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# **The Eurasian Economic Union (EAEU) as an Order-Making Actor (OMA): Implications for the Changing International Order**

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University of Kent

Thesis submitted for the degree of PhD in International Relations

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# List of Abbreviations

EAEU	Eurasian Economic Union
IR	International Relations
OMA	Order-Making Actor
AWO	American World Order
ACIO	Authoritarian-Capitalist International Order
SCO	Shanghai Cooperation Organization
CIS	Commonwealth of Independent States
EU	European Union
SREB	Silk Road Economic Belt
CSTO	Collective Security Treaty Organization
CST	Collective Security Treaty
USSR	Union of Soviet Socialist Republics
BSEC	Organization of Black Sea Economic Cooperation
IGO	Intergovernmental Organizations
NATO	North Atlantic Treaty Organization
CSC	Collective Security Council

CDM	Council of Defence Ministers
CFM	Council of Foreign Ministers
CSSC	Committee of the Secretaries of the Security Council
CRRF	Collective Rapid Reaction Force
RSCT	Regional Security Complex Theory
EurAzEC	Eurasian Economic Community
ECU	Eurasian Customs Union
SES	Single Economic Space
CU-95	Customs Union (within the CIS)
EEC	Eurasian Economic Commission
US	the United States
ASEAN	Association of Southeast Asian Nations
WTO	World Trade Organization
GDP	Gross Domestic Product
NAFTA	North American Free Trade Agreement
RCEP	Regional Comprehensive Economic Partnership
DG	Director-General

EEAS	European External Action Service
OSCE	Organization for Security and Cooperation in Europe
EDB	Eurasian Development Bank
R&D	Research and Development
CICA	Conference on Interaction and Confidence Building Measures in Asia
AIIB	Asian Infrastructure Investment Bank
G8	Group of Eight
OSCE	Organization for Security and Cooperation in Europe
EEAS	European External Action Service
EIDHR	European Initiative for Democracy and Human Rights
BRI	Belt and Road Initiative
EBRD	European Bank for Reconstruction and Development
UN	the United Nations

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# **Introduction. The EAEU: An Order-Making Regional Actor?**

If great powers can shape and change world politics, can smaller actors do the same; or at least, can they shape their immediate environments as they see fit? In a rapidly changing world, it may be equally important to pay attention to smaller actors and enquire into their actions, considering that there are always a few big powers but always far more small actors in the international arena. We may have taken it for granted that big powers are the shapers of world order and its transformation, but the aggregate efforts of smaller actors may contribute to changes in international order as well. Given the above, this research project is a detailed and systematic study of the Eurasian Economic Union (EAEU), while aiming to engage with the general debate within the discipline of International Relations (IR) over international order and actorhood.

In the first place, this Introduction will examine the IR literature on the changing international order as a point of departure to situate the topic. Second, after a critical survey of the existing definitions of order, it comes up with a more inclusive but rigorous definition of this important concept from the perspective of actors, which will establish the link between actors and order. Third, this research joins the IR debate over the changing international order by introducing a novel notion of an order-making actor (OMA), and by paying

attention to the EAEU as an important test. Therein, the selection of the EAEU as the case to study will also be justified. This research seeks to understand the order-making process and investigate the key elements of such OMAs, using the EAEU as a case in point. Although essentially this research project is a case study of the EAEU, it may have broader theoretical ramifications beyond this single case. Despite the extensive literature on international order and its transition or transformation, we may lose an important part of the picture if we overlook the order-building efforts of smaller actors, such as the EAEU. In other words, the process of global reordering is under-explored at the regional/local level from a bottom-up perspective.

In the following sections, the literature on the changes and definitions of international order within the IR discipline will be reviewed and critically discussed. Next, this discussion will be situated within an empirical context and will then turn to the EAEU as the case, followed by the implications for the potential order that the EAEU seeks to establish in the region. Finally, I will briefly describe the structure of the whole thesis and the main topic of each chapter.

## ***1.1. The changing international order: a model and a metaphor<sup>1</sup>***

There has been an increasing consensus among IR scholars that the current

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<sup>1</sup> The author acknowledges that the liberal international order is not equal to the American World Order.

international order is facing substantial transformation, and that a different architecture of world order looms ahead. The previously dominant liberal order faces substantial challenges, and the alternatives to such a hegemonic liberal order may take the shape of a more diversified, decentred and thus more complicated model. This is reflected in the accounts of scholars from the liberal world. For instance, Ikenberry claims that ‘the old order dominated by the United States and Europe is giving way to one increasingly shared with non-Western rising states’.<sup>2</sup> Similarly, Kupchan acknowledges that ‘the liberal international order erected during the West’s watch will face increasing challenges in the years ahead’.<sup>3</sup> Consequently, he envisages that ‘a more pluralistic and diverse international order looms on the horizon’.<sup>4</sup> Duncombe and Dunne point out that ‘what mainstream and critical theories share is a perspective that the liberal world order is being challenged in fundamental ways.’<sup>5</sup> Looking forward, Pattison observes that we may be entering into a post-liberal order.<sup>6</sup>

A closer look at the debate shows that the degree of this crisis faced by the

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European ideas, norms, and practices (which are not exactly the same as American ones) also contribute to the liberal world order. However, for the sake of discussing the changing international order, both these terms are used here. Also see Amitav Acharya, *The End of American World Order* (Cambridge: Polity Press, 2014), p. 2, where Acharya uses American World Order almost interchangeably with American-led liberal hegemonic order.

<sup>2</sup> G. John Ikenberry, ‘The Future of the Liberal World Order: Internationalism after America’, *Foreign Affairs*, 90 (3), May-June 2011, p. 56.

<sup>3</sup> Charles A. Kupchan, ‘Reordering Order: Global Change and the Need for a New Normative Consensus’, in Trine Flockhart et al, *Liberal Order in a Post-Western World* (Transatlantic Academy, 2014), p. 3.

<sup>4</sup> *Ibid.*, p. 10.

<sup>5</sup> Constance Duncombe and Tim Dunne, ‘After Liberal World Order’, *International Affairs*, 94 (1), January 2018, p. 27.

<sup>6</sup> James Pattison, ‘The International Responsibility to Protect in a Post-Liberal Order’, *International Studies Quarterly*, Advanced online publication, October 2021, < <https://academic.oup.com/isq/advance-article/doi/10.1093/isq/sqab081/6386084?login=true>> (25 November 2021).

hegemonic liberal order may still be an open question. Ikenberry is more optimistic about the strength of the liberal order as he argues that ‘the crisis of the American-led international order is only a crisis of authority — a struggle over how liberal order should be governed; not a crisis of liberal internationalism or a crisis over the underlying principles of liberal international order’.<sup>7</sup> Flockhart believed that ‘crisis and contestation can be a powerful motivation for adaptation and renewal of the liberal international order, which can facilitate its long-term resilience’.<sup>8</sup> However, the liberal international order and its dominance have incurred criticism or scepticism, particularly by non-liberals and scholars from the non-western world. Representing the Russian perspective, the Valdai Report argues that ‘the belief that all of the major players would embrace a common ideological and political paradigm turned out to be utopian and it was especially misguided to assume that such an order would be based on the liberal approach that prevailed for a time after the Cold War’.<sup>9</sup> Mearsheimer is highly sceptical about the liberal hegemony project because ‘a country that embraces liberal hegemony, which means to turn as many countries as possible into liberal democracies while also promoting an open international economy and building international institutions, ends up doing

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<sup>7</sup> See G. John Ikenberry, *Liberal Leviathan: The Origins, Crisis, and Transformation of the American World Order* (Princeton, N.J.: Princeton University Press, 2011), p. 287. Also G. John Ikenberry, ‘The Future of Liberal World Order’, *Japanese Journal of Political Science*, 16 (3), September 2015, p. 451.

<sup>8</sup> Trine Flockhart, ‘From “Westlessness” to Renewal of the Liberal International Order: Whose Vision for the “Good Life” Will Matter?’ *Cambridge Review of International Affairs*, Advanced online publication, October 2021, < <https://doi.org/10.1080/09557571.2021.1999212> > (21 November 2021).

<sup>9</sup> Oleg Barabanov, et al, *Living in a Crumbling World* (Valdai Discussion Club report, 2018), p. 5.

more harm than good to itself as well as other countries'.<sup>10</sup> Similarly, Tang claims that liberal democracies themselves do not automatically translate into a liberal order and 'the much touted liberal international order is liberal only in the open-trading sense, but not in the political sense'.<sup>11</sup> Glaser makes a crucial argument that 'the liberal international order is a partial order; it does not (and) did not include key major powers'.<sup>12</sup> Acharya critiques various racist elements (racism, slavery, and empire) that underpinned the liberal international order, and more generally, in contemporary world order-making.<sup>13</sup> Allison makes an extreme case to deny the existence of a US-led liberal order and challenged the core claims made by liberals.<sup>14</sup> These views altogether show that scholars may need to look beyond the liberal order indeed.

Further, the governance capability of the hegemonic liberal order has also been questioned. Chugrov contested the leadership of the hegemonic liberal order by claiming that 'a chain of events shows that the United States (US) cannot reasonably cope with the world leader role and the world is becoming more multiplex and multi-vectored'.<sup>15</sup> Acharya and Haas pointed out that on

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<sup>10</sup> John J. Mearsheimer, *The Great Delusion: Liberal Dreams and International Realities* (New Haven: Yale University Press, 2018), p. 1 and p. 153.

<sup>11</sup> Shiping Tang, 'The Future of International Order(s)', *The Washington Quarterly*, 41 (4), November 2018, p. 119.

<sup>12</sup> Charles L. Glaser, 'A Flawed Framework: Why the Liberal International Order Concept is Misguided,' *International Security*, 43 (4), Spring 2019, p. 52.

<sup>13</sup> Amitav Acharya, 'Race and Racism in the Founding of the Modern World Order', *International Affairs*, 98 (1), January 2022, p. 24.

<sup>14</sup> Graham Allison, 'The Myth of the Liberal Order: From Historical Accident to Conventional Wisdom', *Foreign Affairs*, 97 (4), July /August 2018, < [https://www.foreignaffairs.com/articles/2018-06-14/myth-liberal-order?utm\\_medium=referral&utm\\_source=www-foreignaffairs-com.cdn.ampproject.org&utm\\_campaign=amp\\_kickers](https://www.foreignaffairs.com/articles/2018-06-14/myth-liberal-order?utm_medium=referral&utm_source=www-foreignaffairs-com.cdn.ampproject.org&utm_campaign=amp_kickers)> (23 March 2022).

<sup>15</sup> Sergey Chugrov, 'American World Order: The End of the "End of History"', *Japanese Journal of Political Science*, 16 (3), September 2015, pp. 446–449.

more non-traditional and transnational issues such as the environment and climate change, 'the American World Order (AWO) is marked by a failure of US leadership and American influence'.<sup>16</sup>

Two scholars' efforts to depict the changing international order are more relevant and thus deserve a focus: Flockhart's 'multi-order world'<sup>17</sup> and Acharya's 'multiplex world'.<sup>18</sup> In Flockhart's model, the changing international order makes the world more diversified and more decentred in two important ways. First, Flockhart argues that 'unlike the global international system, international orders could come in all shapes and sizes'.<sup>19</sup> Therefore, her model makes it possible that the emerging new orders could be regional or even sub-regional in scope and that these orders could co-exist. In other words, the emerging new international orders would be more diversified in size and scope. Second, each of the co-existing orders has its distinct constitutive components (which are power, identity, primary institutions and secondary institutions in her case<sup>20</sup>). Hence, the co-existing orders differ not only in scope, but also (and

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<sup>16</sup> See Amitav Acharya, 'In Defence of the Multiplex World', *Japanese Journal of Political Science*, 16 (3), September 2015, p. 458; Peter M. Haas, 'Post Hegemonic Global Governance', *Japanese Journal of Political Science*, 16 (3), September 2015, p. 435.

<sup>17</sup> Trine Flockhart, 'The Coming Multi-Order World', *Contemporary Security Policy*, 37 (1), April 2016, p. 5.

<sup>18</sup> Acharya, *The End of American World Order*, p. 8.

<sup>19</sup> *Ibid.*, p. 18. This poses the question of the differences between international system, society, and order, which Flockhart did not fully address in her work. This would be another theoretical issue, which will not be fully discussed in this chapter due to limited space. However, preliminary discussions could be seen in Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (Houndmills, UK: Macmillan, 1977), pp. 9–13. Also see Shiping Tang, 'Order: A Conceptual Analysis', *Chinese Political Sciences Review*, 1 (1), February 2016, p. 35, for the relationship between these concepts. Buzan offers an overview of this system/society debate in Barry Buzan, *From International to World Society? English School Theory and the Social Structure of Globalisation* (Cambridge: Cambridge University Press, 2004), pp. 98–100. The author eschews a detailed discussion of this issue but follows Tang to argue that a society is always a social system, whereas order is a character of a society. Flockhart's multi-order world is essentially a global system with multiple sub-societies, each with a distinct order.

<sup>20</sup> Flockhart, 'The Coming Multi-Order World', p. 19.

more importantly) in nature. For instance, Owen observed the emergence of two overlapping international orders: a reduced version of the liberal international order led by the US and Europe, and a China-led authoritarian-capitalist international order (ACIO).<sup>21</sup>

Flockhart's framework gives a theoretically rigorous alternative to a world dominated by the liberal order. This alternative to a single-order world suggests that the emerging new orders may be different from the hegemonic liberal order in size, scope, and nature. However, Flockhart's discussion remains general and did not focus on a specific alternative order within a regional context. Besides, her study did not specify how such emerging new orders are established. The process of order-formation is thus under-explored.

Acharya offers a metaphor of what the world will look like after the end of the dominant liberal order. What lies ahead is 'a multiplex world, a world of diversity and complexity, a decentred architecture of order management, featuring old and new powers, with a greater role for regional governance'.<sup>22</sup> Acharya's multiplex-world metaphor is not fundamentally different from Flockhart's model in terms of its diversity and decentred architecture. But a key contribution of Acharya's work is that he suggests a bottom-up approach to order-formation with particular emphasis on actors. This is reflected in his view

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<sup>21</sup> John M. Owen, 'Two Emerging International Orders? China and the United States', *International Affairs*, 97 (5), September 2021, p. 1416.

<sup>22</sup> Acharya, *The End of American World Order*, p. 8.

that ‘the creation or maintenance of regional institutions are not dominated by a single power. Instead, the sources and agency of ideas and approaches regarding order are diffuse and shared among actors’.<sup>23</sup> More importantly, commenting on the changes in international order, Acharya argues that ‘a key transition in the emerging world order could be that regional orders become less geared toward serving American power and purpose, and are more reflective of the interests and identities of the local actors’.<sup>24</sup> The multiplex world metaphor is echoed by scholars outside the IR discipline. For example, Escobar, a design expert, observes that ‘instances of a pluriverse are emerging, which features autonomous design and radical transformation in the dominant models of life and the economy’.<sup>25</sup>

However, Acharya merely suggests the potential link between order and actor while leaving a series of questions unanswered. To be more specific, in what ways do orders reflect the interests and identities of actors? Or could it be the other way round, that actors with certain interests and identities make orders? What constitutes such OMAs? The answer to these questions is crucial to our understanding of international order and its current transformation. If, to borrow Acharya’s metaphor again, ‘in a multiplex world, we have different producers and actors staging their own shows concurrently’,<sup>26</sup> how could we

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<sup>23</sup> Ibid., p. 81.

<sup>24</sup> Ibid., p. 111.

<sup>25</sup> Arturo Escobar, *Designs for the Pluriverse: Radical Interdependence, Autonomy, and the Making of Worlds* (Durham: Duke University Press, 2017), pp. 4–5.

<sup>26</sup> Acharya, *The End of American World Order*, p. 7.

understand their shows if we know nothing about the profile of these producers and actors?

My attempt to further explore the link between order and actor builds up on the above-mentioned literature as a point of departure. Next, a critical review and discussion of the existing definitions of order within the IR discipline will be presented, followed by a more inclusive but rigorous definition of this concept from the perspective of actors. This suggested definition establishes the logical link between order and actor and facilitates the discussion of order-making from the perspective of actors.

## ***1.2. Approaches to order: contested definitions and its nexus with actors***

Order, as an important concept, has been defined in various ways in IR scholarship, and more broadly in the social sciences. It is closely connected with a group of terms, such as institutions, rules, pattern, regulation, or predictability. This section aims to arrive at an inclusive but rigorous definition of order. It is inclusive in the sense that the following discussion will consider a variety of definitions in existing literature, together with their merits and limitation. However, at the same time, it will be rigorous because this section tries to distinguish order with the other related concepts.

A detailed and intensive study of order in world politics was conducted by

Hedley Bull, which will serve as a starting point in our discussion. According to Bull, order is defined as ‘a pattern of human activity that sustains elementary, primary or universal goals of social life such as life, truth, and property’.<sup>27</sup>

However, this definition incurs criticism by Tang as he argues that ‘the definition of order as behaviour or regular patterns of behaviour is seriously flawed because a regular behaviour pattern merely indicates that an order may exist but is not order itself’.<sup>28</sup> Tang thus defines order as ‘the degree of predictability (or regularity) of what is going on within a social system, presumably because agents’ behaviour, social interactions, and social outcomes within the social system have come under some kind of regulation’.<sup>29</sup>

This debate becomes more complex as Bull himself casts doubt on a definition of order based on predictability. Bull suggests that ‘to define order in social life in terms of predictability is to confuse a possible consequence of social order, and reason for treating it as valuable, with the thing itself’.<sup>30</sup>

The above-mentioned debate offers crucial insights into our enquiry of a proper definition of order. Although Bull and Tang disagree with each other on their definitions, they are mistaken about it in a similar way. Both a pattern of human behaviour, and predictability of what happens within a social system are the important indicators or consequence of the existence of order. Pattern

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<sup>27</sup> Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (Houndmills, UK: Macmillan, 1977), p. 4.

<sup>28</sup> Tang, ‘Order: A Conceptual Analysis’, p. 32.

<sup>29</sup> *Ibid.*, p. 34.

<sup>30</sup> Bull, *The Anarchical Society*, p. 7.

entails predictability. Tang's definition merely extends the range of Bull's one to social interactions and outcomes as well, not confining it only to human activities. Both these ways of thinking attempted to define order by the *consequence* or indicator of order. However, it may be problematic to define a social concept (A) by the consequence of A's existence.

Pattern, as perhaps the most important consequence of order, is also noticed by Lebow. He suggests that 'order describes any kind of pattern or structure that enables societies to function because it provides guidelines for behaviour, making much of it routine and predictable'.<sup>31</sup> In this sense his definition is no different from the ones given by Bull and Tang. A crucial point is that Lebow also views order as something 'refers to some kind of arrangement or rank, among people, groups or institutions'.<sup>32</sup> Although he focused mainly on the hierarchy and the unequal nature of social order, he is closer to a proper definition of order by viewing it as a certain kind of arrangement rather than the consequence of this arrangement. Consider Lebow's refined definition of order in the latest book of his trilogy: 'a hierarchical arrangement, supported by most of its members, that fosters security, self-esteem, and social contact, encourages solidarity, and results in legible, predictable behaviour'.<sup>33</sup>

Kissinger views order in a similar way, combining the normative and

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<sup>31</sup> Richard Ned Lebow, *A Cultural Theory of International Relations* (Cambridge: Cambridge University Press, 2008), p. 4.

<sup>32</sup> *Ibid.*

<sup>33</sup> Richard Ned Lebow, *The Rise and Fall of Political Orders* (Cambridge: Cambridge University Press, 2018), p. 29.

practical elements of order in his definition (albeit from a more realist perspective). He sees (world) order as 'the concept held by a region or civilisation about the nature of just arrangements and the distribution of power thought to be applicable to the entire world'.<sup>34</sup> This definition also speaks to Acharya's one, which refers to world order essentially as 'how the world is organised politically, economically, and culturally'.<sup>35</sup>

My suggested definition of order is based on the debates mentioned above. This critical survey shows that it would be mistaken to define order by its consequence or indicator, while at the same time, a proper definition cannot ignore pattern, predictability, or regularity as direct outcomes of order. Therefore, order is supposed to be viewed as a sort of product subject to social construction within a social system that would generate or even guarantee a certain degree of regularity/predictability of social phenomena. This way of thinking views *order as a governing arrangement made by actors to regulate their social system, which implies a predictable pattern of behaviours and outcomes.*

To defend this definition, the most important step is to differentiate order with so many other concepts related to it (i.e., values, norms, institutions, or rules). This is crucial as Glaser notes that 'an international order is widely

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<sup>34</sup> Henry Kissinger, *World Order: Reflections on the Character of Nations and the Course of History* (London: Allen Lane, 2014), p. 9.

<sup>35</sup> Acharya, 'Race and Racism in the Founding of the Modern World Order', p. 26.

understood by scholars as the explicit principles, rules and institutions that define the core relationship between the states that are party to the order'.<sup>36</sup> The reason why order as a concept in social sciences becomes slippery is that, very often, it is conflated with these relevant concepts. However, the following argument will show that this conflation is problematic. As a conceptual foundation of this thesis, it is important to define this concept in a rigorous way.

First, within a social system or society, order is perhaps one of the desirable values. But it is hardly the most desirable one or the guarantee of other values. Lebow makes an excellent argument that 'order was a goal and instrumentality, but not something, so to speak, that had an independent existence. It was not until the late 19<sup>th</sup> century that order was conceived of as something in its own right'.<sup>37</sup> In this regard, Durkheim's metaphor is relevant here, in a sense that 'freedom is the fruit of regulation'.<sup>38</sup> To borrow his metaphor, we may argue that a set of values are the fruits of order. In other words, order is the necessary condition of these desirable values in a society. After all, no one would expect that freedom, property, or individual rights could be protected in a chaotic society, where social practices and human behaviour are hardly regulated or predictable. In such a social system that lacks a good governing arrangement, often, the protection of property or individual rights would be seriously disrupted.

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<sup>36</sup> Glaser, 'A Flawed Framework', p. 55.

<sup>37</sup> Lebow, *The Rise and Fall of Political Orders*, p. 47.

<sup>38</sup> Emile Durkheim, *Moral Education: A Study in the Theory and Application of the Sociology of Education*, trans. into English by Everett K. Wilson and Herman Schnurer (New York: Free Press, 1961), p. 54.

However, the crucial point is that order itself cannot guarantee the fulfilment of these values. The Soviet Gulag system is a case in point. It was a highly orderly social system to the extent that nutrition and medical resources were distributed according to the social element or class of people and the work assigned to prisoners. But this order based on forced labour and the ideological categorisation of people is against the commonly desired values and good life of people. Put briefly, an order that can represent a set of desirable values and norms is the best of our wishes, but it is not always the reality.

