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Трансграничное пространство доверия: попытки институционализации

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Аннотация: Слабая эффективность международных институций в урегулировании конфликтов, неустойчивость международных партнёрств в условиях усиления международной конкуренции за рынки сбыта, ресурсы, человеческий катал, территории – поставили проблему доверия во главу почти всех направлений международного сотрудничества, актуализировав поиск механизмов формирования и укрепления доверительных отношений. Доверие в международном сотрудничестве стало самостоятельным объектом воздействия и регулирования.

Большая часть современных исследований доверия в условиях развития трансграничных процессов и интеграций носит характер описания проблемы, без попыток его глубокого политологического и социологического анализа.

Формирование трансграничного пространства доверия явилось одним из эффектов глобализации и развития трансграничных партнерств и появления трансграничных акторов, влияющих на международное сотрудничество. Трансграничное пространство доверия определяется как совокупность правовых, организационных и технических условий, согласованных государствами-членами с целью обеспечения доверия при межгосударственном обмене данными и электронными документами между уполномоченными органами. Вместе с тем, проблема гораздо шире и глубже, так как институционализация доверия в трансграничном пространстве предполагает, что акторы сотрудничества будут следовать институциям, принятым участниками партнёрства.

Данная статья является результатом авторского осмысления и исследования феномена институционализации доверия в трансграничном пространстве.

Ключевые слова: Генеральный секретарь ООН, эффективность, доверительные отношения, трансграничное пространство

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CROSS-BORDER TRUST SPACE: ATTEMPTS TO INSTITUTIONALIZE

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Abstract: The weak effectiveness of international institutions in resolving conflicts, the instability of international partnerships in the face of increasing international opposition for markets, natural resources, human resources, and territories have placed the issue of confidence at the head of almost all areas of international cooperation, updating the search for mechanisms to form and strengthen the trust. Trust in international cooperation has become an independent object of influence and regulation.

Most modern studies of trust in the context of the development of cross-border processes and integrations have the character of describing the problem, without attempting its extensive political and sociological analysis.

The creation of the cross-border trust space itself was one of the effects of globalization and the development of cross-border partnerships as well as the emergence of cross-border actors influencing on international collaboration. A set of legal, organizational and technical conditions agreed upon by member states to ensure trust in the interstate exchange of data and electronic documents between authorized bodies is defined as the cross-border trust space. At the same time, the problem is much broader and deeper, since the institutionalization of trust in the cross-border space implies that the actors of cooperation will follow the institutions adopted by the participants of the partnership.

This article is the result of the author's comprehension and research into the phenomenon of the institutionalization of trust in a cross-border space.

Keywords: UN Secretary-General, efficiency, trusting relationships, cross-border space

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Introduction

"Trust Deficit Disorder" – the UN Secretary-General António Guterres made such a diagnosis, speaking at a meeting of the 73rd session of the UN General Assembly in September 2018[1]. The weak effectiveness of international institutions in resolving conflicts, the instability of international partnerships in the face of increasing international opposition for markets, natural resources, human resources, and territories have placed the issue of confidence at the head of almost all areas of international cooperation, updating the search for mechanisms to form and strengthen the trust. Trust in international cooperation has become an independent object of influence and regulation. One of the mechanisms for building and strengthening trusting relationships is considered to be institutionalization of trust in the cross-border space of international cooperation. This article is the result of the author's comprehension and research into the phenomenon of the institutionalization of trust in a cross-border space. At the 10th Gaidar Forum "National Development Goals and Global Trends" during the expert discussion "Does Europe still stretch from Lisbon to Vladivostok?"[2] conclusions and generalizations more than once became the subject of expert interest and discussions.

Modern studies and attempts to build trust

Most modern studies of trust in the context of the development of cross-border processes and integrations have the character of describing the problem, without attempting its extensive political and sociological analysis. In this connection, the methodological basis of the research of trust continues with works of F. Fukuyama, P. Sztompka, F.A. Buari, G. Garfinkel, and others [Fukuyama, 2004. P. 730; Buari, 2001. P.178; Sztompka, 2010. P. 324-342; Garfinkel, 2009. P. 3-25].

