implemented. Mechanisms of realisation prove high effectiveness. Logistics and transport networks are developing. The regulatory framework of the EAEU is being implemented and thus assumes a high level of the Eurasian integration. The main tools to achieve growth are common policies and free trade zones creating with third parties. Dynamics and implementation of law reflects effectiveness of decision-making. Common policies implementation intensifies trade and economic relations within the Union and at the interregional and trans-regional levels.

As for the supranationalism, it should be noted that on the one hand supranational decision-making play a vital role but on the other hand it is clearly limited and nation states are careful in delegating competencies to the supranational body. In this regard, it is necessary to stress the effectiveness of the EAEU institutions in achieving goals, which proves the activity of the organisation. It is argued that EAEU *multi-level governance is very balanced and efficient*. Redistribution of competencies and accountabilities at *intergovernmental, supranational level* and nation states level allows decision-making which positively effect on further EAEU development and economic growth. In sum, it should be emphasised that nation states are primary actors in Eurasian integration process.

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