The relationship between order and institutions<sup>39</sup> is complicated, which will be further explored by the whole research project. Herein, it is enough to argue that order is not always reinforced by a set of institutions. Lebow's ethnographic observation of the traffic in India and China is noteworthy. He describes the initiative-taking drivers in India and the roads in the peripheries of Chinese provincial cities where there are no seeming rules.<sup>40</sup> These examples show that order is not always upheld by a set of formal institutions or rules. Order could be built in a spontaneous and bottom-up way. Interestingly, Lebow claims that 'the most successful orders may be those closest to the edge of chaos, like Indian and Chinese vehicular traffic'.<sup>41</sup> Perhaps these spontaneous and

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<sup>39</sup> By institutions I take a narrower view to mean more specific organizations and regimes. Primary institutions in the English School refer to broader and more fundamental principles, which are not what I mean by institutions here. An excellent discussion of primary and secondary institutions (definitions and connection) is given in Kilian Spandler, 'The Political International Society: Change in Primary and Secondary Institutions', *Review of International Studies*, 41 (3), July 2015, p. 613.

<sup>40</sup> See Lebow, *The Rise and Fall of Political Orders*, p. 22.

<sup>41</sup> *Ibid.*

bottom-up orders are successful because the cost of building and maintaining them can be very low. These orders are based on customs and social conventions rather than formalised institutions and rules. Hence, although Mearsheimer viewed order as ‘an organised group of international institutions that help govern the interactions among the member states’,<sup>42</sup> we contend that it may be problematic to equate order with institutions, which is merely an element that may uphold or support an order. At best, we can say that a set of clear and formalised institutions can help actors better understand the expectations of their behaviour, if they become party of that order.<sup>43</sup> Essentially, order seems to be a concept bigger in scope than its smaller components (institutions, rules, or norms). In this regard, we concur with Ikenberry’s view that ‘political order refers to the governing arrangements among a group of states, *including* its fundamental rules, principles, and institutions’.<sup>44</sup>

The suggested definition in this research treats order as a product constructed by the subjects (social actors) within a social system. To say that there is a certain type of order within a social system, it means that social actors successfully reach a certain type of governing arrangement so that what happens within the social system (i.e., behaviour, social interactions, and social outcomes) is regulated to a certain extent and thus predictable. To say that

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<sup>42</sup> John J. Mearsheimer, ‘Bound to Fail: The Rise and Fall of the Liberal International Order’, *International Security*, 43 (4), Spring 2019, p. 9.

<sup>43</sup> These statements may also be applied to rules.

<sup>44</sup> G. John Ikenberry, *After Victory: Institutions, Strategic restraint, and the Rebuilding of Order after Major Wars* (Princeton, N.J.: Princeton University Press, 2001), p. 30. Italics are added by the author.

order is non-existent, or a social system is not orderly, it means that social actors fail to reach a certain type of arrangement so that what is going on within the social system is not regulated or predictable and thus chaotic. The consequence of the non-existence or malfunction of such a governing arrangement is observable to us, which may include institutions eroding, rules disobeyed, or behaviours unregulated. As Mckeil puts it, (international) disorder suggests 'the disruption of ordering (international) behaviour, rules, and norms, producing a condition of instability and unpredictability'.<sup>45</sup> Of course, even if social actors reach a certain type of arrangement, they do not always observe it. In this case, order is present in the social system but is not followed by social actors. Another point worth mentioning is that order and chaos are the two ends of the spectrum. In reality, a social system is always orderly to a certain extent, which could be assessed by the regularity (predictability) of social phenomena in the system, given that regularity serves as the most important indicator of order.

To define order essentially as a governing arrangement made by social actors allows for a key dimension of order, which is its transformation. Despite that order is a governing arrangement, order-making is always a dynamic process. To say that order is going through transformation, it means that social actors are not completely satisfied with the existing arrangement and thus seek

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<sup>45</sup> Aaron Mckeil, 'On the Concept of International Disorder', *International Relations*, 35 (2), June 2021, p. 7.

for change. It could also be possible that new social actors (with distinct interests and identity) come into existence and participate in the process of making a new governing arrangement. Although a given order regulates what happens within the social system, which includes the activities of social actors, order does not exist independently or externally to social actors. In this regard, Edkins makes a substantive poststructuralist argument that ‘the constitution of the subject is inextricably linked with the constitution of a particular social or symbolic order; neither one is prior to the other’.<sup>46</sup> In other words, order entails regularity but does not exclude the possibility for change. An order is always subject to potential change or transformation, because there is no guarantee that the status quo can accommodate all the social actors (with various interests and identities) who subscribe to that order. A given order cannot fully prevent new actors from establishing themselves or strangle their order-making efforts. A resilient order should even offer adequate room for emerging new actors and change.<sup>47</sup> Acharya further points out that ‘it is often the weaker actors, newcomers, and the emerging regional and global players who are likely to drive the impetus for change’.<sup>48</sup> Also consider Lebow’s argument that ‘there is

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<sup>46</sup> Jenny Edkins, *Poststructuralism and International Relations: Bringing the Political Back in* (Boulder, Colo.: Lynne Rienner Publisher, 1999), p. 6.

<sup>47</sup> This poses another question about the challenge of a given order or merely the practices of that order. Another question is at what point is the change fundamental? The author acknowledges these questions but leaves them for future debate and discussion due to limited space in this chapter. An example about this would be Brexit. If the UK had remained while renegotiating the terms with the EU, this would have been an example of challenging the practices of a given order without fundamentally challenging the order itself. The leave decision means that the overall order has been fundamentally challenged.

<sup>48</sup> Amitav Acharya, *Constructing Global Order: Agency and Change in World Politics* (Cambridge: Cambridge University Press, 2018), p. 7.

no political order that is invulnerable to counter-arguments, which is why no political order is permanent'.<sup>49</sup>

Viewing order as a product of social construction by social actors can potentially address the puzzles posed by Acharya as well. If order is defined merely as a pattern or structure, how could an order be reflective of the interests and identity of actors? Our definition here suggests that the interests and identity of social actors are crucial to our understanding of order, because the interests and identity of social actors have huge impacts on both the type of arrangement reached by social actors, and the way they reach that governing arrangement as well. In other words, the attributes of social actors do not merely serve as the element of order. Instead, they can affect the type of order and the process of order-making. Our definition of order also speaks to Lebow's claim that 'any theory of IR must build on or be rooted in a theory of society and must address the constitution of actors, not only their behaviour'.<sup>50</sup> Similarly, although Wendt mainly talks about state agents rather than more generally about actors, he is correct that 'scientists need theories of their primitive units'.<sup>51</sup>

So far, we have arrived at an inclusive but more rigorous definition of order, which leaves room for study of the constitution of actors and how attributes of such actors may affect the process of order building. It has the potential to

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<sup>49</sup> Lebow, *The Rise and Fall of Political Orders*, p. 6.

<sup>50</sup> Lebow, *A Cultural Theory of International Relations*, p. 2.

<sup>51</sup> Alexander E. Wendt, 'The Agent-Structure Problem in International Relations Theory', *International Organization*, 41 (3), Summer, 1987, p. 349.

respond to Acharya's call for 'an agent-oriented narrative that should tell us how actors (state and nonstate), through their material, ideational, and interaction capabilities construct, reconstitute, and transform global and regional orders'.<sup>52</sup> Next, the discussion will be oriented towards a specific context in Eurasia. Meanwhile, the EAEU will be introduced as the core case study in this research.

### ***1.3. Institutions, OMs, and the EAEU's implications for order in Eurasia<sup>53</sup>***

A review of the changing international order and a critical survey of the definition of order lay out a foundation for the scrutiny of the EAEU and the potential order it seeks to contribute to Eurasia. Any discussion of the changing international order and the alternatives to the liberal hegemonic order cannot ignore what is going on in Eurasia, because as Burchill and Lukyanov suggest, Eurasia 'is at the centre of the shift away from the Western/Atlanticist domination of global affairs in both ideological and practical terms'.<sup>54</sup> The EAEU represents serious efforts to reintegrate such a region, and it is hard to imagine the potential order in Eurasia without a role for the EAEU to play. Following the definition of order given above, this issue will be further explored by the research question of this

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<sup>52</sup> Amitav Acharya, 'Global International Relations (IR) and Regional Worlds,' *International Studies Quarterly*, 58 (4), December 2014, p. 651.

<sup>53</sup> By Eurasia here I mean the post-Soviet space. Meanwhile, perhaps after the Russo-Georgian War and the Ukraine Crisis we should take a stricter and narrower approach to both Eurasia and the post-Soviet Space. Perhaps we should make a distinction between the wider Eurasia (in geographic sense) and the narrow Eurasian (in geopolitical and geoeconomics sense).

<sup>54</sup> Richard Burchill and Fyodor Lukyanov, 'Introduction', in Piotr Dutkiewicz and Richard Sakwa, and Fyodor Lukyanov with Richard Burchill and Timofei Bordachev (eds.), *Eurasia on the Edge: Managing Complexity* (Lanham: Lexington Books, 2018), p. 4.

whole research project: To what extent is the EAEU an OMA that can shape the international environment? And more generally, what constitutes such an OMA in theoretical sense?

Next, to unpack this question, this section will be split into three parts. The first part explores the possibility that institutions, particularly an integration project, can serve as order-making actors. The second part will justify the selection of the EAEU amongst various integration projects in the wider Eurasia. Finally, by reviewing the narratives on the EAEU in existing literature, three possible scenarios of potential order(s) in the post-Soviet space and their consequences will be discussed.

### **1.3.1. Beyond the element of order: can institutions make order as actors?**

A more conventional understanding of institutions vis-a-vis order regards institutions as an element/component of order. This view is represented by Flockhart's discussion of international order, in which she suggests that '*the secondary institution component* is characterised by an institutional architecture designed to manage relations between states and provide an organizational setting for meeting common challenges and for providing public goods within the order'.<sup>55</sup> Tang's view is similar to an extent that he claims 'the relationships between order and several other concepts can be substantiated as follows:

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<sup>55</sup> Flockhart, '*The Coming Multi-Order World*', p. 16. Italics are original.

society/social system > order > structure > institution(s), with institutions being a key dimension of a social structure that underpins order'.<sup>56</sup>

This way of thinking overlooks the possibility that certain types of institutions could serve as the subject rather than merely an object vis-à-vis order-making. In other words, institutions are not simply the arrangement being made. Certain types of institutions can serve as actors who are able to make the arrangement to regulate the social system. In this sense, I support Acharya's claim that 'the constructions of *order-building ideas and institutions* are often overlooked by mainstream IR theories'.<sup>57</sup> His question of 'who are the makers and managers of order'<sup>58</sup> necessitates a shift away from the conventional view of institutions merely as an element/component of order.

Interestingly, Flockhart and Tang's own accounts suggest the possibility that certain types of institutions could make order as actors. In her attempt to theorise change in international order, Flockhart argues that 'secondary institutions are the part of a social ordering domain'.<sup>59</sup> She acknowledges that 'secondary institutions are designed to make things happen by undertaking intentional action and are thus meant to be able to act within issue areas of their specific remit'.<sup>60</sup>

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<sup>56</sup> Tang, 'Order: A Conceptual Analysis', p. 35.

<sup>57</sup> Acharya, *Constructing Global Order*, p. 2. Italics are added by the author.

<sup>58</sup> Ibid., p. 1.

<sup>59</sup> Trine Flockhart, 'Stepping out of the Comfort Zone: Theorizing Change and Transformation in International Order,' An unpublished manuscript, 2018, p. 28.

<sup>60</sup> Ibid.

Tang makes a crucial argument that ‘an order almost always implies some degree of institutionalization, which could be measured by coverage of issue areas and the degree of intrusiveness’.<sup>61</sup> However, his argument ignores that an integration project is able to institutionalize an order. An integration project serves as an overall architecture, under which sub-institutions are designed and ranked in a particular way. Therefore, institutionalization is not only an implication of order, but also a process of establishing and maintaining an order. During this process, the coverage of issue areas and the degree of intervention are determined.

So far, this part explores the possibility of regarding the EAEU (an institution) as an OMA by taking a revisionist view of institutions vis a vis order. Next, the discussion will be oriented towards a specific empirical context by turning to the EAEU and the potential regional order(s) it seeks to contribute.

### **1.3.2. Why the EAEU?<sup>62</sup>**

The EAEU deserves particular attention from political scientists because of the type of integration it represents in the post-Soviet space. The EAEU sets itself apart from other projects in the wider Eurasia to the extent that it is a genuine regional integration project with a feasible economic rationale. The EAEU is different from the Shanghai Cooperation Organization (SCO), which includes

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<sup>61</sup> Tang, ‘*Order: A Conceptual Analysis*’, p. 37.

<sup>62</sup> This part serves as a brief justification of choosing the EAEU as a case to study. For a more detailed historical and comparative discussion, including a broader range of regional organizations in the post-Soviet space, please see Chapter 2.

powers outside the post-Soviet space such as India and China. In this sense the SCO is best described as a macro-transregional political organization rather than a regional integration project. Meanwhile, the EAEU is not akin to the Commonwealth of Independent States (CIS) in its shape or size, as the CIS would best be considered as a 'meso-regional political integration'.<sup>63</sup> Therefore, Sakwa observes that 'the Eurasian (re-)integrative project presents itself above all as a form of micro-regional economic integration, on a par with the EU and some other associations of this type'.<sup>64</sup> However, let us also not forget that the predominantly economic rationale represented by the EAEU does not thereby render itself apolitical. There have been different views on the approach to a deeper regional integration by the member states (Russia, Belarus, Kazakhstan, Kyrgyzstan, and Armenia). In fact, the economic rationale itself has been generated by the internal politics within the EAEU, which will be explored in this thesis.

A more important reason is that the EAEU has provoked a scholarly debate on whether the Union itself can serve as a coherent actor, and whether it can, at the same time, better coordinate the foreign policies of states in the region. On the one hand, since its inauguration on 1 January 2015, the EAEU has become a regional integration organization political scientists cannot ignore. According to Togh, 'notwithstanding all its internal differences and weaknesses,

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<sup>63</sup> Richard Sakwa, 'Challenges of Eurasian Integration', in Piotr Dutkiewicz and Richard Sakwa (eds.), *Eurasian Integration – The View from Within* (Abingdon: Routledge, 2015), p. 12.

<sup>64</sup> *Ibid.*, pp. 17–18.

the EAEU will remain the most advanced form so far of (re-)integration in the post-Soviet space.<sup>65</sup> For this reason, champions of the EAEU have very high expectations for the cohesion of the Union's external behaviours. For example, the Valdai Club experts argue that:

It is important to improve the efforts of the Eurasian Economic Union member-states aimed at harmonizing international trade, rules of infrastructural projects implementation.....This would discourage external partners from cooperating with EAEU member-states on a bilateral basis and help them understand desirability of interaction with the integration group as a whole.<sup>66</sup>

Similarly, Skriba argues that in the negotiations with China concerning the SREB initiative, 'member states should coordinate their interests on the Union's level, which enables Russia and its partners to gain more advantages and makes the Union more attractive to the other states in this region whose positions are even more disadvantaged.'<sup>67</sup>

However, in sharp contrast to this high expectation, the external behaviour of the EAEU member states is not always coherent. The cohesion of this region has been compromised on various occasions. For example, this is reflected by

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<sup>65</sup> Tony van der Togt, 'Bridging the Dividing Lines in Greater Eurasia', *Russia in Global Affairs*, June 2017, <<https://eng.globalaffairs.ru/articles/bridging-the-dividing-lines-in-greater-eurasia/>> (29 November 2021).

<sup>66</sup> Valdai Discussion Club Analytical Report, *Towards the Great Ocean – 3 Creating Central Eurasia: The Silk Road Economic Belt and the Priorities of the Eurasian States' Joint Development* (Moscow: Valdai Discussion Club Analytical report, 2015) (abridged version), p. 14.

<sup>67</sup> Andrei Cergeevich Skriba, 'Sopryazhenie EAES i Ekonomicheskogo Poyasa Shelkovogo Puti: Interesy Uchastnikov i Vyzovy Realizatsii', *Vestnik Mezhdunarodnykh Organizatsii*, 11 (3), 2016, p. 68.

the Union and its member states' interaction with China's SREB initiative, as Wilson observes that 'Russia unilaterally signed the EAEU-Silk Road cooperation agreement with China in May 2015, despite the fact that the presidents of Kazakhstan and Belarus were also in Moscow at that time.'<sup>68</sup> Kobrinskaya also points out that 'EAEU members have established bilateral cooperation agreements with China within the Silk Road Economic Belt (SREB) format, to the neglect of the EAEU (and Russian integration efforts and norms).'<sup>69</sup> Whether the EAEU can contribute to a regional order that makes its member states subscribe to it is thus worth exploring.

### **1.3.3. Implications: what actor and whose order in Eurasia?**

The nexus between actor and order is an interesting case in Eurasia. The narratives on the EAEU in the existing literature have shaped our understanding of what type of actor the EAEU represents, which in turn implies different visions of potential order in this region. This part will critically review these narratives on the EAEU and the potential orders they imply. After that, a new way of looking at the EAEU and the order in Eurasia will be proposed, which served as the thesis throughout this whole research project.

At one end of the spectrum sits Dragneva's view that the EAEU is Russia's/Putin's geopolitical project that 'predominantly serves Russia's

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<sup>68</sup> Jeanne L. Wilson, 'The Eurasian Economic Union and China's Silk Road: Implications for the Russian-Chinese Relationship', *European Politics and Society*, 17 (S1), July 2016, pp. 116–117.

<sup>69</sup> Irina Kobinskaya, *Is Russia Coming to Terms with China's 'Silk Road'?* (PONARS Eurasia Policy Memo No. 439, September 2016), p. 3.

strategic interests'.<sup>70</sup> This claim also suggests that the EAEU serves as 'an important mechanism for Russia to gate-keep the region'.<sup>71</sup> Similar view is held by Kaczmarek that 'Russia sees regionalism as a way to maintain its influence in the post-Soviet space and as a barrier to the exercise of influence by other actors'.<sup>72</sup>

Such narratives on the EAEU imply a hegemonic order in the post-Soviet space. The order is determined by Russia, whereas the smaller states in this region have little agency or role in shaping the regional order. Meanwhile, this hegemonic order makes this region a closed bloc, which excludes and denies the influence of external players.

Another narrative is typical amongst the Russian academic community, which sees Russia as the leader of the Eurasian integration project and the EAEU as a Russia-led project. Notably, Gromyko's argument represents this way of thinking that 'it is impossible to enhance one country's influence without the buttress of regional integration and consequently, it is very rational and advisable for Russia to press on with its role as a leader of integration projects in the post-Soviet space'.<sup>73</sup> Libman and Obydenkova also pointed out that 'there is a widespread belief among at least some factions of the Russian elite

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<sup>70</sup> Rilka Dragneva, *The Eurasian Economic Union: Putin's Geopolitical Project* (Foreign Policy Research Institute Report, 2018), p. 1.

<sup>71</sup> *Ibid.*, p. 5.

<sup>72</sup> Marcin Kaczmarek, 'Non-Western Visions of Regionalism: China's New Silk Road and Russia's Eurasian Economic Union', *International Affairs*, 93 (6), November 2017, p. 1359.

<sup>73</sup> Alexey Gromyko, 'West-Russia Relations and the Emerging Global Order. Polycentric World as the New Reality', in Riccardo Alcaro (ed.), *West-Russia Relations in Light of the Ukraine Crisis* (IAI Research Papers, 2015), p. 56.

and epistemic communities that a regional organization is a necessary attribute of a Great Power in the modern world'.<sup>74</sup> This Russia-led project narrative implies a Russia-centred hierarchical order, which is driven by Russia and followed by the other smaller states.

These two ways of looking at the EAEU are themselves problematic, if not completely wrong. Russia's own vision of the EAEU does not automatically translate into the rationale or the agenda of the Union. For example, Kaczmarek points out that 'a first turning point came when the two other founding members—Kazakhstan and Belarus, managed to persuade Russia to focus on the economic dimension and forgo plans for political integration'.<sup>75</sup> Libman and Obydenkova also suggested that 'there have been cases in which the EAEU has limited power and made it more difficult for Russia to implement the policies it wanted'.<sup>76</sup>

Furthermore, the extent to which Russia is determined to use the EAEU to implement its own foreign policy remains questionable. In the aftermath of the Ukraine Crisis, Russia's counter actions against the European Union (EU) and its sanctions against Ukraine were not imposed at the Union level. Belarus and Kazakhstan did not follow suit. More importantly, Russia itself did not intentionally translate its sanctions into the Union's policy. These dynamics

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<sup>74</sup> Alexander Libman and Anastassia V. Obydenkova, 'Regional International Organizations as a Strategy of Autocracy: The Eurasian Economic Union and Russian Foreign Policy', *International Affairs*, 94 (5), September 2018, p. 1044.

<sup>75</sup> Kaczmarek, 'Non-Western Visions of Regionalism', p. 1368.

<sup>76</sup> Libman and Obydenkova, 'Regional International Organizations as a Strategy of Autocracy', p. 1041.

speak to Sakwa's claim that 'contrary to some western views, the EAEU was not a zone of unlimited Russian hegemony'.<sup>77</sup>

Therefore, to further explore the EAEU and the potential order it implies, a novel perspective of approaching the EAEU is proposed here. This thesis contends that the EAEU is not subject to unlimited or unchallenged Russian dominance or hegemony. By contrast, this thesis treats the EAEU as a co-shaped actor with at least some degree of subjectivity. Furthermore, it posits that the EAEU, as an OMA, can adapt to and shape the international environment. This way of thinking does not deny Russia's leadership within the EAEU, but it does not take Russia's hegemony or dominance for granted. It allows for the agency of smaller member states and the EAEU's various bodies to co-shape the EAEU as an actor to be reflective of their concerns as well.

This implies a shared order rather than a Russian hegemonic or Russia-centred order in Eurasia. Russia may take the initiatives to lead the order-making process, but it will not be an order imposed upon the other states and stakeholders without their participation. Instead, smaller states and various bodies of the EAEU can play their roles in building, maintaining, and strengthening this order, which is, in fact, reflected in the EAEU's institutional setting. The potential consequences may imply a type of local-friendly regulation for the benefits of not only the states, but also the people in the region.

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<sup>77</sup> Richard Sakwa, 'How the Eurasian Elites Envisage the Role of the EEU in Global Perspective', *European Politics and Society*, 17 (S1), July 2016, p. 13.

In other words, this shared order will not only satisfy the interests of the states in the region, but also accommodate the needs of more local stakeholders, such as businesses, labour migrants, and in general, individuals engaging in economic activities. Viewed from a bottom-up way, these local stakeholders would have a better and clearer expectation of state behaviour and actions of various EAEU bodies, due to the governing arrangement that the EAEU is committed to. This will be different from the consequence of a Russian hegemonic or Russia-centred order, which are instead state-centric whilst not locally rooted. Table 1.1 gives a summary of the three narratives on the EAEU and their implications on the potential order in Eurasia.