The generalization of solid attempts to build trust has led us to the conclusion that there is a significant contradiction. On the one hand, attempts to develop basic norms and rules of trust relationships intensify (assuming that their rationing and transparency will make the partners more trustworthy). On the other hand, violation increases punishment for their non-execution (for example, in the form of sanctions), which, as a result, reduces the level of trust between partners (and in some cases, completely ruins it). A broader analysis of the mechanism of institutionalization of trust in the context of its current crisis leads to the idea of the establishment of an international mechanism for the enforcement of trust.

Even with deep mutual harmony for each other, with a long experience of trusting relationships, there are still attempts to formalize and institutionalize tools of trust. The principle "trust, but verify" has become one of the basic principles of international cooperation. This is quite normal in reality when each partner pursues his own benefit and interests. In general, this is not logical for international relations, but not entirely relevant in such a particular case as international cooperation. The mutual coordination of decisions and actions of partners to achieve common goals and benefits is defined as International cooperation. However, such coordination of trust becomes not efficient.

The essence of trust lies in the confidence of the participants to the relationship that the actions of each other will be positive, decent and best meet the expectations of each participant to the association. The attributes of trust are loyalty, honesty, mutual accessibility of confidential information, solidarity, compliance with the agreed rules, actions within these rules, even in unusual situations. We define trust in a cross-border space as a kind of confidence that implies relationships outside of any boundaries. There are common goals and benefits, the accomplishment of which is possible only under the condition of joint actions; positive actions in association with each other. To better understand the complexity of forming such a level of trust, you can refer to the analysis of relations between the EU states or the EAEU countries. Based on these results, it will not be difficult to understand how hard it is to achieve trust in international cooperation, where expectations are determined by the interests and needs of international actors, which represent interests of the structures and communities of their countries. For example, states act on the basis of their national interests, which related to the problem of integrity and ensuring security.

This is where the main social contradiction arises. There are some main factors like the influence of national actors on the conditions and criteria; confidence indicators in the context of the need for cross-border collaboration; the need for greater openness of public, political, economic, and socio-cultural national systems. In other words, there is a clash between the needs of international actors (especially of the national level), the need to realize their interests with the need to coordinate mutual decisions and actions to achieve mutual benefits from cooperation. In these conditions, attempts are being made to institutionalize the trust. Enhancing such attempts is related to the functions that trust in international cooperation can perform. Note the most important of them. Firstly, confidence allows you to coordinate interactions based on an understanding of mutual benefits and mutual limitations to achieve a common goal. Secondly, trust allows saving on control measures and rechecking each other. This is an enormous saving. Thirdly, trust serves as an excuse, a legitimizing argument for the actions of partners, replacing their rational explanation. And in some cases, it makes such an explanation unnecessary. Thus, trust is an attributive start to international cooperation.

1 UN Secretary-General: the world is "sick", and the main medicine is the restoration of trust and multilateral order // https://news.un.org/ru/story/2018/09/1338942

2 "Does Europe still stretch from Lisbon to Vladivostok?" // http://gaidarforum.ru/program/15-yanvarya/prostiraetsya-li-evropa-po-prezhnemu-ot-lissabona-do-vladivostoka-/

Cross-border trust space

The creation of the cross-border trust space itself was one of the effects of globalization and the development of cross-border partnerships as well as the emergence of cross-border actors influencing on international collaboration. In the EAEU Cross-Border Trust Space Development Strategy, was made one of the first attempts to define a cross-border trust space (2016)[3]. A set of legal, organizational and technical conditions agreed upon by member states to ensure trust in the interstate exchange of data and electronic documents between authorized bodies is defined as the cross-border trust space. As we see, an attempt to formalize the relationship of trust is developing in the field of electronic interaction. At the same time, the problem is much broader and deeper, since the institutionalization of trust in the cross-border space implies that the actors of cooperation will follow the institutions adopted by the participants of the partnership.