**Table 1.1: What actor? Whose order?**

<b>What kind of actor?</b>	<b>Whose order?</b>	<b>consequences</b>
Russia's/Putin's tool	Russia's hegemonic order	hegemony
Russia-led integration project	Russia-centred order	hierarchy
co-shaped OMA	shared order	local-friendly regulation

Source: author

The existing literature suggests that this new approach is not only possible, but necessary indeed. Bordachev argues that 'Russia could or should no longer regard Eurasia as its backyard, one that must be guarded, but not necessarily developed'.<sup>78</sup> Vinokurov and Libman maintain that 'it is safe to say that the EAEU institutions make a visible contribution to the creation of an economic

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<sup>78</sup> Timofei Bordachev, 'Russia's Eurasia Moment: Politics, Economics, Business', in Piotr Dutkiewicz and Richard Sakwa, and Fyodor Lukyanov with Richard Burchill and Timofei Bordachev (eds.), *Eurasia on the Edge: Managing Complexity* (Lanham: Lexington Books, 2018), p. 70.

cooperation zone in the post-Soviet space, resulting in rising predictability and stability'.<sup>79</sup>

Meanwhile, scholars have called for a new interpretation of the region of Eurasia and put particular emphasis on its subjectivity and the indigenous actors. For example, Dutkiewicz highlights the subjectivity of the region by claiming that 'Eurasia is not an object to grab, to absorb, or to manipulate'.<sup>80</sup> Kalra maintained that existing literature focused too much on big powers (and their power struggles) but under-studied the agency on the part of Central Eurasia, while also failing to see how regional organizations in Central Eurasia 'serve as avenues for negotiations that take into account local needs (economic and social)'.<sup>81</sup> Speaking on the future Eurasian order in the making, Korosteleva and Paikin argue that 'to better understand the ordering dynamics in the Eurasian supercontinent, it is necessary to shift to the local level and the indigenous (but yet neglected) actors'.<sup>82</sup> Focusing on migration issues, Korneev and Leonov argue that 'home-grown', intra-regional frameworks of regional migration governance are better grounded in regional economic

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<sup>79</sup> Evgeny Vinokurov and Alexander Libman, 'Eurasian Integration and Its Institutions: Possible Contributions to Security in Eurasia,' in Piotr Dutkiewicz and Richard Sakwa, and Fyodor Lukyanov with Richard Burchill and Timofei Bordachev (eds.), *Eurasia on the Edge: Managing Complexity* (Lanham: Lexington Books, 2018), p. 42.

<sup>80</sup> Piotr Dutkiewicz, 'Introduction: Eu-Ru-Asian Integration?' in Piotr Dutkiewicz and Richard Sakwa (eds.), *Eurasian Integration – The View from Within* (Abingdon: Routledge, 2015), p. 9.

<sup>81</sup> Prajakti Kalra, 'Locating Central Eurasia's Inherent Resilience', *Cambridge Review of International Affairs*, Advanced online publication, October 2021, < <https://doi.org/10.1080/09557571.2021.1993136>> (21 November 2021).

<sup>82</sup> Elena Korosteleva and Zachary Paikin, 'Russia between East and West, and the Future of Eurasian Order', *International Politics*, 58 (3), June 2021, p. 327.

rationality than 'imported', externally-driven migration governance initiatives.<sup>83</sup>

However, without an effective order-making actor to establish, maintain, and further develop a shared regional order that can potentially accommodate local needs, the subjectivity of the region would be based on volatile legal, political, and institutional foundations. Rather than a Russian hegemonic or Russia-centred order, only such a shared order that offers cooperative, inclusive, and local-friendly regulations, incorporate a broader range of stakeholders, accommodate the local needs, and make Burchill and Lukyanov's vision possible that 'Eurasia stops being an object of influence and is turning into an integral subject'.<sup>84</sup>

#### ***1.4. Structure and potential contributions to scholarship***

This Introduction posed the research question at the centre of the thesis, examining the regional order in Eurasia from the perspective of the EAEU as an OMA. This question is situated within the literature on the changing international order, the debate on the definition of order as a concept, and the narratives on the EAEU and different scenarios of potential order in Eurasia. This beginning chapter also introduced the important notion of an OMA and posits that the EAEU is such an OMA that can shape the international

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<sup>83</sup> Oleg Korneev and Andrey Leonov, "'Home-Grown" vs. "Imported" Regionalism? Overlapping Dynamics of Regional Migration Governance in post-Soviet Eurasia', *Journal of Ethnic and Migration Studies*, November 2021, pp. 2–3.

<sup>84</sup> Richard Burchill and Fyodor Lukyanov, *Introduction*, p. 2.

environment and contribute to a shared order in the region, which will bring about regularity for both the states and the people.

Chapter 2 takes a historical approach and reviews the historiography of previous integrative attempts in the post-Soviet space. It will examine other regional organizations such as the CIS, the Collective Security Treaty Organization (CSTO), and precursors of the EAEU, to see to what extent can they qualify as OMAs. In this chapter the focus will be placed on the path of economic integration in the recent decade including the predecessors of the EAEU, such as the Customs Union and the Single Economic Space.

After this historical review, Chapter 3 will present a theoretical framework to explore what constitutes an OMA. It will identify three crucial constitutive elements that compose it. Chapter 3 will also include the methodology and more specific research methods of this thesis, including data collection and analysis. This chapter will be developed based on the extensive literature on EU actorness. Nevertheless, the theory presented therein aims to be more generally applicable beyond the European context. The first three chapters serve as the first half of this thesis, which will lay the conceptual and foundation that can guide the subsequent empirical discussions.

Chapter 4–6 will be based on the first-hand and secondary data to be collected, which serves as the empirical part of this thesis. Each chapter will be devoted to one of the key constitutive elements identified in Chapter 3

respectively (i.e., identity, representation, and instrument). These empirical analyses will refer to a variety of data, including a series of semi-structured interviews, EAEU official documents, public statements of the EAEU/member state officials, and secondary sources as well. And finally, the Conclusion will come back to the initial research question and discuss the broader implications of the EAEU for the changing international order. Therein, it will also look beyond this case study and consider the wider significance of this thesis. It will ponder over what this research on OMAs can tell us about the transformation of international order in general.

We have three major contributions to scholarship expected from this research. First, this thesis proposed an *agency-based, bottom-up* approach to the transformation of international order. Although in the existing literature scholars have conceptualised the changing international order, predicted what lies ahead, and touched upon the reasons behind this transformation, few studies have focused on a specific actor and trace its order-building efforts within a specific regional context. We single out the EAEU as an OMA and intensively examine how it may contribute to the changing international order in a bottom-up way.

Second, this research looks beyond great powers and power struggles in regional dynamics, offering an alternative account of the EAEU to gain a better picture of its own role, as an OMA, in shaping the local and regional

environment. This thesis adds to an increasing literature that underlines the region's subjectivity and inherent resilience.<sup>85</sup> It offers a regionally based, people-focused account of the EAEU, which serves as a counter argument to a power-based, geopolitically focused narrative in the existing literature.

Third, a theoretical contribution is expected to emerge, which aims to explore the key elements of an OMA and the process of how an actor approaches order-building. This novel constitutive theory will consider an established field of study on actorness in scholarship, but also seeks to overcome its limitations. The framework developed in this research aims to be as broad as possible in its scope, reaching out to various kinds of OMAs beyond a narrow focus on the EU. Furthermore, instead of merely looking at the characteristics of being an actor, this new theory will focus on an actor's role vis-à-vis order making, and in the meantime, link it to the great phenomenon of global reordering.

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<sup>85</sup> Kalra, '*Locating Central Eurasia's Inherent Resilience*', (31 December 2021).

## **Chapter 2. Multiple Actors, Different Missions: A Historical Review of Actors in the Post-Soviet Space and their Contributions to Regional Order**

Our enquiry into OMAs starts with some post-Soviet history. The disintegration of the Union of Soviet Socialist Republics (USSR) occurred largely as a political shock, particularly for Central Asian countries who preferred to remain in a reformed union. Due to the decay of the USSR, intra-Soviet relations drastically turned to international relations in the 1990s. The evolution of post-Soviet regionalism or regional organizations were not intentionally designed by Soviet leaders, and therefore, there is no real literature accounting for how dynamics during the Soviet era may affect international relations or regionalism in the post-Soviet space.

After the implosion of the USSR, this region was characterised by grouping and regrouping of states, which turned into a kaleidoscope of regional organizations and actors.<sup>1</sup> It offers us a rich empirical background to look at various actors and their contributions to regional order. Bearing this in mind, this chapter continues the discussion in the Introduction by looking at actors in the post-Soviet space from a historical perspective. Specifically, it offers a

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<sup>1</sup> For example, see a table presented in Irina Molodikova, 'Two Decades of CIS Coexistence: The Transformation of the Visa-Free Movement', in Sonja Nita, Antoine Pécoud, Philippe de Lombaerde, Kate Neyts, Josh Gartland and Paul de Guchteneire (eds.), *Migration, Free Movement and Regional Integration* (Paris: UNESCO Publishing and UNU Institute on Comparative Regional Integration Studies, 2017), p. 315.

historical background to the actor-order nexus posited in the Introduction. Herewith, instances of regional integration across the post-Soviet space will be explored as order-making processes by various actors. Meanwhile, the latest integrative efforts with a predominantly economic rationale represented by the EAEU need to be understood historically as well. After all, the formation of the EAEU has deep historical roots that we cannot ignore. At the end of this historical chapter, we will arrive at a more detailed case selection justification about why this thesis chose the EAEU as the case to study, amongst numerous regional organizations or unions, as a more solid OMA.

This chapter explores post-Soviet historical developments with a focus on three cases: the CIS, the CSTO and the EAEU. Put briefly, these three organizations could be broadly considered as political, security and economic actors respectively, to help examine the order-making dynamics. Of course, each is far more nuanced than is presently categorised. For example, the CIS was initially expected to become an international organization covering comprehensive issue areas, including political, security, economic and social aspects. This was understandable against the disintegration of the USSR, which drastically turned the internal relations within a state into international affairs. However, the CIS clearly did not fulfil this expectation. Instead, the CIS turned out to be a political actor that established the foundational principles for the newly independent states in the 1990s, while giving birth to subsequent

organizations focused more narrowly on security issues (the CSTO) and economic relations (the EAEU). With the conceptualisation of the actor-order nexus developed in the previous chapter, this historical review approaches the three integration projects by assessing them as potential OMAs in the post-Soviet space.

Chapter 2 also serves as a bridge between the Introduction and the theory to be developed in Chapter 3. The Introduction opened the discussion of the OMAs in world arena and situated it within a broader context of the transformation of international order. Herein, this needs to be complemented by a more detailed historiography of post-Soviet integrations. Chapter 2 aims to forward the discussion started in the Introduction with more detailed empirical materials. Thereafter, Chapter 3 will be devoted to a theory that explores the constitution of an OMA and assesses the order-building process. In other words, by looking back at the performance of the CIS, the CSTO, and the EAEU, Chapter 2 will seek to capture the key factors that constitute an OMA, and thus orient this research towards the following theoretical discussion.

The selection of the CIS, the CSTO and the EAEU amongst various organizations needs further justification, particularly given that in the post-Soviet space a surprising number of integration projects co-exist, often with overlapping members and functions. These initiatives include macro-regional or pan-regional organizations (e.g., the SCO), geographically regional

projects (the three organizations to be covered in Chapter 2), and sub-regional organizations (see below). In this chapter, we single out the CIS, the CSTO, and the EAEU due to three considerations. First, all these three organizations are truly regional to the extent that they are formed by post-Soviet states without the participation of states outside this region. Examples of pan-regional projects would be the SCO, which includes outside powers like China and India, and the Organization of Black Sea Economic Cooperation (BSEC), which includes plenty of states outside the post-Soviet space, such as Turkey and Greece. For a more focused discussion of the *regional* dynamics, this chapter will exclude those organizations with a rather loosely-defined regional scope.

Second, Russia is a key member of all these three organizations. Organizations without Russia as a member are best considered as reactive or sub-regional projects. Those mainly refer to the sub-regional initiatives, such as the Central Asian Cooperation Organization, and the GUAM Organization of Democracy and Development. Such projects are reactive to the extent that they were primarily designed to balance the region's hegemon. As Slobodchikoff observes, 'the GUAM is an organization that was founded specifically to try to limit Russia's regional influence'.<sup>2</sup> Similarly, Molodikova also points out that 'new unions such as the GUAM served as a counterbalance to Russia'.<sup>3</sup>

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<sup>2</sup> Michael O. Slobodchikoff, *Building Hegemonic Order Russia's Way: Order, Stability, and Predictability in the Post-Soviet Space* (Lanham: Lexington Books, 2014), p. 88.

<sup>3</sup> Molodikova, 'Two Decades of CIS Coexistence', p. 328.

Therefore, considering their contributions to order-making on the whole region's level, these organizations are less important, whereas the CIS, the CSTO, and the EAEU deserve more attention as actors with ambitions or capabilities to shape the regional order.<sup>4</sup>

Finally, the three selected projects fit nicely with our overall purpose of capturing key factors that can empower an actor in order-building campaigns. The CIS, the CSTO, and the EAEU vary in their missions, their institution-designs, and their contributions to the regional order. Therefore, an investigation into the three projects help us better understand what we need to consider as key elements of an OMA. A historical review of the three organizations also helps illustrate the logic and trend of post-Soviet integrations. Comparing the CIS, the CSTO and the EAEU in our discussion shows how actors was created, how they declined, and how new actor emerged. In this regard, our main argument is that the CIS was initially designed as an international organization with a comprehensive mandate. However, it turned out to be more of a political actor delivering a relatively orderly disintegration to prevent regional chaos. The roles of more effective order-making in other issue areas were taken on by other actors (i.e., the CSTO and EAEU) that evolved or developed from the CIS.

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<sup>4</sup> By no means do I dismiss these sub-regional projects or organizations. Conversely, they are interesting to the extent that they are championed by the outsiders or sceptics of regional integration or the regional order-making process. GUAM is a typical example, which includes Azerbaijan, Georgia, and Uzbekistan. All these states are strong pessimists of deep regional integration.

Next, the discussion will cover the CIS, the CSTO and the EAEU separately. To facilitate a comparative discussion, the sections on the CIS and the CSTO will follow a similar structure. First, it will look at the assigned mission or purpose of the actor. Second, the institutionalization aspect of the organization will be examined. Third, we will look at the change of membership in each organization and how the regional hegemon, Russia, contributed to this change, and how Russia's behaviour has affected the other member states' commitments. Finally, the role of each actor regarding its contribution to regional order-building will be assessed. In terms of the EAEU, this chapter will mainly focus on its historical origins and phases of development, and thus will not strictly follow this structure. However, all the aspects listed here (i.e., the mandate/purpose, the institutionalization aspect, and the membership issue) will also be applicable to the analysis of the EAEU. Chapters 4–6 will then provide a more detailed analysis of the EAEU, which considers the insights gained herein.

## ***2.1. The CIS: an order-making or disorder-preventing actor?***

### **2.1.1. Mission of the CIS: a paradox**

The CIS was created immediately in the aftermath of the collapse of the USSR. It was designed by the newly independent states to serve as a substitute for the Soviet state to contain the shock after its collapse. Amongst all the regional organizations in the post-Soviet space, the CIS has the broadest geographical scope. At its initial stage, it included almost all the post-Soviet states except the

three Baltic states. However, in terms of the assigned mission or purpose of the CIS, it presented a paradox. On the one hand, the CIS was quite successful at facilitating an orderly and peaceful disintegration of the Soviet Union, avoiding the eradication of ties between states in the region. This serves as the most important achievement of the CIS as a political actor. Nevertheless, on the other hand, it was overloaded with a range of other integration agendas, which the CIS failed to deliver.

The most visible role of the CIS is to localise the newly gained sovereignty of the post-Soviet states. It succeeded in securing the sovereignty and new borders of the newly independent states. These fundamental principles were enshrined in the CIS charter and subsequent documents. For example, in Article 1 of the Charter, it was confirmed that ‘the Commonwealth shall be based on sovereignty equality of its members, shall not be a state and shall not be supranational’.<sup>5</sup> The Declaration on respect for sovereignty, territorial integrity and immunity of borders of the State Parties of the CIS reiterated ‘the principles of sovereignty, territorial integrity and inviolability of frontiers’.<sup>6</sup> These political achievements of the CIS are significant, as the previous internal administrative borders were generally accepted and respected by the post-Soviet states. This ensured that the disintegration of the USSR was

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<sup>5</sup> United Nations Treaty Series, Vol. 1819, No. 31139, ‘Charter of the Commonwealth of Independent States (with declarations and decisions)’, 22 January 1993, p. 59.

<sup>6</sup> See CIS Legislation, ‘Declaration on respect for sovereignty, territorial integrity and immunity of borders of the States Parties of the Commonwealth of Independent States’, 15 April 1994, < <https://cis-legislation.com/document.fwx?rgn=3921>> (29 April 2019).

achieved in a rather peaceful and orderly manner.

Besides, the CIS served as a symbol of the integrity of the post-Soviet space, although this integrity was largely nominal at best. After the collapse of the USSR, the CIS managed to include most of the former Soviet republics, except the Baltic states who were determined to join the European political, economic, and security architecture from the very beginning. All the other 12 post-Soviet states officially signed the CIS Treaty, although not all of them were official members due to treaty ratification issue (Ukraine and Turkmenistan). But anyway, the CIS was the only organization after the collapse of the USSR that could maintain the integrity of the post-Soviet space by including most of the newly independent states as its members. Indeed, the comprehensive membership of the CIS is genuinely unique. This comprehensiveness ensured the integrity (however symbolic and compromised) of the post-Soviet space, which speaks to Leonov and Korneev's claim that 'disintegration of the post-Soviet space was never completed'.<sup>7</sup>

However, apart from these political arrangements the CIS managed to make, it was also assigned with responsibility for other issue areas — coordinating security, economic development and trade cooperation, particularly at the very early stage of its establishment. Here it would suffice to

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<sup>7</sup> Andrey Leonov and Oleg Korneev, 'Regional Migration Governance in the Eurasian Migration System', in Andrew Geddes, Marcia Vera Espinoza, Leila Hadj Abdou, and Leiza Brumat (eds.), *The Dynamics of Regional Migration Governance* (Northampton, MA: Edward Elgar Pub., 2019), p. 205.

give the examples of the issue areas the CIS aimed to cover. In terms of security, at the initial stage there was a CIS High Command being formed, which was subsequently disbanded and replaced by a slimmed down Staff for Military Cooperation and Coordination.<sup>8</sup> A long-lasting initiative alongside the CIS framework was the CSTO. To address the security needs, six CIS countries signed the Collective Security Treaty on 15 May 1992 in Tashkent. However, with new members signing it, this treaty was further formalised and materialised into the CSTO in 2001. Henceforth, the CSTO became an independent organization that has co-existed with the CIS.

Economic integration has also been covered within the CIS framework since its foundation. In the Alma-Ata Declaration of 21 December 1991, the CIS countries confirmed 'allegiance to cooperation in the formation and development of the common economic space, and all-European and Eurasian markets'.<sup>9</sup> This was further consolidated by an Economic Union Treaty signed at the Council of Head of States in September 1993, which included means such as an Inter-State Free Trade Association, a Customs Union, and a Payments Union, etc.<sup>10</sup> However, this turned out to be another failed attempt to effectively integrate the CIS economies. As Kubicek observed, 'in 1993 failure to establish a payments union and coordinate currency emissions led to

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<sup>8</sup> Richard Sakwa and Mark Webber, 'The Commonwealth of Independent States, 1991–1998: Stagnation and Survival', *Europe-Asia Studies*, 51 (3), 1999, p. 383.

<sup>9</sup> Zbigniew Brzezinski and Paige Sullivan (eds.), *Russia and the Commonwealth of Independent States: Documents, Data, and Analysis* (Abingdon, Oxon: Routledge, 2015), p. 48.

<sup>10</sup> Sakwa and Webber, 'The Commonwealth of Independent States, 1991–1998', pp. 386–387.

the collapse of the ruble zone, while the CIS-wide economic union remains a mirage'.<sup>11</sup>

Although the CIS was intended to promote economic and security integration, they never became fully-fledged within the CIS framework. This is understandable, because we cannot expect an actor dedicated to easing disintegration and breakup of the old arrangement to be good at facilitating integration and establishing new arrangement at the same time. This contradictory mission was impossible for the CIS to accomplish.

### **2.1.2. Institutionalization**

The CIS clearly did not turn out to be a successful actor to deliver effective order making in all the issue areas that it was initially designed to cover. This section explores one of the key weaknesses of the CIS as an actor, which is its institutionalization problem, aiming to show how the CIS was compromised.

The degree of institutionalization is a key aspect to examine the performance of the CIS. Boehmer et al make a crucial argument that 'intergovernmental organizations (IGOs) are institutionally heterogeneous and the degree of institutionalization serves as an independent variable'.<sup>12</sup> They further develop a scale of institutionalization, ranging from minimal

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<sup>11</sup> Paul Kubicek, 'End of the Line for the Commonwealth of Independent States', *Problems of Post-Communism*, 46 (2), March/April 1999, p.17. Another issue area the CIS aimed to cover is migration, as the Bishkek Agreement was signed in 1992 to ensure the visa-free movement for citizens of the CIS members. This would be the social dimension of the CIS mission.

<sup>12</sup> Charles Boehmer, Erik Gartzke, and Timothy Nordstrom, 'Do Intergovernmental Organizations Promote Peace?', *World Politics*, 57 (1), October 2004, p. 5.

organizations (weak institutionalization), to structured organizations (medium), and to interventionist organizations (strong).<sup>13</sup> Based on this scale and the criteria, Slobodchikoff argues that 'the CIS is an interventionist IGO since not only does it have a professional bureaucracy, but it also has a dispute settlement mechanism (the Economic Court in Minsk)'.<sup>14</sup>

However, one feature of the CIS has seriously impaired its degree of institutionalization and its strength as an interventionist organization. Although there have been different terms in existing literature, they describe the same phenomenon. Kubicek observes that 'the principle of consensus of interested parties, meaning that one can associate or not with CIS agreements however one sees fit, has hampered the development of the CIS as a cohesive bloc'.<sup>15</sup> Similarly, Hansen noted that 'CIS member states developed a habit of picking and choosing from the overall CIS menu, or opting-out'.<sup>16</sup> Even Slobodchikoff himself acknowledges that the CIS was designed to involve a 'flexible structure, which allowed member states to sign only those multilateral agreements which they deemed beneficial to their own interests'.<sup>17</sup>

One of the consequences of this weakened institutionalization is what

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<sup>13</sup> Ibid., p. 18. According to Boehmer, Gartzke, and Nordstrom, minimal organizations contain plenary meetings committees without an extensive bureaucracy; structured organizations contain this bureaucracy to implement policy; interventionist organizations contain mechanisms for mediation, arbitration and adjudication, and/or other means to coerce state decisions.

<sup>14</sup> Slobodchikoff, *Building Hegemonic Order Russia's Way*, p. 74.

<sup>15</sup> Kubicek, *End of the Line for the Commonwealth of Independent States*, p. 16.

<sup>16</sup> Flemming Splidsboel Hansen, 'Integration in the Post-Soviet Space', *International Area Studies Review*, 16 (2), June 2013, p. 143.

<sup>17</sup> Slobodchikoff, *Building Hegemonic Order Russia's Way*, p. 75.

Sakwa and Webber call 'absenteeism of the CIS structure'.<sup>18</sup> Since CIS member states have substantial flexibility and freedom to choose from the CIS agreements and bodies, participation and active membership have been seriously compromised. A good example is given by Sakwa and Webber that 'taking CIS structures as a whole, the greatest non-participation has occurred among Turkmenistan (31 bodies), Georgia (28), Azerbaijan (22), Ukraine (16), Moldova (12), and Uzbekistan (8)'.<sup>19</sup> This clearly shows the rather limited commitment of many newly independent states to the CIS, particularly given that the 1990s witnessed the process of their own state-building. The reluctance to participate is widespread, even though the CIS was not even a supranational organization.

Another implication concerns the legal binding force and enforcement within the CIS as an IGO. Sakwa and Webber refer to this as 'legal nihilism, which describes the weak legal basis of CIS decisions and the lack of procedures to ensure their implementation'.<sup>20</sup> Therefore, coming back to Slobodchikoff's argument that the CIS is an interventionist organization, this 'interventionist element' may only exist in theory while not in practice. Although the Economic Court was designed to serve as a mechanism of settlement and enforcement, in practice Danilenko has pointed out 'the non-

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<sup>18</sup> Sakwa and Webber, *The Commonwealth of Independent States, 1991–1998*, p. 395.

<sup>19</sup> Ibid. Originally from *Izvestiya*, 18 March 1998.

<sup>20</sup> Ibid., p. 396.

binding nature of its judgments and the weaknesses of the enforcement'.<sup>21</sup>

Therefore, from the perspective of institution-building, the CIS suffered from lack of commitment, passive participation, and weak enforcement. These factors were not an obstacle to the CIS facilitating a civilised divorce after the collapse of the USSR. However, they were detrimental to further deepening integration between the post-Soviet states.

### **2.1.3. Change of membership and the Russian factor**

Due to varying degrees of commitment, within the CIS sub-blocs arose with different attitudes towards further integration. Hansen observes that among the CIS countries, 'the strongest pro-integration core holds Russia, Belarus and Kazakhstan, while the middle circle contains the positive yet somewhat distanced members Armenia, Azerbaijan ....., while the outer circle holds the CIS dissidents Moldova, Turkmenistan and Ukraine'.<sup>22</sup> At the same time, a strong and solid pro-integration core has gradually emerged, including Russia, Belarus and Kazakhstan, which has been termed 'the Eurasian Troika'<sup>23</sup> by Leonov and Korneev. It is exactly this strong pro-integration core that forms the basis of the subsequent deeper economic integration represented by the EAEU. On the contrary, the outer circle (and some of the states from the middle circle as well) has generally split from subsequent re-integration, not to mention that

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<sup>21</sup> Gennady M. Danilenko, 'The Economic Court of the Commonwealth of Independent States', *New York University Journal of International Law & Politics*, Vol. 31 (4), Summer 1999, p. 907.

<sup>22</sup> Hansen, 'Integration in the Post-Soviet Space', p. 144.

<sup>23</sup> Leonov and Korneev, 'Regional Migration Governance in the Eurasian Migration System', p. 211.

some outer-circle countries went further to establish their sub-regional unions or projects.

Meanwhile, the Russian factor within the CIS should not be ignored. As the regional hegemon and the key member in the CIS, Russia attempted to impose its hegemonic power and even reverse the foundational CIS principles, which has undermined the credibility of the CIS and contributed to the change of membership. Russian hegemony has been particularly notable towards some of the CIS countries rather than the whole region. The consequence is the withdrawal of certain members from the CIS.

Russia's hegemonic approach of bringing other states in line has not equally targeted all the CIS countries. Kubicek points out that 'one of the leading targets was Ukraine, who disagreed on the principles of the CIS, and quarreled with Moscow over the return of Soviet nuclear weapons to Russia, the status of Crimea, the division of the Black Sea Fleet, and rights for the 11 million ethnic Russians living in Ukraine'.<sup>24</sup> Economic coercion and the exploitation of Ukraine's energy dependence became an important part of Russia's foreign policy toolkit, such as 'charging world prices for fuel shipments to Ukraine and even cutting of supplies'.<sup>25</sup>

This hegemonic approach eventually undermined the CIS as a credible

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<sup>24</sup> Kubicek, *End of the Line for the Commonwealth of Independent States*, p. 19.

<sup>25</sup> Ibid.

IGO, resulting in the withdrawal of its members. In the 1990s Russia has been reluctant to recognize the Ukrainian border. It was suggested by Bukkvoll that 'Ukrainian independence was perceived a temporary phenomenon, which was very hard to accept for many Russians'.<sup>26</sup> The border issues became frozen but not, resolved. In 2014 it eventually culminated in a geopolitical crisis. To refer to the latest dynamics, in February 2022 Russia formally recognised the independence of Donetsk People's Republic and Lugansk People's Republic, further damaging Ukraine's territorial integrity. Russia's hegemonic approach has dramatically changed the previously respected Soviet administrative borders and thus overturned the CIS's fundamental principles.

As a result, Russia's earlier annexation of the Crimea led to Ukraine's decision to end its participation in the CIS from 2014 and to seek NATO membership. Given Ukraine's withdrawal from all statutory bodies of the CIS since 2018, there has been a final and decisive split between Ukraine and all the Russia-involved integration projects.<sup>27</sup> Another example is Georgia's withdrawal from the CIS in August 2008, as a consequence of the Russo-Georgian war and Russia's recognition of Georgia's separatist republics. In this regard, Allison observes that 'Russia overturned a foundational CIS-wide regional norm, which is that the only territories of the formal Soviet Union that

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<sup>26</sup> Tor Bukkvoll, 'Off the Cuff Politics: Explaining Russia's Lack of a Ukraine Strategy', *Europe-Asia Studies*, 53 (8), December 2001, p. 1142.

<sup>27</sup> Arguably, these events eventually lead to Russia's war against Ukraine.

merited recognition would be those first-level administrative subdivisions of the old Soviet state—the Union Republics'.<sup>28</sup> Therefore, even the symbolic integrity of the region has been gradually compromised.

#### **2.1.4. Performance of the CIS**

Given the ambition of re-integration at the stage of its design, it was understandable that people had high expectations for the CIS, which turned out to be far too unrealistic and thus unfulfilled. There has been criticism and disappointment suggested in scholarship. For example, Sakwa and Webber are particularly disappointed at the achievements of the CIS, arguing that 'seven years after its creation, the CIS has failed to integrate the Soviet successor states in any meaningful sense: no Commonwealth citizenship, no standing joint armed forces and no common currency'.<sup>29</sup> Interestingly enough, their critique is based on the assumption that the CIS should 'meaningfully' integrate the post-Soviet space in almost all the above-mentioned issue areas. However, we argue herein that CIS should be treated both as a success and a failure. It is rather successful at preventing regional chaos, while ineffective at effective order building.

Perhaps Putin's comments on the CIS in March 2005 in Yerevan offers us a prism through which we can treat the achievements of CIS more fairly:

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<sup>28</sup> Roy Allison, *Russia, the West, and Military Intervention* (Oxford: Oxford University Press, 2013), p. 165.

<sup>29</sup> Sakwa and Webber, *The Commonwealth of Independent States, 1991–1998*, p. 379.

If anyone expected some special achievements from the CIS, for example regarding the economy or cooperation in political, military, or other spheres, this indeed did not happen, nor could it have happened. ... In reality the CIS was established so as to make the process of the USSR's dissolution the most civilized and smooth one, with the fewest losses in the economic and humanitarian spheres.<sup>30</sup>

It would be indeed unrealistic to expect the CIS to be a highly effective order-making actor which could serve as a substitute of the USSR. We should not forget that the CIS was created immediately after the collapse of the USSR. The disintegration of the old arrangement was a shock in every aspect of political, economic, and social life. In the immediate aftermath of this shock, it would be extremely difficult to re-establish an order that covers the whole region, particularly given the various commitments among the post-Soviet states. Against the breakdown of the old arrangement (and the shock it entails), the CIS turned out to be a political actor to deliver an orderly disintegration and to successfully prevent regional disorder. The political element survived long enough to contain and ease the shock. As a disorder-preventing political actor, the CIS ensured that the newly independent states did not interact with each other in a chaotic way. After all, during the transition period of the 1990s, the CIS had a remarkable role in nationalising sovereignty and securing the borders

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<sup>30</sup> See Irina Kobrinskaya, 'The Post-Soviet Space: From the USSR to the Commonwealth of Independent States and Beyond', in Katlijn Malfliet, Lien Verpoest, and Evgeny Vinokurov (eds.), *The CIS, the EU and Russia* (Basingstoke, Hampshire: Palgrave Macmillan, 2007), pp. 14–15.

of the newly independent states. If we assume that CIS membership is a sign of subscribing to these foundational principles and norms (sovereignty, territorial integrity, and borders), we can argue most of the post-Soviet states remained in this organization and thus championed the CIS underlying principles.<sup>31</sup> Unfortunately, Russia's military operations against Ukraine in 2022, and its recognition of the two separatist republics in Donbass have largely overturned these principles and norms, and thus have further damaged the accomplishments of the CIS. If, before 2022, the CIS can be regarded as a successful disorder-preventing political actor, the 2022 Ukraine War has turned its previous success into failure.

The fact that the CIS did not turn out to be an effective OMA should have been frustrating, but it did not come as a surprise. Several obstacles hindered the CIS's ambition of effective order-building. First, states with strong commitments to deep and more meaningful integrations remained a minority in the CIS, not to mention that Ukraine and Georgia have decisively split from its orbit. Second, the soft and flexible choose-freely-from-the-menu approach to institutionalization in the CIS further undermined the discipline and cohesion within the organization. Consequently, states went on to establish other regional organizations that could assume the role of more effective order-making in military and economic areas. In this sense, the CIS provided the ground for the

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<sup>31</sup> Georgia and Ukraine serve as the exceptions here, which indicates that the CIS foundational principles have been generally accepted but occasionally violated.

subsequent deeper integration with sufficient institutional and ideational legacies. In this regard, Molodikova observes that ‘the CIS was a platform for the foundation of other regional organizations’.<sup>32</sup> True, within the CIS framework, a strong pro-integration core has been formed, which contributed to the emergence of other actors that were able to deliver deeper and substantial integration. Interestingly, the roles of more effective order making in security, economic realms (the roles that the CIS was not able to fulfil) were taken on by the new actors (CSTO, EAEU) evolved or derived from the CIS. History has shown that these new actors are inextricably linked to the CIS.

Therefore, the role of the CIS regarding its contribution to regional order can be conceptualised as a *disorder-preventing political actor*, and at the same time, a seminal platform that gives birth to the subsequent new actors. The following sections will explore the historical development of the CSTO and the EAEU, and particularly how they have drawn upon the legacies of the CIS.

## ***2.2. The CSTO as a security actor: strictly-defined mandates and the regional security arrangement***

This section turns to the CSTO as a potential OMA in the field of security. Contrary to the CIS, the CSTO was designed as an organization specifically dedicated to security, while not including all the CIS members. If the CIS was comprehensive in terms of both its scope of mission and membership, the

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<sup>32</sup> Molodikova, ‘Two Decades of CIS Coexistence’, p. 314.

CSTO clearly had a much narrower focus.

It is helpful to briefly cover the historical development of the CSTO<sup>33</sup> before we proceed with the argument. The CSTO was established based on the Collective Security Treaty (CST) signed on 15 May 1992 in Tashkent. Technically, this treaty was not signed within the CIS framework, and the CST mechanisms remained largely autonomous.<sup>34</sup> That said, according to the official view represented by the CSTO Secretary General N. Bordyuzha, ‘the CST system from the start was seen by its architects as the military-political dimension of the activities in the framework of the CIS’.<sup>35</sup> This shows that the CST mechanism was closely linked to the CIS. In 2002, on the 10<sup>th</sup> anniversary of the Tashkent Treaty, the CST was reorganized into the CSTO, with its own charter and an international legal status. Since its establishment, the CSTO has become a rather more independent organization.

In terms of its membership, not all the CIS members signed the CST or joined the CSTO. In 1992, the six post-Soviet states who signed the CST included Russia, Armenia, Kazakhstan, Kyrgyzstan, Uzbekistan, and Tajikistan. In the next year, another three countries signed the Treaty, including Azerbaijan, Belarus, and Georgia. However, when the CSTO was established in 2002, only

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<sup>33</sup> For general reference of the historical development of the CSTO, see Nikolai Bordyuzha, ‘The Collective Security Treaty Organization: A Brief overview’, trans. from Russian into English by Peter Morley, in Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2010* (Baden-Baden, 2011), pp. 339–350.

<sup>34</sup> Elena F. Dovgan, ‘CSTO’s International Legal Framework’, in Anatoliy A. Rozanov and Elena. F. Dovgan (eds.), *Collective Security Treaty Organization 2002–2009*, DCAF Regional Programmes Series no. 6 (Geneva/Minsk: The Geneva Centre for the Democratic Control of Armed Forces, 2010), p. 20.

<sup>35</sup> *Ibid.*

six countries agreed to create and join the organization. Therefore, the founding members of the CSTO were Russia, Armenia, Kazakhstan, Kyrgyzstan, Tajikistan, and Belarus. Uzbekistan's status has been changing. Although it signed the initial CST, Uzbekistan did not join the CSTO until 2006. In 2012, Uzbekistan suspended its membership in the CSTO, keeping a rather detached stance regarding this organization. Interestingly, the CIS and the CSTO memberships overlap but not identical, and some of the severe inter-state conflicts occur exactly between a CIS/CSTO member (Russia), and CIS but non-CSTO members (Georgia). As we shall see, this will make the roles of the CSTO particularly interesting to explore.

Next, the discussion of the CSTO will follow the structure of the previous section. First, the CSTO was established as an organization with a clearly-stated and narrowly-defined mandate, while at the same time, the CSTO member states have developed a common understanding of 'security'. Second, this section will look at the institutionalization aspect of the CSTO. Third, the change of CSTO membership and the Russian factor within the CSTO will be covered. Like the CIS, the Russian factor contributed to the changing commitments of other member states (in this case Uzbekistan). Finally, informed by the 'regional security complex theory'<sup>36</sup> developed by Buzan and

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<sup>36</sup> For general reference of their theory, see Barry Buzan and Ole Wæver, *Regions and Powers: The Structures of International Society* (Cambridge: Cambridge University Press, 2003), pp. 40–76. Basically, they argue that security is regionalised and territorialised. They define a regional security complex (RSC) as 'a group of states or other entities that possess a degree of security interdependence sufficient both to establish them as a linked set and to differentiate them from surrounding security regions'. The discussions in this chapter draw upon their theory and its key concepts.

Wæver, we examine the role of the CSTO in two selected conflicts. We argue that it would be unfair to dismiss the CSTO's relevance, as it managed to contribute to a regional security arrangement. Nevertheless, although a regional security order made by the CSTO was in place, it shows certain weaknesses and limitations within the regional context.

### **2.2.1. Strictly-defined mandates and a common security identity**

Both the initial CST signed in 1992, and the CSTO established in 2002 have strictly-defined mandates. In terms of the CST, Article 4 stipulates that 'in the case of an act of aggression against any of the member states, all other member states will provide to it all necessary assistance, including military assistance'.<sup>37</sup> Clearly, the CST was a treaty dedicated to countering external aggression or threats. In this regard, Rozanov argues that 'conceptually, the CST is of a strictly defensive nature, with priority on political tools for prevention and resolution of military conflicts'.<sup>38</sup> Allison observes that 'the Tashkent Treaty (i.e., the CST) specified the common task of fighting local wars and stopping armed conflicts. But its principal focus was defence against external aggression and this failed to offer a legitimate basis for intervening in conflicts within CIS states'.<sup>39</sup> In the 1990s, against the backdrop of the breakup of the USSR and

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<sup>37</sup> Anatoliy A. Rozanov, 'CSTO Evolution', in Anatoliy A. Rozanov and Elena. F. Dovgan (eds.), *Collective Security Treaty Organization 2002–2009*, DCAF Regional Programmes Series no. 6 (Geneva/Minsk: The Geneva Centre for the Democratic Control of Armed Forces, 2010), pp. 4–5.

<sup>38</sup> *Ibid.*, p. 5.

<sup>39</sup> Allison, *Russia, the West, and Military Intervention*, p. 128.

the newly gained independence, the North Atlantic Treaty Organization (NATO) was perceived by the post-Soviet states as a primary external threat. Slobodchikoff points out that 'Russia was threatened by NATO's actions, while other CST member states were apprehensive about NATO's intentions, particularly given that the US withdrew from the promise of not expanding NATO'.<sup>40</sup> As a consequence, these states decided to develop collective security mechanisms outside the CIS to meet their security needs.

Articles in the CSTO Charter have largely been consistent with the initial goals articulated in the CST, with particular emphasis on the independence, territorial integrity, and sovereignty of the member states. For example, Article 3 stipulates that 'the purposes of the Organization are to strengthen peace and international and regional security and stability and to ensure the collective defence of the independence, territorial integrity and sovereignty of the member states'.<sup>41</sup> Article 5 emphasizes that 'the Organization shall operate on the basis of *strict respect for the independence*, voluntary participation and equality of rights and obligations of the member States and *non-interference* in matters falling within the national jurisdiction of the member states'.<sup>42</sup> Therefore, in sharp contrast to the comprehensive mandates of the CIS, the CSTO was tasked with specifically and even strictly defined mandates, which is to address

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<sup>40</sup> Slobodchikoff, *Building Hegemonic Order Russia's Way*, p. 86.

<sup>41</sup> Collective Security Treaty Organization, 'Charter of the Collective Security Treaty Organization, dated October 07, 2002', 27 April 2012, < [https://en.odkb-csto.org/documents/documents/ustav\\_organizatsii\\_dogovora\\_o\\_kollektivnoy\\_bezopasnosti\\_/](https://en.odkb-csto.org/documents/documents/ustav_organizatsii_dogovora_o_kollektivnoy_bezopasnosti_/)> (13 December 2021).

<sup>42</sup> Ibid. Italics are added by the author.

external security challenges by means of collective defence. In this regard, Allison observes that ‘the original Charter mandate has a focus on security challenges and threats external to CSTO states’.<sup>43</sup> Furthermore, CSTO member states view independence, territorial integrity, sovereignty, and non-interference in domestic affairs as priorities in addressing their security needs.

The mandates of the CSTO and its Charter represent a shared understanding of ‘security’ among its member states. Jackson argued that ‘all these countries share common statist and collective political values, which frame a common understanding and discourse of security that includes a strong support for Westphalian “hard sovereignty”, non-intervention, protection of state borders, and stability’.<sup>44</sup> Not surprisingly, the CSTO and its members take an approach to security that is different from the western-liberal one, which puts particular emphasis on the human aspect of security and often involves intervention in order to protect human rights. This common security identity (and practice) shared by CSTO members have been noted by scholars, although they give it different terms. For example, Jackson terms it ‘statist multilateralism’<sup>45</sup>, while Allison calls this phenomenon ‘protective integration, which is intended to be sovereignty enhancing and to bolster regime security,

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<sup>43</sup> Roy Allison, ‘Protective Integration and Security Policy Coordination: Comparing the SCO and CSTO’, *The Chinese Journal of International Politics*, 11 (3), Autumn 2018, p. 324.

<sup>44</sup> Nicole J. Jackson, ‘Trans-Regional Security Organizations and Statist Multilateralism in Eurasia’, *Europe-Asia Studies*, 66 (2), March 2014, p. 184.

<sup>45</sup> *Ibid.*, p. 199.

stability, and legitimacy'.<sup>46</sup>

### **2.2.2. Institutionalization**

The institutional design of the CSTO is largely based on the principle of consensus. Consensus thus serves as a uniform decision-making mechanism for all CSTO bodies.<sup>47</sup> The highest body within the CSTO is the Collective Security Council (CSC), which is composed of the Heads of State of its members. Besides, there are several councils serving as advisory and executive bodies, including the Council of Foreign Ministers (CFM) and the Council of Defence Ministers (CDM). The more functional bodies include a Committee of the Secretaries of the Security Council (CSSC), a CSTO Parliamentary Assembly, and a professional Secretariat. In military sense, the deployable CSTO mechanisms include a peacekeeping force created in 2007, and a Collective Rapid Reaction Force (CRRF) created in 2009.<sup>48</sup>

From the institutionalization perspective, the CSTO shifted away from the CIS 'pick-and-choose' approach in two important ways. First, it is stipulated that the decisions of the highest body (CSC), and the subsequent implementation decisions of the executive bodies (CFM, CDM, and CSSC) are mandatory. This is enshrined in the CSTO's founding document. For example, Article 12 of the Charter stipulates that 'the decisions of the Council and decisions by the CFM,

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<sup>46</sup> Allison, *'Protective Integration and Security Policy Coordination'*, p. 297.

<sup>47</sup> Dovgan, *'CSTO's International Legal Framework'*, p. 44.

<sup>48</sup> For general reference of the institutional design of the CSTO, see Slobodchikoff, *Building Hegemonic Order Russia's Way*, pp. 85–88; see also Dovgan, *'CSTO's International Legal Framework'*, pp. 37–44.

the CDM, and the CSSC for the implementation of Council decisions shall be binding on the member states'.<sup>49</sup> Second, sanctions are introduced in case of failure to implement the decisions. According to Article 20 of the CSTO Charter, the CSC may suspend a member state's participation in the event of non-fulfilment, and even expel such a member from the CSTO in the event of persistent non-fulfilment.<sup>50</sup>

However, the CSTO only partially solved the institutionalization problem that undermined the CIS. Despite the mandatory decisions and the existence of sanctions in case of non-fulfilment, the use of consensus in CSTO's decision-making process could potentially contribute to weak enforcement and even absenteeism. In this regard, Dovgan observes that 'since in the decision making in CSTO bodies states may declare that they are not interested, it is possible to create new groups of cooperation (of two or three states) as it often happens in the framework of CIS'.<sup>51</sup> At the same time, Dovgan also points out that 'the termination of membership as a sanction for the breach of obligations is extremely rare'.<sup>52</sup> In reality, the decision taken by the CSC to suspend the membership or expel a member has never happened.

Therefore, there seems to be a contradiction in CSTO's institutional design. The binding nature of the decisions of the CSTO bodies aims at strong

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<sup>49</sup> Collective Security Treaty Organization, '*Charter of the Collective Security Treaty Organization*', (13 December 2021).

<sup>50</sup> Ibid.

<sup>51</sup> Dovgan, '*CSTO's International Legal Framework*', p. 45.

<sup>52</sup> Ibid., p. 51.

enforcement. Provisions for sanctions exist, while suspending or even terminating membership is possible. But in practice, the consensus-based decision-making mechanism weakens strong enforcement. Instead, it serves to protect the independence and voluntary participation of member states. Consequently, this type of institutional design prevents the CSTO from being an interventionist security actor in the region.

### **2.2.3. Change of membership and the Russian factor**

Like the CIS, the Russian factor has also contributed to changing commitments of other member states. Specifically, Russia initiated change within the CSTO concerning the CRRF.<sup>53</sup> Uzbekistan was particularly concerned at this, which led to its independent stance on this issue, and finally to the suspension of its membership.