How the institutionalization of trust derives?

First: through the development and introduction into international practice of norms, rules, so as not to cause fear in the hostile intentions of partners. The experience of such regulation is quite deep in international law. At the level of international organizations, many documents were adopted. In particular, the UN Secretary-General notes that "over the past decades we have created a solid foundation for international cooperation. ... we created institutions, norms, and rules to promote common interests.[4]"

An attempt to create norms and rules in the cross-border space is undertaken, for example in the EAEU the Strategy for the Development of the Cross-border Trust Space is adopted. The first stage the Trust Strategy was implemented in October 2018, and an action plan for the implementation of the second stage was approved.

However, the issues of recent years show that the norms and rules of international law are becoming "a set of gentlemen's agreements", the observance or non-observance of which depends on the actual needs and interests of international actors (first of all, the states). Attempts to impose sanctions on violators do not have the expected result. In addition, «old» states and some international organizations fall into the sphere of regulation. Although, there are the newest cross-border actors, such as cross-border civil society institutions, religious networks, cross-border journalism (and some others), whose role in creating or destroying confidence should be the subject of a separate study, remain outside international regulation.

Second: the creation of regional and international partnerships that coordinate and regulate the international activities of the partnership's participants. For example, in recent years, various kinds of integration associations have intensified. Participants of such structures, as a rule, are states. In fact, trust in such institutions rests on 1) the benefits received by each partner; 2) on the mechanism of coercion, forcing partners to behave in accordance with the expectations of other partners and common goals. As a minimum, the risks of such an institutionalization of a trust consist in non-observance of generally accepted norms and rules by one or several participants, or their withdrawal from a partnership in the event of a more profitable partner outside integration. As a maximum, the risks are associated with the conscious activity of one of the actors in the dissolution of the partnership (creating the prerequisites for its destruction or destabilization); with the transferal of confidential information of the partnership to another party, interested in its destabilization or destruction.

Third: the presence of traditions, rituals, encouraging or obliging actors to act in a certain way. This is the most difficult problem, both for theoretical and practical understanding. In many ways, it is connected with the political culture of society, religious factors and the history of trusting relationships. For example, the cooperation of Russia and a number of countries in Asia, Africa, and Latin America, still rests on the trust in Russia, which was accumulated back in the USSR.

Fourth: the mechanisms of corruption and lobbying. Even if this statement seems an oxymoron, corruption and lobbyism contributes to the growth of trusting relations between the participants of international cooperation, they are forms networks of interdependent participants. In cross-border corruption, trust is institutionalized by special rules and regulations, while lobbyism is recognized as the norm and many foreign actors use the services of lobbyists. However, the basic essence of such institutionalization does not change - trust is ensured by obtaining benefits from such a "partnership", by sanctions against the "violators" of the adopted norms and rules, or by those whose actions do not match the expectations of the majority of participants.

At the same time, corruption and lobbying are the reasons for the loss of trust in international cooperation; this is the issue, about which many scientific works already were written. International anti-corruption institutions established. An analysis of their activities reveals a curious tendency. As a rule, international institutions focus its attention on national corruption and rarely shows the problem of lobbying and corruption in the international institutions within themselves, where decisions are made at the international level.

The mechanisms of corruption and lobbyism are used not only by traditional international actors (states, international organizations, etc.) but also by the newest cross-border actors. And if in relation to traditional actors, anti-corruption regulators have been developed (even if they are not very effective), then there are no such regulators in relation to the newest cross-border actors. This situation creates not only a threat to the established, although fragile, systems of international, regional and interstate trust. There is also the risk of a loosening of the homeostasis of the whole international system.