The main concern is about the procedure for deploying the CRRF. According to Article 4 of the Agreement on the CRRF, 'the decision on structure, terms of expansion and use of the contingents is accepted by CSC based on the official appeal of one or several Parties on the basis of consensus or with the consent of the Parties for which this agreement became effective'.<sup>54</sup> Although this article reiterates the principle of consensus, in reality it leaves the

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<sup>53</sup> In the literature the CRRF is also termed the Collective Operational Reaction Forces (CORF). The CORF is consistent with its Russian term, but in this chapter, I follow the term given by the CSTO's official website, which is the Collective Rapid Reaction Forces, created on 4 February 2009. For general reference, see Collective Security Treaty Organization, 'February 4 The Collective Rapid Reaction Force, the CSTO RRF, turns 10 years old', 4 February 2019, < [https://en.odkb-csto.org/news/news\\_odkb/reagirovanie2019/](https://en.odkb-csto.org/news/news_odkb/reagirovanie2019/)> (9 January 2020).

<sup>54</sup> CIS Legislation, 'Agreement on Collective Rapid Reaction Forces of the Collective Security Treaty Organization', 11 June 2009, < <https://cis-legislation.com/document.fwx?rgn=28265>> (9 January 2020).

room for making decision on the basis of majority instead. A member state that has not yet ratified the agreement is thus in the danger of being represented by a majority in the CSC. Rozanov notes that 'as a temporary measure, until the agreement is ratified by all member states, collective forces will be used with the agreement of those countries for which the respective agreements are already in force'.<sup>55</sup>

In light of this, Uzbekistan expressed serious concerns. It abstained from signing the set of documents on the CRRF. Uzbekistan's primary concern is that 'the decision on the deployment of the CRRF should be taken in the CSC based on consensus only, not by the parties for which the agreement came in force'.<sup>56</sup> Furthermore, Uzbekistan also insisted that the use of the CRRF in conflicts in the CIS space and between CSTO states should be prohibited.<sup>57</sup>

This new development within the CSTO finally resulted in a series of opt-out by the member states, a phenomenon earlier observed in the CIS. Uzbekistan has suspended its membership since 2012, 'partly out of frustration over Russian efforts to revise the consensus principle'.<sup>58</sup> Therefore, a CSTO member has reacted to the Russian factor by changing its commitment to the

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<sup>55</sup> Anatoliy A. Rozanov, 'CSTO Political and Military Dimensions', in Anatoliy A. Rozanov and Elena. F. Dovgan (eds.), *Collective Security Treaty Organization 2002–2009*, DCAF Regional Programmes Series no. 6 (Geneva/Minsk: The Geneva Centre for the Democratic Control of Armed Forces, 2010), p. 63.

<sup>56</sup> Zh. M. Kembaeu, 'Legal Framework and the Document Approval Process within CSTO', in A.F. Dovgan and A.V. Rusakovich (eds.) *Collective Security Treaty Organization and Contingency Planning After 2014*, DCAF Regional Programs Series no. 20 (Geneva/Minsk: The Geneva Centre for the Democratic Control of Armed Forces, 2016), p. 130.

<sup>57</sup> Ibid.

<sup>58</sup> Allison, 'Protective Integration and Security Policy Coordination', p. 324.

organization. Russia's efforts to transform the CSTO into a potentially interventionist security actor faced contestations from within.

#### **2.2.4. The CSTO and regional security arrangement: fit for the local purpose?**

This part will assess the roles of the CSTO regarding conflict resolution and its contribution to the regional security order. Two cases are selected for discussion: the conflict in Kyrgyzstan (2010), and the Russo-Georgian conflict (2008). The selection of these two cases is informed by Buzan and Wæver's regional security complex theory (RSCT). As a framework for regional security studies, their theory specifies multiple levels of analysis, including '1) domestically in the states of the region, particularly their domestically generated vulnerabilities; and 2) state-to-state relations'.<sup>59</sup> The two cases chosen herein correspond to these two levels respectively. The Kyrgyzstan case can be classified as a domestically generated intra-state conflict, which dovetails with the first level. The other one originated from domestically generated vulnerabilities, where secessionist political entities sought for independence in Georgia. However, the intra-state conflicts then evolved and escalated into an inter-state conflict between a CIS/CSTO member (Russia) and a CIS but non-CSTO state (Georgia).<sup>60</sup> Therefore, the Georgian case involves dynamics

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<sup>59</sup> See Buzan and Wæver, *Regions and Powers*, p. 51. In their original RSCT, there are four levels of analysis. Besides the two listed in the text, the third level is the region's interaction with neighbouring regions, and the fourth level is the role of global powers in the region. In the discussions of the CSTO and the regional security order here, the first two levels are much more relevant.

<sup>60</sup> When the conflicts occurred, Georgia was still an official member of the CIS.

at the domestic level, but is better considered to be at the inter-state level. These two cases, covering the two important levels of regional security respectively, give us a chance to assess the role of the CSTO as a security actor.

Severe conflicts occurred between the ethnic Kyrgyz and the ethnic Uzbek in June 2010.<sup>61</sup> This happened in the Osh region in the south of Kyrgyzstan, which is close to the Kyrgyz-Uzbek border. The violent tragedy led to several hundred deaths, destructions, and displaced refugees. However, there was no collective military intervention by the CSTO, while this inter-ethnic conflict was viewed largely as a domestic issue. For example, the then Russian President Medvedev maintained that 'only in the case of foreign intrusion and an attempt to externally seize power can we state there is an attack against the CSTO'.<sup>62</sup> The CSTO Secretary General Nikolai Bordyuzha called the violence in Kyrgyzstan 'purely a domestic affair' and said the CSTO would not intervene.<sup>63</sup> Although humanitarian aids and limited military equipment (helicopters) were provided, in general the CSTO took an extremely cautious stance.

The CSTO has been criticised for failing to save lives or play a more active role. For example, Melvin points out that 'the Russian-led CSTO was not

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<sup>61</sup> For general reference of the inter-ethnic conflict, see Anna Matveeva, *Kyrgyzstan in Crisis: Permanent Revolution and the Curse of Nationalism* (London: Crisis States Research Centre, 2010). Also see International Crisis Group, *The Pogroms in Kyrgyzstan* (Brussels/Bishkek, 2010).

<sup>62</sup> 'Medvedev Says No Multi-National Force for Turbulent Kyrgyzstan', *Sputnik*, 11 June 2010, <<https://sputniknews.com/news/20100611159390386/>> (2 November 2019).

<sup>63</sup> *Ibid.*

prepared to intervene to stop the bloodshed in Kyrgyzstan, and this non-intervention was unexpected'.<sup>64</sup> However, Jackson makes a crucial argument that 'the CSTO's lack of military intervention in Kyrgyzstan was in line with its organizational norms and institutional design'.<sup>65</sup> Indeed, considering the strictly-defined mandates of the CSTO, the inter-ethnic, intra-state conflict in Kyrgyzstan did not count as an external aggression, which is the only basis of CSTO's collective military intervention (a principle recently repudiated in its January 2022 intervention in Kazakhstan). Furthermore, it has been noted that 'Uzbekistan voted against intervention in a meeting of the CSTO, out of fear that its sovereignty could be compromised by the precedent of military intervention'.<sup>66</sup> Therefore, despite that the CSTO could be criticised for overlooking the 'human aspect' of security, its role in the Kyrgyzstan case has been consistent with its mandates and the shared understanding of security identified previously.

The 2008 war between Russia and Georgia involved both intra-state and inter-state level conflicts. Violence initially occurred between the central authority in Tbilisi and the secessionist Abkhazia republic. However, this intra-state conflict escalated into an inter-state war since Russia intervened under the name of peacekeeping and protecting its oversea compatriots.

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<sup>64</sup> Neil J. Melvin, 'Eurasian Security Arrangements Face Reality Check after Kyrgyzstan Crisis', 25 June 2009, <<https://www.sipri.org/commentary/2009/julyaug-10- Eurasian-security-arrangements-face-reality-check-after-kyrgyzstan-crisis>> (12 November 2019).

<sup>65</sup> Jackson, *Trans-Regional Security Organizations and Statist Multilateralism in Eurasia*, p. 196.

<sup>66</sup> Ibid.

Eventually, Abkhazia and South Ossetia became de facto independent political entities. Furthermore, their statehoods have been formally recognized by Russia.

The role of the CSTO is particularly interesting to look at. In this case, an inter-state war occurred involving a CSTO member. However, the Russian territory itself was not violated, as all the conflicts were confined within Georgian borders. Consequently, this did not trigger collective military intervention by the CSTO, because the Russo-Georgian war was not perceived to be an external aggression. Allison observes that 'the CSTO foreign ministers went far to condemn the Georgian government's aggression and approved Russia's peacekeeping efforts in the campaign in Georgia'.<sup>67</sup> However, neither the CSTO nor Russia's CSTO partners recognized Abkhazia and South Ossetia as sovereign states. Russia's military actions and its political move of recognition have been purely unilateral. Again, the CSTO played an extremely cautious role in the Russo-Georgian war, which is consistent with its strictly-defined mandates.

Admittedly, the CSTO played a visible and critical role in deterring external aggression and maintaining the collective security of states in the region. Nevertheless, the two cases covered herein demonstrate the new security challenges faced by the CSTO and its members and thus question the fitness

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<sup>67</sup> Allison, *Russia, the West, and Military Intervention*, p. 164.

of the CSTO within the local context. Although the CSTO is primarily dedicated to thwarting external aggression, the most severe security challenges in this region were generated internally. Therefore, the CSTO was stuck in a dilemma as a security actor. By far, there has been no serious offence to any CSTO member state by external forces or power. Although the CSTO could be considered 'as a natural counter-balance to NATO',<sup>68</sup> there has been no real trans-regional war or conflict between these two military alliances until the Ukraine crisis of 2022. The more relevant security challenges presented to the CSTO, and its member states are associated with domestic vulnerabilities and the human aspect of security (such as the Kyrgyzstan case). Besides, as the Georgian example has shown, security challenges in this region involves 'one characteristic form, which is the secessionist minority/state/Russia triangle'.<sup>69</sup> These security challenges are generally beyond the initial strictly-defined mandates of the CSTO and do not count as external aggressions. Constrained by its Charter, mandates, and its consensus decision-making, it is unlikely that the CSTO will take interventionist military actions in these conflicts.

Therefore, as a security actor, the CSTO has an important role in deterring external security threats. Under the circumstances of an external aggression, collective military actions can be expected. In this sense its role should not be completely dismissed. However, new security challenges have shown the

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<sup>68</sup> Slobodchikoff, *Building Hegemonic Order Russia's Way*, p. 87.

<sup>69</sup> Buzan and Wæver, *Regions and Powers*, p. 409.

limitations of this organization. The CSTO has not yet contributed to a regional security order that can successfully address new security challenges that often originated from domestic vulnerabilities, which are more relevant within the Eurasian local context. Given that security is such a sensitive area where the post-Soviet states would rather choose to protect their sovereignty than pool or transfer it, the fitness of the CSTO for local security needs may be problematic.

Interestingly, the CSTO has directly intervened in the serious upheaval in Kazakhstan in January 2022. This is the first time that the CSTO decided to make a direct intervention in a member state's domestic conflicts and send peacekeeping forces under its name. It remains to be seen whether the CSTO has decisively changed its original mandates and transformed into a more interventionist actor. However, even in this most recent case, we have seen a presentation of the protests in Kazakhstan as 'armed and trained bandits and terrorists, both local and foreign'<sup>70</sup> by President Tokayev. In his appeals to the CSTO, he regarded this unrest as 'a terrorist threat, in which *foreign-trained* terrorist gangs were seizing buildings, infrastructure and weapons'.<sup>71</sup> Similarly, President Putin described this event as 'an international terrorist aggression'.<sup>72</sup> It is obvious that an external threat has been identified, while the Kazakh leader

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<sup>70</sup> Kassym-Jomart Tokayev, 'We are Dealing with Bandits and Terrorists', DW News, 7 January 2022, <<https://m.dw.com/en/tokayev-we-are-dealing-with-bandits-and-terrorists/av-60364218>> (14 January 2022).

<sup>71</sup> 'Kazakh President Seeks Help from Russia-led Security Bloc', Reuters, 6 January 2022, <<https://www.reuters.com/world/asia-pacific/kazakh-president-seeks-help-russia-led-security-bloc-2022-01-05/>> (14 January 2022). Italics are added by the author.

<sup>72</sup> 'Session of CSTO Collective Security Council', President of Russia website, 10 January 2022, <<http://en.kremlin.ru/events/president/news/67568>> (20 February 2022).

relied on this presentation to ask for military aids from the CSTO. Furthermore, recent dynamics suggest that the CSTO may transform itself in the coming years to be open to an expanded array of mandates. For example, the Deputy Foreign Minister of Belarus noted that ‘crisis situations may emerge both through external and internal sources of threats, and that the CSTO has transformed from a defensive union to a modern multifunctional organization’.<sup>73</sup>

The next section will turn to the economic realm of post-Soviet re-integration, and the historical development of the EAEU. Only in the economic and social realm, a strong pro-integration core has emerged, which is willing to create an organization with supranational elements, aiming at building a regional order that considers economic and social needs locally. Therefore, the EAEU has more potentials to serve as an order-making actor than the CIS or the CSTO.

### ***2.3. The EAEU: historical origins and stages of development***

Since the focus of the dissertation is dedicated to the study of the EAEU, it is important to narrow down the focus here in this chapter. It is not the purpose of this chapter to fully explore the functions and performance of the EAEU as an

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<sup>73</sup> ‘The Foreign Ministry of the Republic of Belarus: The CSTO has transformed from a defensive union to a modern multifunctional organization’, CSTO website, 10 February 2022, < <https://en.odkb-csto.org/news/smi/mid-belarusi-odkb-proshla-put-transformatsii-ot-oboronitelnogo-soyuza-do-sovremennoy-mnogofunktsiona/#loaded> > (20 February 2022).

order-making actor, which will unfold in the following empirical chapters in more detail. Instead, this section draws upon the discussions on the CIS and the CSTO, examining the EAEU's historical origins and different stages of its formation. We also aim to situate the discussion on the mandate and institutionalization of the EAEU in historical dynamics, laying a foundation for the rest of the thesis.

Economic integration in the post-Soviet space has been a long-lasting process. Therefore, the formation and emergence of the EAEU need to be understood historically. Before the creation of the EAEU, there have been plenty of organizations or entities committed to economic integration in the post-Soviet space. These include the Eurasian Economic Community (EurAzEC), the Eurasian Customs Union (ECU), and the Single Economic Space (SES). Interestingly, although all of them are different bodies, they were eventually integrated within the EAEU framework, when the EAEU was finally established. It is vital to explore this historical development of economic integration, and by doing so, to differentiate between these entities. For example, Slobodchikoff uses the term Eurasian Union, the Economic Union, and the Eurasian Customs Union interchangeably, which complicates matters and may be problematic.<sup>74</sup>

Therefore, to explore this historical development and to differentiate between

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<sup>74</sup> See Slobodchikoff, *Building Hegemonic Order Russia's Way*, pp. 90–91. He discussed the EAEU in the subsection entitled 'Eurasian Customs Union', which is not correct. Meanwhile, he uses the Eurasian Union and the EAEU interchangeably, which further complicates matters. To write in a consistent way, I refer to the organization officially inaugurated in January 2015 as the Eurasian Economic Union (EAEU). In Slobodchikoff's work, what he meant by the Eurasian Union is actually the EAEU, whereas he should not use the EAEU/Eurasian Union and the Eurasian Customs Union interchangeably.

these entities is important academically. In this way, we can also gain a better picture of the EAEU from a historical perspective, which will offer insights into our actor-order nexus.

We argue that the historical development of the EAEU has gone through several important stages. Each of these stages has its implications on the formation of the EAEU as an order-making actor, which is summarised in table 2.1. The economic and social mandates of the EAEU is historically rooted in the CIS stage. Thereafter, the EurAzEC and the ECU stages have witnessed agency-building and institutionalization of the EAEU.

**Table 2.1: Historical developments, important stages, and implications for the formation of the EAEU as an OMA**

<b>Stages</b>	<b>Period</b>	<b>Implications</b>
CIS	1991–1999	A social-economic mandate and the pro-integration core emerged
EurAzEC	2000–2009	Independence from the CIS
ECU	2010–2014	Agency-building and institutional setting towards the EAEU

Source: author

### **2.3.1. The CIS stage and the emergence of social-economic mandates**

Neither the idea nor the practice of economic and social integration in the post-Soviet space is new. The CIS stage witnessed the first wave of attempts at socio-economic integration. Two significant events are noteworthy. The first is the signing of an ambitious Treaty on the creation of an economic union by nine

CIS member states in 1993. This Treaty set out a very clear blueprint for economic integration. Cooper observes that this phased process of integration involved 'a progression from a multilateral free trade association to a customs union, then a common market with free movement of goods, services, labour and capital, and culminating in a monetary union'.<sup>75</sup> These goals were never fulfilled within the CIS framework, but the direction of post-Soviet economic integration is largely consistent with this blueprint. We could even argue that the EAEU eventually accomplished what the CIS (particularly what the 1993 Treaty) initially promised but eventually failed to deliver, because a customs union and a common market have eventually been achieved within the EAEU rather than the CIS.

Another significant event is the establishment of a Customs Union within the CIS framework in 1995 (hereafter the CU-95). It was founded by Russia, Belarus, and Kazakhstan, as they signed the treaty to create the CU-95. Kyrgyzstan and Tajikistan later joined. However, efforts of economic integration at this stage have been generally dismissed by scholars. For example, Kirkham claims that 'before the 2000s, there was little progress towards Eurasian integration'.<sup>76</sup> This view is shared by Cooper as he points out that 'the CIS Customs Union (1995) remained little more than a declaration of intent, with

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<sup>75</sup> Julian Cooper, 'The Development of Eurasian Economic Integration', in Rilka Dagneva and Kataryna Wolczuk (eds.) *Eurasian Economic Integration: Law, Policy and Politics* (Cheltenham: Edward Elgar Publishing, 2013), p. 16.

<sup>76</sup> Ksenia Kirkham, 'The Formation of the Eurasian Economic Union: How successful is the Russian regional hegemony?' *Journal of Eurasian Studies*, 7 (2), July 2016, p. 116. In this article she also explained the ineffectiveness of former Eurasian institutions, which is informative but not the focus of the discussion here.

limited action to develop a real, functioning union'.<sup>77</sup>

Nevertheless, the CIS stage has significant implications on the eventual formation of the EAEU as an order-making actor. First, the mandates of such a potential order-making actor have been clearly outlined. Such an actor would be devoted solely to a stage-by-stage economic and social integration. It also implies a potential (economic and social) order that entail a customs union and a common market with 'the four freedoms'<sup>78</sup>. The second implication is that at this stage, a pro-integration core within the CIS has emerged, which includes Russia, Belarus, and Kazakhstan. Importantly, this pro-integration core serves as the potential subscribers to a more rigorous and binding socio-economic order that entails at least some supranationality, which differs from the full national discretion featured in the CIS.

However, at this stage all these dynamics were still progressing in the CIS framework. As we have discussed the mandates and the compromised institutionalization of the CIS, a more effective order-making actor must become independent from the CIS in the first place, in order to gain its own agency and pursue more advanced stages<sup>79</sup> of economic and social integration, which eventually leads to more successful attempts at order-building.

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<sup>77</sup> Cooper, *The Development of Eurasian Economic Integration*, p. 18.

<sup>78</sup> This involves the free movement of goods, capital, service, and labour.

<sup>79</sup> See Tatyana Valovaya, 'Eurasian Economic Integration: Origins, Patterns, and Outlooks', in Evgeny Vinokurov (ed.) *Eurasian Integration Yearbook 2012* (Almaty: Eurasian Development Bank, 2012), pp. 53–54. Her argument is that there are four different stages of integration process, ranging from a free trade area, a customs union (second), a single economic space (third), and finally an economic and currency union. She argues that the CIS can only deliver the first stage.

### 2.3.2. Gaining agency and solid institutionalization

It is against this backdrop that the establishment of the EurAzEC serves as a very important stage. The EurAzEC was created in 2000 as an organization independent from the CIS. The EurAzEC is committed to more advanced economic integration, as Slobodchikoff argues that 'its original purpose was to try and create a single market and trade zone'.<sup>80</sup> More importantly, the EurAzEC became an independent organization from the CIS with its own legal personality. This should be considered as a step forward to pursue more advanced economic integration *outside* the CIS framework. In this regard, Dragneva and Wolczuk observe that 'securing an international legal personality was defined by Putin as the key issue (for the EurAzEC) before the Customs Union'.<sup>81</sup> From our actor-order perspective, we can argue that the EurAzEC marks the emergence of an independent order-making actor in the economic realm. Until the establishment of the EAEU in 2015, the process of deepening economic integration had been going on within the EurAzEC framework.

The ECU is identified herein to be the next important stage. However, it should be noted, in the first place, that the ECU is not an independent organization. It operated and functioned within the EurAzEC framework. In fact, the establishment of the ECU (and the subsequent SES) could be considered

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<sup>80</sup> Slobodchikoff, *Building Hegemonic Order Russia's Way*, p. 76.

<sup>81</sup> Cited in Rilka Dragneva and Kataryna Wolczuk, 'European Union Emulation in the Design of Integration', in David Lane and Vsevolod Samokhvalov (eds.) *The Eurasian Project and Europe: Regional Discontinuities and Geopolitics* (Basingstoke, Hampshire: Palgrave Macmillan, 2015), p. 139. For the original remark see *Monitor*, 25 May 2000.

as the most important tasks of the EurAzEC.<sup>82</sup> It is an important stage to the extent that its establishment marks a more solid institutionalization oriented towards the formation of the EAEU. This is illustrated by the creation of the Commission (the Commission of the Customs Union first, and then the Eurasian Economic Commission) that involves supranationality and the change of voting mechanism. Two tables are used to illustrate these points.

**Table 2.2: A general overview of the institutional structure of economic integration initiatives<sup>83</sup>**

Organs	Plenary policy-making	Non-plenary policy-making (permanent executive)	Parliamentary	Judicial
CU (1999)	Interstate Council	Integration Committee	Inter-Parliamentary Committee	No
EvrAzES (2000)	Interstate Council	Integration Committee	Inter-Parliamentary Assembly	Court of EvrAzES
ECU (2007–2011)	Interstate Council of EvrAzES (High Organ of the Customs Union)	Commission of the Customs Union	Same – no designated role	Court of EvrAzES (reduced format)
ECU and SES (2012)	High Eurasian Economic Council	Eurasian Economic Commission	Same – no designated role	Court of EvrAzES (reduced format)

*Source:* Rilka Dragneva, 'The Legal and Institutional Dimensions of the Eurasian Customs Union', in Rilka Dragneva and Kataryna Wolczuk (eds) *Eurasian Economic Integration: Law, Policy, and Politics* (Cheltenham: Edward Elgar Publishing, 2013), p. 39.

<sup>82</sup> See Cooper, *The Development of Eurasian Economic Integration*, p. 19.

<sup>83</sup> The timeline of this table is not fully consistent with the stages set out in table 2.1. This is because in table 2.2, Dragneva adopts a timeframe according to the relevant treaties that create an organ. However, an organization came into existence generally after the signing of the relevant treaty. For example, the Treaty on the Commission of the Customs Union was signed in October 2007, but the Commission of the Customs Union began to function in 2010. In table 2.1 the author adopts a timeframe according to the actual functioning of an organ.

Table 2.2 gives a general overview of the institutional structure of the above-mentioned initiatives. In terms of the EurAzEC, the Interstate Council serves as the top-level decision-making organ, while the Integration Committee is the permanent executive. Within the EurAzEC framework, the ECU was inaugurated following the signing of its founding agreement in 2007, and then formally came into existence in 2010. Notably, the Commission of the ECU was established by its founding treaty in 2007, replacing the Integration Committee as the new regulatory and executive body of the ECU. In 2012 the SES was formed, which is accompanied by the transition from the Commissions of the ECU to the EEC. This move was significant, as Dragneva mentioned that ‘the expansion of the EEC’s power, including through the delegated power to negotiate and conclude international agreements on behalf of the grouping, arguably has the potential to strength the standing of the ECU as an international actor’.<sup>84</sup>

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<sup>84</sup> Rilka Dragneva, ‘The Legal and Institutional Dimensions of the Eurasian Customs Union’, in Rilka Dragneva and Kataryna Wolczuk (eds.) *Eurasian Economic Integration: Law, Policy and Politics* (Cheltenham: Edward Elgar Publishing, 2013), pp. 40–41.

**Table 2.3: The changing voting mechanism in the permanent executive organ in Eurasian integration**

	Member states' representation level	Mode of decision-making	Vote distribution
Integration Committee	Deputy head of government	Two-thirds majority	Weighted: Russia – 40, Belarus and Kazakhstan – 20 each, Kyrgyz Republic and Tajikistan – 10 each
Commission of the Customs Union	Deputy head or member of government	Two-thirds majority or consensus	Weighted: Russia – 57, Belarus and Kazakhstan – 21.5 each
Eurasian Economic Commission Council	Deputy heads of government	Consensus	Equal votes
Collegium	Independent professionals	Two-thirds majority or consensus	Equal votes

Source: Rilka Dragneva, *'The Legal and Institutional Dimensions of the Eurasian Customs Union'*, p. 51.

Table 2.3 takes a more detailed look at the changing voting mechanism in the executive organs. In the Integration Committee and the Commissions of the ECU, a weighed voting mechanism was adopted, which has been changed following the establishment of the EEC. In this regard, Dragneva argues that 'the design of the Eurasian Economic Commission represents a more radical step towards the formation of a developed supranational bureaucracy entrusted with extensive functions'.<sup>85</sup> This could be viewed in two ways. First, in the EEC, both the Council and the Collegium adopted equal votes, which departs from

<sup>85</sup> Ibid., p. 53.

the previous weighted voting mechanism. It means that any country, including Russia, can be outvoted in the EEC. Second, the Collegium is defined as a professional body independent of the member states. Considered together with the two-thirds majority voting mechanism on certain issues, this institutional design entails a modicum of supranationality, although this supranational delegation is mitigated in several important ways.<sup>86</sup>

From an actor-order perspective, the EurAzEC and the ECU stages serve as a very important period in the formation of the EAEU as an order-making actor. An independent framework from the CIS was created first, which was assigned with deeper economic integration. This marks the beginning of the formation of an independent socio-economic order-making actor. In fact, the EurAzEC has been fruitful, given that the ECU and the SES came into existence within its framework. Furthermore, within the EurAzEC, the ECU has emerged, which marks that the institutional setting has gradually been oriented towards the EAEU. In particular, the creation of the EEC added to the agency of the future EAEU as an order-making actor. This includes the ability to conclude international agreements on behalf of the future Union, an equal voting mechanism, and (mitigated) supranational delegation.

### **2.3.3. A brief overview of the EAEU from a historical perspective**

The empirical chapters in this thesis will assess the performance of the EAEU

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<sup>86</sup> Ibid., p. 55.

in more detail, which will be supported by first-hand and secondary data. However, in this section we can offer an overview of the EAEU as an order-making actor from a historical perspective. In terms of its mission, we can see a consistent historical formation of a socio-economic OMA. The EAEU has been assigned with a clearly defined mandate, which is to deliver an advanced stage of socio-economic integration including a customs union, a single market, and a potential monetary union. Progressing from its predecessors, the EAEU incorporated the previous initiatives. For example, the EurAzEC was terminated eventually in 2015, which was replaced by the newly launched EAEU. In this regard, Rusakovich sees the EAEU as the successor of the EurAzEC.<sup>87</sup> Similarly, the ECU has also been terminated. The signing of the Treaty on the EAEU incorporated the ECU into the legal framework of the EAEU.

Regarding its institutionalization, since the creation of the ECU and subsequently the EEC, the institutional setting has involved a more equal voting mechanism and a modicum of supranationality. The Collegium of the EEC is composed of independent professionals, adopting a two-thirds majority voting mechanism on certain issues. This more solid institutional design sets the EAEU apart from the CIS or the CSTO. It can potentially strengthen the agency

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<sup>87</sup> A.V. Rusakovich, 'The Change in the Geopolitical Situation in the Former Soviet Union after 2014', in A.F. Dovgan and A.V. Rusakovich (eds.) *Collective Security Treaty Organization and Contingency Planning After 2014*, DCAF Regional Programs Series no. 20 (Geneva/Minsk: The Geneva Centre for the Democratic Control of Armed Forces, 2016), p. 6.

of the EAEU and serves the purpose of more effective order-building.

The Russian factor within the EAEU will not be fully explored herein and needs to be discussed further in the empirical chapters. So far, we have not yet witnessed the withdrawal or opt-outs by its member states. However, Russia's sanctions against Ukraine since 2014 can potentially contribute to the changing commitments of the other member states. The Russian factor is thus significant in the EAEU, and it would be worth looking at how the other member states reacted to it and how the external audience perceive the EAEU against the existence of a regional hegemon. It is also important to explore how Russia itself has viewed the role of the EAEU, and how Russia's view has changed against the regional geopolitical dynamics. These issues will be addressed in the empirical chapters.

Overall, this historical overview outlines the nature of the EAEU by showing its historical development. As a socio-economic actor with more solid institutional setting and a modicum of supranationality, this historical review suggests that it may have the potential to become an effective order-making actor.

## ***2.4. Conclusion: insights into the actor-order nexus***

So far, we have navigated through multiple regional groupings and initiatives and focused on three major actors: the CIS, the CSTO, and the EAEU. We

arrive at a conclusion that the CIS would be better seen as a disorder-preventing actor rather than a successful order-making actor. The CSTO managed to establish a security arrangement aiming at deterring external military aggression, but this security arrangement fails to address locally generated security threats. The EAEU seems more promising to become an effective OMA, as it demonstrated a clear socio-economic mandate, and a more solid institutionalization.

This historical review also seeks to become a bridge between the Introduction and the following theoretical chapter. We carry on the discussion in Chapter 1 and situate the study on OMAs within the Eurasian context. Meanwhile, this chapter orients the discussion towards a general theory to be developed in Chapter 3. This historical review provides us with the following insights into the actor-order nexus.

First, an effective OMA would better possess a clearly defined, narrowly focused mission that attends to local needs, particularly in the post-Soviet context. From our historical evidence in this chapter, the CIS was initially tasked with comprehensive mandates. However, only the political element of the CIS mandates turned out to be fulfilled, which is to localise and secure the sovereignty and the border of the newly independent states. The other mandates of the CIS have not been fulfilled within its framework, and it never functioned as a state or an effective union. The divergent orientations of post-

Soviet states determine that such a comprehensive mandate worked less effectively than a narrower but clearer one. Drawing on the legacies of the CIS, an actor tasked with security mandates (the CSTO) and actors assigned with deepening socio-economic integration (the EurAzEC and eventually the EAEU) emerged. However, the EAEU seems to be more locally oriented than the CSTO. As an OMA, the EAEU is better positioned to address local social and economic needs in the region, whilst the CSTO underperformed at dealing with local security challenges.

Second, from this historical review we can see that a successful OMA may entail strong agency and solid institutionalization. If an actor relies on loose institutions and non-mandatory institutional design, it will be weak and powerless in effective order building. In this sense, the CIS never contributed to an effective regional order due to its 'pick and choose' approach and the compromised institutionalization. In fact, it led to a fragmented region, where states started their new initiatives and groupings. The CSTO served as a security actor with a strictly consensus-based decision-making. Consequently, the regional security order is defensive rather than interventionist. From the perspective of institutional setting, the security arrangement cannot intervene in a state's domestic conflicts, which happens to be necessary within the Eurasian context. The formation of the EAEU has gone through different stages, gaining its agency and mitigated supranationality since the ECU stage.

Therefore, compared to the CIS and the CSTO, the EAEU may be in a better position to fulfil its mandates of deepening economic integration (a customs union, a single market and potentially a monetary union), which will entail pooling sovereignty and a supranational arrangement. In this way, the EAEU may be more effective in order-building in socio-economic fields.

Lastly, the third insight into the actor-order nexus speaks to the Russian factor. The hegemon can lead an OMA and make it attractive, only when the hegemon respects and complies with the underlying principles that define the OMA. Otherwise, it will provoke a change of commitment among other members. As this chapter has illustrated, as the regional hegemon, Russia has attempted to change or even overturn the fundamental principles in the CIS and CSTO. Consequently, the other member states reacted to the Russian factor by changing their commitments. In this sense, the CIS and the CSTO have experienced internal contestations, as we have seen Georgia and Ukraine withdrawing from the CIS and Uzbekistan suspending its membership in the CSTO. To date, we have not seen any member of the EAEU opting out. Internally, the EAEU has secured the pro-integration core, and is potentially open to Tajikistan and Uzbekistan. That said, the Russian factor will need to be considered and discussed in more detail in empirical chapters.

Overall, Chapter 2 has situated the actor-order nexus within the historical context of post-Soviet integration. An astonishing number of actors co-existed

in the post-Soviet space, but we learn from this historical view that not every actor can assume the role of effective order-making. The actor-order nexus is thus worth further exploring, given that an actor can only count as an OMA under certain circumstances. This needs to be theorised more systemically. The insights identified above serve to bridge the historical review and a theoretical discussion. Next, Chapter 3 will consider these insights and develop them into a more systemic and general theory, which helps us better understand what constitutes an OMA, and how do actors approach order-making. This theory would also serve as a guide to assess the performance of the EAEU in the empirical chapters.

## **Chapter 3. Identity, Representation, and Instrument: A Constitutive Theory of OMAs and A Research Design**

What enables an actor to effectively shape the environment and contribute to order setting? How do actors approach order building? What constitutes such an OMA? These are the questions already touched upon in the previous two chapters. The theoretical discussion herein is built upon a conceptualisation of the OMAs in the Introduction, and a historical overview of post-Soviet integration in Chapter 2. Therefore, it is helpful to give a short summary of the argument thus far.

The Introduction refers to the changing international order as a point of departure. IR literature has noted that the architecture of international order has become more diversified and multi-centric, but the actors that contributed to this transformation deserve more attention. Furthermore, the impetus for actors (essentially as institutions) to pursue order setting, and the mechanism of this process are under-researched as well. To recap Acharya's idea already mentioned in Chapter 1, 'there are different actors staging their shows concurrently in a multiplex world'.<sup>1</sup> The questions that remain to be answered is what enables such an actor to stage its show, and how does this process work. In this regard, Chapter 1 defines order as a governing arrangement

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<sup>1</sup> Amitav Acharya, *The End of American World Order* (Cambridge: Polity Press, 2014), p. 7.

constructed by social actors to regulate the social system, and thus posits a nexus between actors and orders. In this way, Chapter 1 introduces a relevant and important idea of OMA, conceptualising it as a property with implications for transformation of the international order. At the same time, by positing the link between these two concepts, it argues that this property can be explained by its inherent elements.

Thereafter, Chapter 2 situates this discussion within the context of post-Soviet integration and examines various actors in the region. Although plenty of actors co-existed in the post-Soviet space, they varied in terms of their mandates or purpose, institutional design, contributions vis-à-vis regional order building. A look at the CIS, the CSTO, and the historical formation of the EAEU demonstrates that not all the actors can assume the role of order-setting. The capability of order-making may depend on a set of conditions, which does not belong to every single actor. Therefore, it is puzzling what exactly the conditions are that could enable an actor to shape the environment in the way they would see fit. In other words, what are the key elements of an actor to assume this role? How to conceptualise and assess them in empirical contexts?

An attempt to theorise the actor-order nexus is thus crucial. This chapter aims to develop a theoretical framework in the first place, and then set the agenda for the empirical chapters in this thesis. Therefore, Chapter 3 involves a theory-building first, and thereafter, a research design that serves to guide

data-collection and empirical analysis.

Before we start the theory-building process, it is important to specify what type of theory it is, and a theory of what it will be. To ensure sound reasoning and sensible theorising, it is imperative to clarify these points.

First, the theory falls into the category of what Wendt calls 'constitutive theories'.<sup>2</sup> He distinguished between causal and constitutive theories and argues that, instead of explaining the causes of things, 'constitutive theories have a different objective, which is to account for the properties of things by reference to the structures in virtue of which they exist'.<sup>3</sup> The questions framed at the very beginning of this chapter determine the type of the theory of our concern. If we consider an OMA as such a property, the aim of theorisation herein is essentially to account for this property through the lens of its inherent structure. It explores the constitutive elements that an actor needs for the purpose of order making. This theory also examines order-building as a process and seeks to understand how it works. Importantly, as Wendt argues, a constitutive theory goes beyond mere description, serving the purpose of 'non-causal but constitutive explanation'.<sup>4</sup> In our case, constitutive explanation fits better with our research purpose to explore the inherent *structure* of an OMA

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<sup>2</sup> Alexander Wendt, 'On Constitution and Causation in International Relations', *Review of International Studies*, 24 (5), December 1998, p. 105.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid., pp. 109–114. Basically, Wendt argues that causal theories and constitutive theories have different natures of explanation. By defining and describing the internal structure that constitutes a property, constitutive theories can also be explanatory, which is different from causal explanation by reference to variables.

than a causal path, which seeks to find causes of an event.

Second, the focus of this theory is placed on non-state actors rather than nation-states. The recognition of states as primary actors has been well established in mainstream theories (both neo-realism and neo-liberalism). Given the definitional component of sovereignty, state actors presuppose characteristics such as authority and (diplomatic) recognition,<sup>5</sup> whereas we cannot take them for granted, when it comes to non-state actors. Furthermore, states have a priority to protect their territorial integrity and sovereignty, whereas non-state actors have functions beyond them. Our enquiry into non-state actors will thus allow for a far richer array of missions or mandates. The purpose of theorisation here is to engage the 'actorness debate' with a focus on non-state actors, a field mainly characterised by the study of the actorness of the EU but recently takes into consideration of other regional projects.

Finally, this theory seeks to further develop the 'actorness debate' however, without looking at the characteristics of being an actor per se. Actorness, as a field, has been extensively explored. Instead, the purpose of this chapter is to add a new dimension to the actorness debate by introducing order into the field. The characteristics of actorness have been extensively discussed in existing

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<sup>5</sup> It is not the purpose of this section to discuss the component of sovereignty. A good example is given by Jupille and Caporaso, as they argue that 'diplomatic recognition is unproblematically and automatically conferred on states, whereas a non-state actor (such as the EU) does not benefit from the norm of automatic recognition', see Joseph Jupille and James A. Caporaso, 'States, Agency, and Rules: The European Union in Global Environmental Politics', in Carolyn Rhodes (ed.), *The European Union in the World Community* (Boulder, Colo.; London: Lynne Rienner Publishers, 1998), p. 215.

literature, which will be considered as a starting point. However, the theory developed in this chapter looks beyond the characteristics of being an actor. Instead, it zooms in on an OMA's inherent structure and its constitutive elements. Besides, the introduction of order can potentially advance the actorness debate by linking an actor to the changing external environment. The idea of OMAs raise the question of how the international environment will be shaped, from the perspective of an actor's own constitution.

Therefore, this chapter presents an original contribution to scholarship in the following ways. First, this theory enriches the 'actorness debate' by revisiting the enquiry. It does not simply enquire into what are the characteristics of being an actor. Instead, it looks for the constitutive elements possessed by an actor that enable it to contribute to order setting. Consequently, by introducing order into this debate, the theory of OMA connects the 'actorness debate' with the bigger phenomenon of global reordering. It suggests that the field of actorness would have significant implications for the transformation of international order. Finally, the theory of OMAs tries to better understand the process of order making from a bottom-up, agency-oriented perspective. It explains how an OMA, by virtue of its constitutive elements, shapes the external international environment.

With these points clarified, the next section will give an overview of the 'actorness debate' in the first place. It shall then argue that order, as an

important concept, is missing from the field. The introduction of order can potentially enrich the debate and further link it with the significant issue of changing international order. Thereafter, it proposes an original theory that explores the constitution of an OMA. After the theory building, this chapter will elucidate the research design that will guide the second half of the thesis.

### ***3.1. The ‘actorness debate’ and its evolution***

The ‘actorness debate’ has been accompanied by the emerging role of non-state actors in international relations. The idea that an international organization may have the capacity to act on the global scene was proposed by Cosgrove and Twitchett in their studies on the United Nations (UN) and the European Economic Community.<sup>6</sup> The field has been largely shaped by Sjöstedt’s seminal work on the then European Community. He introduced two important aspects of understanding the role of the EU. The first one is called ‘actor capability’, which entails ‘a minimal degree of separateness and a minimal degree of internal cohesion’.<sup>7</sup> In his view, these are the necessary conditions for a unit to attain the quality of actor capability, which is to ‘behave actively and deliberately in relations to other actors in the international system’.<sup>8</sup> The second aspect is termed as ‘actor behaviour’, which concerns its

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<sup>6</sup> Carol Ann Cosgrove and Kenneth J. Twitchett, ‘Introduction’, in Carol Ann Cosgrove and Kenneth J. Twitchett (eds.), *The New International Actors: The United Nations and the European Economic Community* (London: Macmillan, 1970), p. 12.

<sup>7</sup> Gunnar Sjöstedt, *The External Role of the European Community* (Westmead UK: Saxon House, 1977), p. 15.

<sup>8</sup> *Ibid.*, p. 16.

interaction with the external environment, viewed as ‘a transaction going from the community to some recipient in the outside world’.<sup>9</sup> Therefore, in Sjöstedt’s accounts, ‘actor capability’ speaks to the internal and structural characteristics of an actor, while the ‘actor behaviour’ aspect represents how these characteristics can be translated into impacts on the external world.

On the one hand, this has opened the debate over actor capability. A good example is given by Jupille and Caporaso, as they posited four components: recognition, authority (legal competence), autonomy, and cohesion.<sup>10</sup> Although their framework captures important internal characteristics of actorness, it has been criticised for ‘being relatively complex, lacking parsimony, and (each of the criteria) containing several sub-criteria’.<sup>11</sup> In a recent work, Rhinard and Sjöstedt summarise these accounts as ‘traditional actorness’, which is composed of general conditions (autonomy, value cohesion) and specific conditions (policy cohesion and capabilities).<sup>12</sup>

In their ground-breaking work, Bretherton and Vogler develop a more inclusive framework that pays substantial attention to the external environment. They argue that ‘the EU actorness (under construction) is based on the notions

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<sup>9</sup> Ibid., pp. 20–21.

<sup>10</sup> Jupille and Caporaso, ‘States, Agency, and Rules’, p. 214. Although recognition has an external orientation, their accounts primarily focus on the actor capability aspect, and the majority of the four components concern the internal or structural characteristics.

<sup>11</sup> Arne Niemann and Charlotte Bretherton, ‘EU External Policy at the Crossroads: The Challenge of Actorness and Effectiveness’, *International Relations*, 27 (3), September 2013, p. 266.

<sup>12</sup> Mark Rhinard and Gunnar Sjöstedt, *The EU as a Global Actor: A New Conceptualisation Four Decades after ‘Actorness’* (The Swedish Institute of International Affairs, 2019), p. 11.

of presence, opportunity and capability'.<sup>13</sup> Amongst these three concepts, two of them have external orientations, given that opportunity 'denotes factors in the external environment of ideas and events which constrain or enable actorness', while presence 'conceptualises the ability to exert influences beyond an actor's borders by virtue of existence'.<sup>14</sup> Only capability refers to 'the internal context of EU external action, which is the ability to respond to opportunity and/or to capitalise on presence'.<sup>15</sup> Their framework demonstrates that the internal characteristics are not sufficient for the understanding of actorness. In their later work that draws upon this framework, they argue that 'since the mid-2000s there has been a decline in EU actorness/effectiveness, because the increased capability cannot fully compensate for the loss of opportunity provided by the changing international structure'.<sup>16</sup> In other words, the external context may outweigh the internal one.

Against this backdrop, Niemann and Bretherton call for 'going beyond the studies of actorness and considering the effectiveness of (EU) action'.<sup>17</sup> The emphasis on the external context has also inspired the studies that explore the relationship between the internal characteristics and the performance aspect of an actor. This group of literature looks at a specific issue area, showing that the relationship is complicated. For example, using the evidence of EU's influence

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<sup>13</sup> Charlotte Bretherton and John Vogler, *The European Union as a Global Actor* (London: Routledge, 2006), p. 24.

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*

<sup>16</sup> Charlotte Bretherton and John Vogler, 'A Global Actor past Its Peak?' *International Relations*, 27 (3), September 2013, p. 375.

<sup>17</sup> Niemann and Bretherton, 'EU External Policy at the Crossroads', p. 267.

in the International Criminal Court, Thomas suggests that 'coherence may have been necessary for the EU to exert its influence abroad, but it is not sufficient in a world where many others do not share the EU's values or preferences'.<sup>18</sup> Delreux shows that 'the relationship between cohesiveness and effectiveness (of the EU in environment affairs) is not straightforward, which is affected by the relative bargaining power and the relative position of the EU'.<sup>19</sup> Brattberg and Rhinard assessed how different aspects of actorhood (context, coherence, capability, or consistency-related actorhood) lead to effectiveness or ineffectiveness by comparing the EU and the US in international disaster relief.<sup>20</sup> In their holistic model, Rhinard and Sjöstedt consider the reverse direction, which is how an actor's performance and impact outcomes in turn change the actor itself and the feedback mechanisms.<sup>21</sup>

Finally, a comparative regionalist approach has been adopted by some scholars, which challenges the contention that sees the EU as *sui generis*. This has contributed to the extremely limited attention paid to non-EU actorhood. In this regard, Wunderlich compares the EU and the Association of Southeast Asian Nations (ASEAN) actorhood with a focus on their differences in identity, recognition and presence, institutionalization, and decision-making

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<sup>18</sup> Daniel C. Thomas, 'Still Punching below Its Weight? Coherence and Effectiveness in European Union Foreign Policy', *Journal of Common Market Studies*, 50 (3), May 2012, p. 472.

<sup>19</sup> Tom Delreux, 'EU Actorhood, Cohesiveness and Effectiveness in Environmental Affairs', *Journal of European Public Policy*, 21 (7), June 2014, p. 1017.

<sup>20</sup> Erik Brattberg and Mark Rhinard, 'Actorhood and Effectiveness in International Disaster Relief: The European Union and United States in Comparative Perspective', *International Relations*, 27 (3), September 2013, p. 369.