3 The decision of the Collegium of the Eurasian Economic Commission "On the Strategy for the Development of the Cross-Border Space of Trust" on September 27, 2016 No. 105 // http://docs.cntd.ru/document/456017205

4 UN Secretary-General: the world is "sick", and the main medicine is the restoration of trust and multilateral order // https://news.un.org/ru/story/2018/09/1338942

Conclusion

So what do we do?

The history of the formation and development of confidence-building measures reveals their variety and multifunctionality, indicating a continuous expansion of the toolkit for forming trust relationships. Therefore, there are resources to increase trust between the actors of the cross-border cooperation space.

In practical terms:

There is an assumption that the new principle of "balance of goals" should come to replace the old ones of "balance of power" and "balance of interests" [Dankin. P.311]. The assumption was scientifically substantiated and verified. In this case, trust-building measures are pragmatic steps, new mechanisms for harmonizing goals. Steps to reduce unwarranted suspicion. The advancement of such mechanisms is possible in the context of increased transparency in the development and decision-making processes.

Analysis and international legal consolidation of the emerging practice of the participation of the newest cross-border actors in the development of trust-building measures are needed.

As a representative for the system of science and education, I would like to note the importance of including in the educational process of future specialists in international cooperation, educational modules related to the study of trust-building mechanisms.

In scientific and theoretical terms, it is advisable:

- to organize applied elaborations in the creation and operation of a trust. It would be useful to make an inventory of existing trust-building measures and develop a draft conceptual model of a trust strategy in different situations. Meanwhile, the evolution of trust-building measures is on the path of increasing their coercive nature (from political to legal obligation);
- to study deep, historically established foundations of informally institutionalized trust. In a number of political cultures that are also reproduced in the modern cross-border space. The results of such applied researches may help identify and use in international practice the underlying mechanisms of confidence and solidarity that underlie trust;
- to develop methods for changing trust in cross-border conditions. The question is still open: how to measure trust in international cooperation? A small group of methods describes the current state of the problem. But it only reveals and does not provide an understanding of the mechanisms and tools for trust-building, according to the context of increasing cross-border conditions. In addition, there is no system of monitoring trust in international cooperation;
- to popularize Russian and foreign research on actions by international actors in a cross-border space and research on trust itself.

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ЧТО ЧИТАТЬ



Borders in Central Europe after the Schengen Agreement / Tomáš Havlíček, Milan Jeřábek, Jaroslav Dokoupil, editors. Cham, Switzerland : Springer, 2018. 239 pp.

This book is the result of research into the considerable impacts the signing of the Schengen Agreement has had on the border regions of the signatory, in particular the Central European internal borders. The analysis provides an in-depth look at European integration, development and perception at the state level as well as in the selected border regions of Central Europe. The book discusses results from population questionnaires in this region, and presents the most important features of development of border regions within Central European internal borders/borderlands after the Schengen Agreement. This book is suitable for students and researchers dealing with the borderlands, but also outlines sufficient information to be of interest to regional planners and policy makers.



Халевинская Е.Д. Интеграция, сотрудничество и развитие на постсоветском пространстве. Монография. М.: Издательство «Магистр», 2019. 200 с.

Развитие интеграционных процессов на постсоветском пространстве является инструментом развития национальной экономики в эпоху глобализации мирового хозяйства. Россия участвует и будет участвовать в разноскоростных, разноформатных и разноуровневых региональных интеграционных процессах. Работа посвящена анализу деятельности СНГ, ЕврАзЭС, ТС, ЕАБР, ШОС, ОДКБ и некоторых других организаций на постсоветском пространстве, особенностям их функционирования,перспективам и роли Российской Федерации в интеграционных процессах на постсоветском пространстве. Несмотря на все существующие между организациями различия в целях, структурах, формах и механизмах реализации их деятельности, стратегической целью можно назвать интеграцию их участников в мировое хозяйство для обеспечения более высокого качества жизни населения постсоветских государств. Для научных работников, специалистов, занимающихся проблемами интеграции, студентов вузов.