<sup>21</sup> Rhinard and Sjöstedt, *The EU as a Global Actor*, p. 11.

structures.<sup>22</sup> Hulse contributes to the ‘non-EU actorness’ debate by looking at two regional projects in Africa. He finds that ‘better decision-making, preference cohesion and capabilities enables the Economic Community of West African States to have higher actorness than the Southern African Development Community in the field of international trade’.<sup>23</sup> This new development of the field speaks to Drieskens’s suggestion that ‘actorness should shift from a relevant tool for explaining the EU’s functioning to an explanatory theory with relevance beyond the EU’.<sup>24</sup>

### ***3.2. Order: the missing picture?***

Surprisingly, order has been absent in this ‘actorness debate’. Neither the discussion on the internal characteristics of actorness nor the shift towards the external environment pays attention to order. Indeed, order as a concept has become the missing picture in existing literature on actorness. There has been no effort to introduce order into this debate, or to associate actorness with order.

Nevertheless, order is a crucial part of the debate. Following the discussion in Chapter 1, if we see order as a governing arrangement of a social system, by virtue of which behaviour patterns and social outcomes are regulated, it should indeed be included in the debate indeed. First, order is a key indicator

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<sup>22</sup> Jens-Uwe Wunderlich, ‘The EU an Actor Sui Generis? A Comparison of EU and ASEAN Actorness’, *Journal of Common Market Studies*, 50 (4), July 2012, pp. 658–662.

<sup>23</sup> Merran Hulse, ‘Actorness beyond the European Union: Comparing the International Trade Actorness of SADC and ECOWAS’, *Journal of Common Market Studies*, 52 (3), May 2014, p. 561.

<sup>24</sup> Edith Drieskens, ‘Golden or Gilded Jubilee? A Research Agenda for Actorness’, *Journal of European Public Policy*, 24 (10), 2017, p. 1543.

of an actor's impact on the external environment. When we say that an actor shapes the environment, there must be certain observable transactions from the actor itself to the external world. Order, as a governing arrangement, captures the transactions originating from an actor to the external world. There are at least two dimensions of impacts on the external environment.

The first dimension is an order's *internalisation*. This refers to the extent to which the constituents subscribe to the order an actor tries to establish. If order as an arrangement is effective within a social system, we would expect that the constituents would internalise it. The consequence of this would be a shift in behaviour patterns of these constituents that are party to the order.

Consider coherence as an example. In the traditional 'actorness debate', coherence, be it value, policy, or procedural coherence, is viewed as an internal characteristic of actorness. But the introduction of order into this debate would see coherence as an outcome if an actor were successful in order-making. In other words, if an international actor (particularly a regional integration project specific to our discussion) contributes to an effective order, we would expect that this can bring conflicting values or policies among its constituents in line, to a certain degree. Otherwise, the constituents have not yet internalised the order. The internalisation dimension captures the impacts on the internal constituents or subscribers to the order.

The other dimension is an order's wider *diffusion*<sup>25</sup> internationally. This denotes the process through which an order is reproduced, consolidated, and integrated into the wider world arena and engaged (whether accepted or challenged) by the global audience. The diffusion dimension is no less important than the internalisation dimension. Successful internalisation does not automatically translate into smooth diffusion. In this regard, Thomas makes a crucial argument that 'in a multi-centric world order many others do not share the EU's collective policy preferences and they are ready to deploy vast resources in pursuit of their (own) goals'.<sup>26</sup> Similarly, Niemann and Bretherton see a more polycentric world order created by emerging powers as a less favourable external environment (for the EU).<sup>27</sup> When an actor tries to contribute to order-setting, even if it has been successfully internalised by its constituents, there is no guarantee that this governing arrangement will be embraced by the external others. Often, the external audience may be sceptical about the credibility of an alien or imposed order, which is not established locally or indigenously. They may in turn set about building their own order(s) and try to propagate these orders in the international arena. This diffusion dimension becomes even more noteworthy, given the decentralising transformation of

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<sup>25</sup> Here I used the term diffusion rather than the socialisation because the literature on socialisation has been well established in a different context, which is mostly associated with the discussion of norms. However, I draw upon Schimmelfennig's account that 'the central function of socialization is the reproduction and diffusion of a social order', for this see Frank Schimmelfennig, 'International Socialization in the New Europe: Rational Action in an Institutional Environment', *European Journal of International Relations*, 6 (1), March 2000, p. 112.

<sup>26</sup> Thomas, 'Still Punching below Its Weight?' p. 472.

<sup>27</sup> Niemann and Bretherton, 'EU External Policy at the Crossroads', p. 262.

international order. This dimension thus captures the impacts on the wider international environment. The observable effect is an increasingly polycentric and pluralistic world order architecture.

Therefore, the introduction of order into the 'actorness debate' is crucial against the backdrop of global reordering, which we have covered in the Introduction. What remains to be answered, is what are the necessary elements that structure an actor capable of order-making and shaping the environment as it sees fit, and how does an actor use these inherent elements to approach order building. Next, this chapter heads towards a theory that addresses these issues.

### ***3.3. Toward a theory of OMAs***

Building upon the insights gained from actorness literature and an introduction of order, this section presents a novel theory of an OMA that further explores the actor-order nexus. This theory should examine the key constitutive elements of an OMA and consider how these elements contribute to both the internalisation and diffusion dimensions mentioned above. We argue that three constitutive elements are crucial for an actor to pursue order setting: identity, representation, and instrument.

*Identity* is the first important element that composes an OMA. It is the genesis of this process, and the crucial part of the actor-order link. Herein,

Wendt's account of identity is highly relevant and will thus be discussed as a starting point, although he mainly focused on state actors.

Wendt used the term 'corporate identity' to refer to 'the intrinsic, self-organising qualities that constitute actor individuality'.<sup>28</sup> Essentially, corporate identity concerns how an actor is constituted as an individual 'I', and in the meantime, corporate identity generates interests that motivate this individual 'I' to engage in actions.<sup>29</sup> The other aspect is social identities, which concerns 'how an actor defines itself in relation to the other and the sets of meanings that an actor attributes to itself as a social object'.<sup>30</sup> In our theory, the identity element needs to accommodate both the corporate and social aspects.

First, identity defines a specific set of issue areas to which an actor is committed. This specific set of issue areas determines the mandate or purpose of an actor. By articulating its mandate and purpose, an actor distinguishes itself from others and thus positions itself separately amongst others within a social system. Therefore, a clear identity helps an actor form the individual 'I', motivate the actor to engage in actions deemed appropriate for its mandate. In this regard, Mead suggests that an actor 'seeks to stabilise its "self" in society, which

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<sup>28</sup> Alexander Wendt, 'Collective Identity Formation and the International State', *The American Political Science Review*, 88 (2), 1994, p. 385.

<sup>29</sup> Ibid. According to Wendt, the four basic interests generated by corporate identity are: physical security, ontological security or predictability, recognition, and development. Although Wendt sees corporate identity and social identities as distinct concepts, corporate identity goes beyond the intrinsic qualities of an individual actor. This is evidenced by the four basic interests mentioned here. Predictability and recognition entail social relations with others.

<sup>30</sup> Ibid.

generates the creative impulse for a certain course of action'.<sup>31</sup> This mandate dimension speaks to the corporate identity of an actor, which captures how the actor as an individual 'I' comes into existence and positions its 'self' in a society.

The mandate of an actor will largely determine the coverage of issues of an order. A clear presentation of an actor's mandates plays an important role in how an order is internalised by its subscribers. They will have a clear understanding of the breadth and scope of the governing arrangement in terms of what issue areas an order seeks to incorporate. They will decide if an order's coverage of issues satisfies their interests and whether they become party to that order.

Beyond the mandate dimension that forms the individual 'I' of an actor, identity involves another more important dimension that motivates an actor to pursue order setting. If order is essentially an arrangement for a social system, 'the social' here must entail a sense of coherent community. For an actor to assume the role of an OMA, it is not sufficient to simply form an individual 'I', position or stabilise itself vis-à-vis others.

Herein, consider the argument made by Bull that 'an international society is formed when states recognise certain common interests and perhaps some common values'.<sup>32</sup> He further suggests that 'the maintenance of order in such

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<sup>31</sup> George H. Mead, *Mind, Self and Society: From the Standpoint of a Social Behaviorist* (London: The University of Chicago Press, 1934), pp. 175–179.

<sup>32</sup> Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (Fourth Edition, New York: Columbia University Press, 2012), p. 13.

a society may be based on the treatment of these goals as valuable in themselves'.<sup>33</sup> His insights imply that 'the social' must be associated with the common goals shared by the members. More importantly, the belief amongst the members that these common goals are valuable is vital for the sustainability of order in this society.

Flockhart went further to emphasise that 'the purpose of a social domain is more than just to continue to exist, but also to maintain a belief in the possible realisation of a greater purpose of life, which makes life worth living'.<sup>34</sup> In Korosteleva and Flockhart's accounts, this belief is crucial because 'the shared conception of "the good life" in any social domain is a motivational way forward for a collective entity.'<sup>35</sup> Berenskoetter's constructivist study of the future offers another important reference point. He argues that 'visions, as utopias and/or dystopias, define possibilities of being and thereby provide actors with a sense of direction'.<sup>36</sup> Furthermore, Berenskoetter sees utopias as a better world that implies a desirable order.<sup>37</sup> These insights speak directly to our actor-order nexus.

Therefore, we argue that for an OMA, an *aspirational* aspect of its identity is essential. An OMA may not fully translate all its aspirations into the present,

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<sup>33</sup> Ibid., p. 64.

<sup>34</sup> Trine Flockhart, 'Is This the End? Resilience, Ontological Security, and the Crisis of the Liberal International Order,' *Contemporary Security Policy*, 41 (2), April 2020, p. 222.

<sup>35</sup> Elena A. Korosteleva and Trine Flockhart, 'Resilience in EU and International Institutions: Redefining Local Ownership in a New Global Governance Agenda,' *Contemporary Security Policy*, 41 (2), April 2020, p. 163.

<sup>36</sup> Felix Berenskoetter, 'Reclaiming the Vision Thing: Constructivists as Students of the Future,' *International Studies Quarterly*, 55 (3), September 2011, p. 647.

<sup>37</sup> Ibid., p. 656.

given that aspiration is future-oriented,<sup>38</sup> while its effects cannot always be verified at our time. But what matters here is that an OMA aspires for a greater purpose, reflected by a certain type of 'good life', for a community. An OMA needs to articulate a strong narrative of a good life that is worth living, which holds the community together. This aspirational identity serves as a vision, elucidating what 'we' want to achieve and what 'we' want to become as a community. It provides the community with 'lofty goals'<sup>39</sup> that look beyond the present existence and look forward to a brighter and better future. An OMA also needs to show a strong commitment to enforcing the practices that support this sense of 'good life'. And finally, when practices within a social system that threaten this sense of 'good life' appear, an OMA needs to be determined to take actions that bring the deviating behaviours back in line.

This aspirational aspect of identity thus plays a key role in the internalisation of an order. A well-articulated narrative of 'good life' will make the order appealing to its subscribers. It offers a greater purpose beyond mere existence that facilitates a sense of coherent community. A strong aspiration to achieve a greater purpose than existence for this community makes the order desirable and worth investing in, and thus increase the willingness of the subscribers to stay on board. This will make an order more sustainable, and

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<sup>38</sup> Martha Finnemore and Michelle Jurkovich, 'The Politics of Aspiration', *International Studies Quarterly*, 64 (4), December 2020, p. 759.

<sup>39</sup> Ibid.

less likely to erode or even collapse.

Once the identity element enables an actor to position itself and gain the aspirations to pursue the 'good life' for a community, *representation* is viewed as the second key element. Bull argues that 'within a modern state the government plays a central role in promoting the effectiveness of elementary social rules'.<sup>40</sup> However, for an international actor of our concern, representation becomes a problem, given that no entity can enjoy such rights and play this central role like a government within a sovereign state.

Importantly, an international actor is essentially an abstraction. An international actor is always an organized group of institutions, so that when it acts, its action must be represented by a certain (set of) agents. These institutions may be of different natures. A supranational institution takes actions in ways different from an inter-governmental one. Therefore, when we consider the process of order-making, we need to examine the representation element. For an international actor, successful representation means that a permanent identifiable agent emerged that can engage in actions on behalf of the abstract actor. It involves the process of separating the constituents' (member states) actions from its own.<sup>41</sup> The representative agent needs to obtain the legal

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<sup>40</sup> Bull, *The Anarchical Society*, p. 55.

<sup>41</sup> This also speaks to the call for 'separating EU action from coordinated action of the Member States' and the problem of organizational autonomy. See Thomas Gehring, Sebastian Oberthür and Marc Mühleck, 'European Union Actorness in International Institutions: Why the EU Is Recognized as an Actor in Some International Institutions, but Not in Others', *Journal of Common Market Studies*, 51 (5), September 2013, p. 850.

competence and a shared consent amongst the constituents that the acting agent is the suitable and legitimate one. This agent is assigned to formulate and roll out rules and regulations, which translate the mandates and aspirations of an actor into daily practices and concrete policies. This representative agent plays a vital role in the internalisation of an order. It introduces specific rules and regulations that help the subscribers better understand their own obligations. Furthermore, on occasions that they do not comply to the rules and thus fail to meet their obligations, the representative agent chase after them and ask them to make corrections of their behaviour.

Representation becomes even more important when we examine the external orientation of order, which is its diffusion into the international environment. When an actor tries to exert influences on the external world, the 'voice vs mouth' problem has been identified by Delreux.<sup>42</sup> Even when an actor has a single voice (i.e., a largely cohesive policy), it may be expressed through multiple mouths (i.e., different channels). An actor may be represented by a certain institution, or one of its constituents (such as a member state), or both if the competence is shared. In a complicated political system (such as the EU), there may be multiple co-existing channels that may even contradict each other. But successful representation means that at least one representative agent is identified as the legitimate channel of external engagement. Representation

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<sup>42</sup> Delreux, *'EU Actorness, Cohesiveness and Effectiveness in Environmental Affairs'*, p. 1021.

thus determines the forum for how the wider international audience deal with the OMA, and how the order is diffused into the external world. The representative agent needs to engage in international negotiations, signing international treaties or agreements. It convinces the external audience that this very agent is the right party to engage, and the actor's actions are legitimately taken through this channel. In this way, it strengthens the actor's presence in the international arena, and helps reproduce and propagate the governing arrangement on global scale.

Finally, *instrument* serves as the final key constitutive element. In the first place, instrument concerns the materialistic resources an actor possesses to take a specific action. An actor will always need an arsenal of resources to pursue any meaningful actions. These may include tangible resources such as financial budget, staff and human resources, technology, and equipment. Instrument may also include intangible resources such as knowledge, information, expertise, and connections (in terms of human network). These intangible resources may be even more important than those materialistic ones within certain contexts. In the meantime, instrument needs to be considered together with representation. The representative agent needs to choose the most suitable one among its pool of resources and decide when and how to use them on a specific occasion.

More importantly, instrument captures the political will of an actor to

decisively use these resources in pursuit of the goals that go in line with its identity. Resources alone merely serve as the basis of any meaningful action. The scope of instrument in this theoretical model goes beyond that. Whether to use a set of tools is often a political decision, which depends on the discretion of an actor and the specific context it finds itself in. Even a set of deployable resources exist, the lack of political will leads to inactions. The political will thus falls into the instrument category, which is necessary for the representing agent to use its resources and tools purposely and decisively.

Instrument plays a vital role in the maintenance and functioning of an order. After all, all agencies are run and managed by individuals. In this regard, financial resources are necessary to fund a group of professionals composing the representative agent, who can then go ahead to formulate the rules and regulations that underpin a governing arrangement. Furthermore, if members do not comply with the rules and thus fail to meet their obligations, instrument makes it possible that the rule-breaking behaviour can be identified, tracked, and finally corrected. Herein, the necessary instrument often entails highly specialised knowledge or information, such as legal expertise and connections with high-ranking officials.

To summarise these points, identity, representation, and instrument are viewed as the three constitutive elements of an OMA. Considered together, they enable an international actor to contribute to order-setting. Meanwhile, these

three elements are connected by an inherent logic. In the first place, an OMA needs to position itself and aspire for a greater purpose for a community. Second, certain (groups of) institutions take actions on behalf of the actor through successful representation, which serve as the representative agent that separates the OMA from its constituents. Finally, the representing agent needs to possess the necessary instrument, which includes tangible materials or more subtle resources, and in the meantime, the political will to use these resources purposely. The elements and their implications for order setting are presented in table 3.1.

**Table 3.1: Constitutive elements of an OMA and their roles in order building**

<b>What constitutes an OMA?</b>	<b>What does the element involve?</b>	<b>Why it matters for order-building?</b>
Identity	mandate; aspirations	specify coverage of issue areas; narrate a greater purpose
Representation	agent on behalf	formulate rules; facilitate international diffusion
Instrument	resources; political will	maintain its functioning

*Source:* author

However, an actor cannot act fully at its own will. As an OMA shapes the environment, the environment, in turn, imposes some constraints on it as well. This theoretical model captures the potential limitations that may constrain an

OMA and all its three constitutive elements.

First, an OMA cannot shape the environment beyond the scope of its mandate. The constituents, under this circumstance, will challenge an actor's order-building efforts. Furthermore, the external others may question the purpose or the mandates of an OMA and contest its fitness for the international environment. More importantly, the external others may further challenge its aspirations. They may not accept the 'good life' articulated for the community. The good place imagined by an OMA might be viewed as undesirable, unworthy, or even immoral by the external others. The external audience may even challenge the very existence of the community, viewing it as a fragmented system rather than a coherent 'we'. The extreme scenario would be that they may even completely dismiss the legitimacy of the OMA's articulated identity.

In terms of representation, even when the community is recognized by the external others, they do not necessarily accept the platform through which the OMA is represented. They may not acknowledge the specific agent that engage in actions on behalf of the OMA. The external others may choose to engage with the most influential constituent, instead of the bodies that are supposed to represent the OMA. The assigned *de jure* agent may struggle to establish itself as the *de facto* one.

Finally, the instrument that an OMA needs to possess is also subject to constraints. The OMA in question may lack the set of resources necessary to

achieve its goals. Even when the needed set of tools are available, the external others may weaken the instrument deployed by an OMA, by strategically or purposely using their own policy toolkit. More importantly, even if the OMA possesses certain resources and chooses to use them, the external others may challenge the legitimacy of the instrument being used. In one way or another, the political will of an OMA to utilise the resources may be subject to paralysis.

### ***3.4. Research design***

If theories serve to map concepts and ideas in a coherent and reasoned way, a research design puts these concepts into practice and thus bridges the empirical and theoretical parts. This section orients the discussion towards the practical aspect of the research project. First, it will elucidate and justify the overall research strategy adopted in the project, including the selection amongst the deductive or inductive, positivist or interpretivist approach, and small or large N. Second, based on the research strategy, this section will specify the data-collecting method to be used. Thereafter, the final part will unpack the research question of the project into specific data-collection questions.

In the first place, it is useful to define the frequently used terms in this section for the purpose of consistency and clarity. This becomes even more important as the two terms 'methodology' and 'method' are different, and it would be mistaken to use them interchangeably. In this regard, Gerring makes

a distinction between them that ‘method refers to a specific procedure for gathering and/or analysing data, while methodology refers to the tasks, strategies, and criteria governing scientific inquiry, including all facets of the research enterprise’.<sup>43</sup> In other words, methods concern the specific techniques for data collection, analysis, or presentation, whereas methodology concerns the overall research strategy for undertaking the project. With these two terms clarified, we shall first elaborate on the research strategy (methodology) of the project, and then the more specific methods adopted in the following empirical chapters.

### **3.4.1. A research strategy**

The choice of a research strategy depends largely on the type of question or the nature of the enquiry. In this regard, Schwartz-Shea and Yanow argue that ‘articulating the research question itself can reveal the approach or logic of inquiry it contains and rests on’.<sup>44</sup> The research question proposed in this chapter (and at the very beginning of the thesis) should be classified as a ‘what’ or ‘how possible’ question. Essentially, it asks ‘what are the crucial constitutive elements?’, ‘what constitutes an OMA?’, and ‘how is it possible that an actor is capable of order setting and shaping the environment?’. Therefore, the nature of the enquiry is not to seek causal explanation, but to develop a constitutive

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<sup>43</sup> John Gerring, *Social Science Methodology: A Unified Framework* (Second Edition, Cambridge: Cambridge University Press, 2012), p. 6.

<sup>44</sup> Peregrine Schwartz-Shea and Dvora Yanow, *Interpretive Research Design: Concepts and Processes* (New York: Routledge, 2012), p. 24.

account of an OMA that serves both descriptive and explanatory purposes.

The first dimension of the research strategy concerns the relationship between theory and research. So far in this project, theory-building comes first before the process of gathering data. Therefore, it follows the deductive pattern rather than the inductive one. The deductive approach, according to Bryman, is a process that 'the researcher, based on what is known about and the theoretical considerations in relation to a particular domain, deduces a hypothesis'.<sup>45</sup> This research project follows the deductive approach, because data-collection is primarily guided by the theory and conducted with the help of it.

That said, this project will not completely exclude the inductive approach to knowledge. It is possible that evidence emerged during the data-collection process would revise or even challenge the pre-constructed theory. In other words, the observations gained afterwards could feed back on the theory itself. Specifically, empirical observations could necessitate the revision of the theoretical deductions presented in table 3.1. The Conclusion of the thesis will include a reflection section that revisits the theory against empirical evidence. Therefore, the inductive thinking serves as a complement to the primarily theory-led deductive approach. This means that the logic of enquiry in this

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<sup>45</sup> Alan Bryman, *Social Research Methods* (5<sup>th</sup> Edition, Oxford: Oxford University Press, 2016), p. 24. The term of hypothesis used in the quote is, of course, a positivist one. It does not necessarily fit with this primarily interpretivist research.

project is not as linear and straightforward as a purely deductive one. It allows for what Schwartz-Shea and Yanow call the 'more circular-spiral pattern'.<sup>46</sup> The inclusion of induction would benefit the project by 'generalising from local experiences on their own terms and using a dialectical combination of theory and empirical findings'.<sup>47</sup>

The second dimension of the research strategy concerns the epistemological consideration of the positivist/interpretivist approach. This research project primarily adopts interpretivism rather than positivism as the doctrine. This is because, as interpretivists would point out, 'the subject matter of the social sciences is fundamentally different from that of the natural sciences'.<sup>48</sup> The nature of the enquiry in this project is not to find the laws that explain the causes of things. Instead, it seeks to understand<sup>49</sup> the constitution of a social phenomenon or a property (OMAs), and the mechanism that makes it possible.<sup>50</sup>

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<sup>46</sup> Schwartz-Shea and Dvora Yanow, *Interpretive Research Design*, p. 28. Interestingly, they call this more complex model of reasoning 'abduction'. Arguably, although the theory of OMA in this chapter is deduced before the data-collection, it was inspired by the review of the multiple actors in the post-Soviet space done in Chapter 2. Therefore, in practice the logic of reasoning of this project is complicated. It contains the strategy of abductive inference. For abduction and abductive strategy, see Patrick Thaddeus Jackson, *The Conduct of Inquiry in International Relations: Philosophy of Science and Its Implications for the Study of World Politics* (Second edition, New York: Routledge, 2016), pp. 94–95. Also see Alexander Wendt, 'The Agent-Structure Problem in International Relations Theory', *International Organization*, 41 (3), Summer 1987, pp. 352–354. Perhaps the most precise description of the reasoning of this research would be that a set of hypothetical conjectures (the theory of OMA) was deduced, which is inspired by the insights gained from Chapter 2.

<sup>47</sup> Amitav Acharya, 'Dialogue and Discovery: In Search of International Relations Theories Beyond the West', *Millennium: Journal of International Studies*, 39 (3), 2011, p. 624.

<sup>48</sup> Bryman, *Social Research Methods*, p. 28.

<sup>49</sup> By understanding I follow Hollis and Smith's definition that 'understanding proceeds by rational reconstruction of rules and reasons for action from within', see Martin Hollis and Steve Smith, *Explaining and Understanding International Relations* (New York: Oxford University Press, 1991), p. 90.

<sup>50</sup> Also see Wendt's argument that 'given the role that ideas play in constituting social kinds, answering constitutive questions will require interpretive methods' in Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999), p. 85. However, herein I think 'interpretive methodology'

Furthermore, as Wendt argues, 'to say that states (or in our case, an international organization) are "actors" is to attribute to them properties we associate first with human beings'.<sup>51</sup> This treatment of the subject matters of our enquiry assumes that we are interested in both the meaning of social reality to them, and the meaning of their action to the environment. Therefore, in practical sense, this always entails a certain degree of interpretation of the observations, data, and evidence, not to mention that the process of collecting data itself in this project is heavily guided (or determined) by the theory. Without the theory in mind, we do not even know where to look for evidence and what evidence to look for. In this regard, I concur with Hollis and Smith that 'there is no way of describing experience independently of its interpretation ..... no facts prior to interpretation'.<sup>52</sup>

However, although the positivist approach is not adopted as the primary philosophy, its core principles will not be completely dismissed. In this regard, Wendt makes an important argument that 'causal and constitutive theories do not imply different epistemologies, as both kinds of theory are true or false in virtue of how well they correspond to states of the world'.<sup>53</sup> Scientific knowledge must be arrived at through the gathering of empirical evidence, and a scrutiny of the theory against the facts. This concerns the most important

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is more appropriate than 'method'.

<sup>51</sup> Alexander Wendt, 'The State as Person in International Theory', *Review of International Studies*, 30 (2), 2004, p. 289.

<sup>52</sup> Hollis and Smith, *Explaining and Understanding International Relations*, p. 55.

<sup>53</sup> Wendt, 'On Constitution and Causation in International Relations', p. 106.

criteria of science, which is its falsifiability or testability, according to Popper.<sup>54</sup> Or, to use Gerring's term, 'social science may be understood as a twin quest for *discovery* and for *appraisal*'.<sup>55</sup>

Although Schwartz-Shea and Yanow completely reject the positivist terminology, such as a priori definition of concepts, variables, operationalisation, and hypotheses,<sup>56</sup> we, nevertheless, can draw upon the positivist methodology without necessarily using their terminology. The proposed theory needs to be appraised or assessed against empirical evidence, but not necessarily as 'testable hypotheses' in the narrow positivist sense. In this regard, Schwartz-Shea and Yanow use the term 'educated provisional inferences, which will be considered and explored rather than as formal hypotheses that will be "tested" in the narrower sense'.<sup>57</sup>

The theory of an OMA presented in this chapter may be appraised in the following ways, against empirical evidence. First, it can be assessed whether the three hypothesised elements are essential. It is likely that, through the collection of evidence or data, one of them will be rejected because its relevance is challenged by the empirical evidence. It is also likely that empirical

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<sup>54</sup> Karl Popper, *Conjectures and Refutations: The Growth of Scientific Knowledge* (New York: Harper & Row, 1968), p. 37.

<sup>55</sup> Gerring, *Social Science Methodology*, p. 27. Italics are original. I agree with Gerring that appraisal may be a better terminology than falsifiability, as the latter is often associated with the quantitative and statistical approach.

<sup>56</sup> Schwartz-Shea and Dvora Yanow, *Interpretive Research Design*, pp. 51–52. This is shared by Wendt as he argues that 'the "independent/dependent variable" talk that informs causal theorizing makes no sense in constitutive theorizing', see Wendt, *Social Theory of International Politics*, p. 85.

<sup>57</sup> Schwartz-Shea and Dvora Yanow, *Interpretive Research Design*, p. 53.

observations would necessitate the revision of the theory by adding novel element(s). Second, the inherent logic that connects the three proposed elements is subject to appraisal. This logic, or the relationship between the proposed elements is deduced, but this may not be true against evidence from the real world. Finally, this research project examines the EAEU as a core case study. The constructed theory will inform our understanding of the EAEU. However, theoretical deductions must be situated within our specific Eurasian context and judged against the information emerging from our case study.

The last dimension of the research design concerns the large or small N issue. This project takes the EAEU as a core case study as a potential OMA. By case study I follow Gerring's definition that case study is 'an intensive study of a single unit for the purpose of understanding a large class of singular units'.<sup>58</sup> To be more specific, the case-study strategy adopted in this research treats the EAEU as a phenomenon to be rigorously explored, aiming to inform the study of similar phenomena, i.e., other international organizations with the potential to shape the environment as they see fit.

Gerring also gives a breakdown of different types of research designs according to the number of units and temporal variation, which is illustrated by table 3.2. According to this typology, this research counts as a Case study III, which is a within-unit design with temporal variation. Specifically, although the

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<sup>58</sup> John Gerring, 'What Is a Case Study and What Is It Good for?', *American Political Science Review*, 98 (2), 2004, p. 342.

EAEU serves as the single unit (or phenomenon), this research allows for studies of multiple cases, including its sub-institutions and its comprising member states. However, the focus will not be placed on units other than the EAEU.

**Table 3.2: Typology of research designs**

		Temporal Variation	
		No	Yes
Spatial Variation	None (1 unit)	[Logically impossible]	(a) Case study I
	Within-unit	(b) Case study II	(c) Case study III
	Across-unit	(d) Cross-sectional	(e) Time-series cross-sectional
	Across- and within-unit	(f) Hierarchical	(g) Hierarchical time-series; Comparative-historical

Source: John Gerring, 'What Is a Case Study and What Is It Good for?', *American Political Science Review*, 98 (2), 2004, p. 343.

Regarding temporal variation, this research will look at the EAEU during the period since its inauguration until recent time. Considering the thesis-writing timeline, the focus will be placed on the period of 2015-2021. This period is interesting to look at because it covers two significant events, namely the (aftermath of the) 2014 Ukraine crisis and the COVID-19 global pandemic. This serves as an opportunity to examine how the EAEU responded and adapted to the changing environment.

### **3.4.2. Methods**

This part concerns the methods of collecting and analysing data. It will specify the type and source of data, and the process to analyse them.

The first set of data is collected by tracing the Acts of the Supreme

Eurasian Economic Council (Supreme Council) during the period 2015–2021.<sup>59</sup>

The acts of the supreme body of the EAEU is composed of two types of documents: Decisions and Orders. By far, the ‘Decisions’ documents cover the period 2011–2021, while the ‘Order’ documents cover the period 2015–2021. Therefore, given the purpose and the stated timeline of this project, this dataset will contain all the Orders during 2015–2021 and the Decisions during 2015–2021.

The acts of the Supreme Eurasian Economic Council are selected to form the first dataset, because this group of evidence is particularly useful to assess the identity element of the EAEU. According to Karliuk, ‘the Supreme Council considers the principal issues regarding the functioning of the EAEU; determines the strategy, direction, and prospects for integration’.<sup>60</sup> Therefore, this dataset composed of the Decisions and Orders of the Supreme Council represents the top-level considerations and visions of the EAEU’s development. It is a good fit to assess the purpose and the mandates of the EAEU, and the extent to which the EAEU has the aspirational aspect of identity.

Given that this set of data is primarily composed of discourse and narratives, it falls into the category of qualitative data. However, it is possible to conduct a quantitative content analysis.<sup>61</sup> Specifically, the quantitative

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<sup>59</sup> See the legal portal of the EAEU, < <https://docs.eaeunion.org/en-us> > (14 Sep 2020).

<sup>60</sup> Maksim Karliuk, ‘The Eurasian Economic Union: An EU-Inspired Legal Order and Its Limits’, *Review of Central & East European Law*, 42 (1), 2017, p. 55.

<sup>61</sup> Whether content analysis counts as an approach or a research method is debatable. I see it as a method of processing and analysing the evidence in a systematic and quantitative way. See Bryman, *Social Research*

treatment of this set of data entails a statistical analysis of the frequency of the keywords that emerge in the documents. This quantitative treatment of the dataset will give us a clear account of the purpose, mandates, or aspirations of the EAEU. Meanwhile, it is acknowledged that a quantitative content analysis alone is not enough. This statistical analysis will be complemented by a qualitative critical discourse analysis.

The second primary dataset concerns the Acts of the EEC during the period 2015–2021. A detailed study of the Acts of the EEC is important, particularly for the purpose of examining the representation element. The EEC is officially described as ‘a permanent supranational regulatory body of the Union, with one core task of drafting proposals in the field of economic integration within the Union’.<sup>62</sup> Furthermore, the Commission Board is considered as ‘the supranational part in the EEC, which is obliged to act independently from their governments’.<sup>63</sup> Therefore, the EEC is the institution with the potential to successfully represent the Union, as discussed in the theoretical framework.

This group of data on the EEC would contain two sub-datasets. The first one is the Acts of the College (Board) of the EEC, which comprises three types of documents: Decisions, Orders, and Recommendations. The second

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*Methods*, pp. 289–290. Also see Ole R. Holsti, *Content Analysis for the Social Sciences and Humanities* (Reading: Addison-Wesley Pub. Co, 1969), p. 14.

<sup>62</sup> See the official website of the EAEU, < <http://www.eaeunion.org/?lang=en#about-administration> > (28 May 2020).

<sup>63</sup> Karliuk, ‘*The Eurasian Economic Union*’, p. 58.

sub-dataset covers the Acts of the Council of the EEC, which contains Decisions, Orders, and Recommendations as well.

The number of documents requires a different treatment of data. For example, The College of the EEC issued more than 200 pieces of decisions in 2019 alone. Therefore, given the time limit of conducting this research, it is neither pragmatic nor sensible to discuss every single document. Analysing this group of data requires strategic selection of the documents that are most relevant to our research question. This will depend much on the operationalisation of the key concepts and the subsequent theory-informed sampling of information.

Besides the deskwork of gathering, grouping, and analysing data, this project also relies on the data gained from fieldwork.<sup>64</sup> This would mainly contain qualitative data obtained from a series of semi-structured interviews. The method of semi-structured interview is chosen for two reasons. First, it enables the interviewer to ask the theoretically informed data-collection questions in an organized and rigorous way. For efficiency purpose, this will not

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<sup>64</sup> Given the disruptions caused by the COVID-19 pandemic, international travel was seriously affected. The initial plan for doing fieldwork in Minsk, Belarus during April–May 2020 had to be postponed or even cancelled. Unfortunately, the situation was unpredictable during my doctorate, particularly given the political demonstrations after the re-election of Lukashenka. Due to these factors, I turned to Plan B to mitigate the effects caused by the global pandemic and political unrest in Belarus. I conducted my online fieldwork during 2021–2022, approaching the respondents and conducting semi-structured interviews via Skype or email. This served as a good way to compensate for the increased difficulty of international travel. This also made it possible to approach more respondents beside the scope covered by on-site fieldwork.

be a primarily informant-driven process. Instead, before going to the field and conducting these interviews, the data-collection questions need to be specific and well designed. Second, semi-structured interview can allow for the emergence of information beyond the scope of the pre-designed questionnaire. The respondents may raise new questions, articulate novel discourse that were not taken into consideration previously by the interviewer. This process speaks to the inductive thinking and the empirical observations' feedback on the theory discussed in the research strategy part.

Scholars who are knowledgeable in the field of Russian/Eurasian studies were approached and included in the sample of respondents. Meanwhile, during the interviews, participants were asked to recommend one or two other interviewees relevant to this research. This may also include diplomats, practitioners, or legal experts. In this way, the sample of respondents was not only formed based on the author's own choice, but also on the recommendation by interviewees.

Finally, a complementary source is the secondary data gained from scholars and researchers published in academic journals, reports, and books. This set of information serve as a complement to the primary sources that this project relies on.

### 3.4.3. Operationalisation

This part presents the process of operationalising the key concepts in the theory of OMAs. Operationalisation serves the purpose of connecting abstract concepts and empirical data. It also unpacks the overall research question into the specific data-collection questions. As Gerring puts it, the critical question of operationalisation is ‘how we recognise a concept when we see it (from empirical evidence)’.<sup>65</sup> Furthermore, Gerring gives a useful framework that can guide the procedure of operationalisation, including ‘the latent concept of theoretical interest, a conception, key components of the conception, and an indicator of the component’.<sup>66</sup> This ‘conceptual ladder’ from an abstract concept to the specific indicators offers valuable insights into our process of operationalisation. In terms of the theory of OMAs and its key concepts, table 3.3 presents a way of moving down this conceptual ladder.

**Table 3.3: Operationalising the concepts in the theory of OMAs**

<b>Latent concept of theoretical interest</b>	<b>Three conceptions (constitutive elements)</b>	<b>Key components of the conception</b>	<b>Indicators</b>	<b>Main methods</b>
OMA: What constitutes an OMA? What enables an actor to contribute to order	Identity	Mandates	Frequently mentioned keywords in the Supreme Council documents	Statistical word count
		Aspirations	Description of the visions in the Supreme Council	Critical discourse analysis

<sup>65</sup> Gerring, *Social Science Methodology*, p. 156.

<sup>66</sup> *Ibid.*, p. 164.

setting?			documents and Strategy 2025	
	Representation	Internal competences	Directions, regulations, or recommendations of the EEC	Content analysis/ semi-structured interviews
		External presence	The EEC's engagement in international negotiations	Content analysis/ semi-structured interviews
	Instrument	Resources	Staff, funding, and expertise of the EAEU or its sub-institutions	Semi-structured interviews/ secondary sources
		Political will	Responses of the EAEU or its sub-institutions in case of non-fulfilment	Content analysis/ secondary sources

Source: author

The overall research question is a what/how possible question. We are interested in what constitutes an OMA, and how is it possible that an actor can contribute to order setting. Therefore, an OMA serves as the overall latent concept of theoretical interest, and we are particularly interested in its constitution. The theory presented in this chapter outlines three conceptions that serve as the constitutive elements of an OMA: identity, representation, and instrument. As table 3.3 suggests, each conception contains some key components. Finally, the indicators help us identify these components in empirical evidence.

In terms of identity, the first key component is the assigned mandates of the EAEU. Amongst the various international organizations and integration

projects in the post-Soviet space, the EAEU needs to position itself with its distinct purposes and mandates. Therefore, this component essentially asks: What is the EAEU, or what has it become, in terms of its purposes and mandates. The indicator would be the frequently mentioned keywords in the documents of the Supreme Eurasian Economic Council. As discussed in the method section, this would primarily draw upon the first dataset, which is collected by tracing the Acts of the Supreme Council. A complementary source would be the data collected from the semi-structured interviews. Quantitative content analysis and wordcount would be used as the main methods to process this dataset. Specifically, we ask the following data-collection questions:

*What issue areas have been covered in the Supreme Council documents?*

*What are the most frequently mentioned keywords?*

*How far does the amount of coverage of issue areas change over time?*

The second key component of identity is the aspirations of the EAEU. In practical sense, aspirations entail the long-term vision of the EAEU. This component essentially asks: What is the EAEU going to become? A particularly interesting timeline is 2025, which will mark the 10<sup>th</sup> anniversary of the EAEU. Therefore, the indicator would be the description of long-term visions in the Supreme Council documents and a recently published 2025 Development Strategy. This is also likely to be complemented by the discourse of the head-of-states of EAEU members, and the evidence from semi-structured interviews.

The main method would be a qualitative critical discourse analysis. Specifically, we ask the following data-collection questions:

*Does the EAEU have a long-term vision toward its 10<sup>th</sup> anniversary?*

*What are the issue areas covered in this vision?*

*How has the vision been presented?*

In terms of representation, the first component looks at the internal aspect of representation. Since the EEC is officially declared as a supranational body within the EAEU, the indicator we look for include the EEC's directions, regulations, or recommendations that have a direct impact on its member states. Regarding data collection and analysis, the extensive EEC documents will be filtered based on our indicator. The selected documents will be reviewed and discussed. This would be complemented by the evidence gained from our semi-structured interviews. Specifically, we ask the following data-collection questions:

*On what issues are the EEC's regulations automatically translated into national law(s)?*

*To what extent does the EEC enjoy supranational delegation?*

The second important component has a strong external orientation, which concerns the presence of the EAEU when it comes to external engagement. The indicator, therefore, is the presence of the Commission in international

negotiations. We also look at the extent to which the EEC has developed a network of oversea delegations or offices. Data collection would primarily rely on two sources. First, the treaties or agreements signed by the EAEU will be considered. Second, analysis would benefit from the evidence gained from semi-structured interviews. Preferably, respondents should include the EEC staff or diplomats who were involved in negotiations, as they will be able to offer 'local' knowledge or insights. Specifically, we ask the following data-collection questions:

*What types of agreements have the EAEU signed with external actors?*

*What are the roles the EEC played in the negotiation process?*

*How has the EEC team of professionals been perceived by their international partners?*

In terms of instrument, the first important component is a pool of resources deployable by the EAEU. The indicator we look for thus includes the staff, funding, and expertise of a variety of EAEU bodies. To the extent that the EAEU is largely represented by the EEC, particularly in its external engagement, we place the focus on the resources the EEC possesses to serve as the representative agent. The discussion in this part will rely on two sources of data. First, evidence from semi-structured interviews will offer valuable local knowledge and insights. Second, concrete numerical data can be obtained from secondary sources, such as academic journal articles, books, and the

publications of the EEC itself. The following question will guide us through the data-collection process:

*To what extent, does the EAEU have an independent budget?*

*Has the EEC been adequately funded?*

*What are the educational backgrounds of the crucial EEC staff?*

*Beside the EEC, what kind of resources have been used by other EAEU bodies?*

The second component, political will, denotes the extent to which the representing agent is committed to enforcement in cases of non-fulfilment. The situations of non-fulfilment may include member states' violation of their obligations stipulated in the legally binding orders or international treaties. The indicator we look for is the responses of EAEU bodies in case of conflicts or non-fulfilment. We would be particularly interested if legal cases have been initiated by the EEC, and how these cases have been dealt with by the Court. Sources of data will mainly rely on the selected documents of the Court, in case of significant non-fulfilment, complemented by information gained from our interviews and other secondary sources. Specifically, we ask the following data-collection questions:

*What institutions have the right to initiate legal proceedings to the Court?*

*What are the cases of significant non-fulfilment of obligations?*

*How have these cases been addressed through legal procedures, i.e., the Court?*

*Are there other channels of conflict resolution other than legal proceedings?*

### **3.5. Conclusion**

This chapter presents an original theoretical contribution that further advances the argument of OMAs, which has been developed in the Introduction. It aims to peg the argument on an introduction of order into the actorness debate. Informed by the insights gained from the historical review in Chapter 2, three constitutive elements have been identified: identity, representation, and instrument. As a constitutive theory, it helps us better understand the constitution of an OMA, and more importantly, how these elements enable an actor to effectively shape the environment as it sees fit.

Methodologically, this research will adopt a deductive, interpretive, and case-study strategy. At the same time, the distinctions made between various research strategies are arbitrary, while in practice they may not be so clear-cut as in theory. For example, this research design embraces the abductive thinking that empirical evidence can and should feed back on the theory. It also supports the positivist principles that a theoretical claim must be subject to empirical assessment, and that concepts outlined in a theory must be operationalised into more concrete indicators.

In a practical sense, the theory of an OMA has been operationalised. The overall research question was unpacked into six groups of data-collection questions, which will guide the process of gathering and analysing empirical evidence. In terms of the structure of the empirical chapters, each chapter will be devoted to one constitutive element. Importantly, they will not be discussed as fixed and pre-given elements. Instead, as the theory suggests, all the three elements are subject to change, which enables an OMA to adapt itself to the changing environment. Next, Chapter 4 will engage the first constitutive element and examine the EAEU identity.

## **Chapter 4. Is It Really All about Geopolitics? Scrutinising the EAEU Identity**

The first half of this thesis has laid out a conceptual foundation for this study. To be more specific, Chapter 3 further probed into the idea of an OMA proposed in the Introduction. Drawing upon the insights gained from the historical review in Chapter 2, Chapter 3 presents a theoretical framework of an OMA featuring three constitutive elements: identity, representation, and instrument. Thereafter, the second half of this thesis will be guided by this theoretical argument, devoting one chapter to each of the proposed constitutive elements. Therefore, the second half of this study will be composed of three chapters that engage empirical evidence and present analyses of data.

Chapter 4 is thus the first attempt that connects the theory with empirical evidence, approaching the identity element of the EAEU. To recap the points from our OMA theory, identity has been unpacked into two important components. First, identity entails that the OMA needs to position itself amongst others with its purpose and specific mandates in certain issue areas. Second, the identity element also includes the aspirations of the OMA under consideration. Essentially, this aspirational identity serves as a vision that articulates a narrative of 'what we aim for' and 'what is the good life' for the community. This chapter will explore the EAEU identity in these two aspects.

Before we go further to analyse the data, it is helpful to engage the literature on identity of regional organizations, and more specifically, on identity of the EAEU. By reviewing the existing literature, we can get a clearer sense of the contributions that this chapter can make, both conceptually and methodologically.

Identity has been extensively examined in the studies of regional organizations as potential actors. For example, in Hettne's account, identity, regarded as what brings people together to becoming a 'we', serves as part of the regionness component.<sup>1</sup> In Doidge's framework, identity is captured by the concept of action triggers, which 'refers broadly to the goals, interests and principles of a given organization'.<sup>2</sup> Furthermore, in Wunderlich's comparative study of the EU and ASEAN actorness, identity has been operationalised as their self-understanding/self-perception of their normative principles and core ideas.<sup>3</sup>

A group of studies place great importance on identity of an international organization and offer valuable insights in one way or another. As an area specialist, Acharya argues that the emergence of Asia-Pacific multilateral institutions is partly identity-driven, pointing out four key ideas behind the

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<sup>1</sup> Björn Hettne, 'The European Union as an Emerging Global Actor', in Jens-Uwe Wunderlich and David J. Bailey (eds.), *The European Union and Global Governance: A Handbook* (London: Routledge, 2015), p. 28.

<sup>2</sup> Mathew Doidge, 'Regional Organizations as Actors in International Relations: Interregionalism and asymmetric dialogues', in Jürgen Rüländ, Gunter Schubert, Günter Schucher and Cornelia Storz (eds.), *Asian-European Relations: Building Block for Global Governance?* (Abingdon: Routledge, 2008), p. 39.

<sup>3</sup> Jens-Uwe Wunderlich, 'The EU an Actor Sui Generis? A Comparison of EU and ASEAN Actorness', *Journal of Common Market Studies*, 50 (4), July 2012, p. 658.

identity formation of ASEAN: cooperative security, open regionalism, soft regionalism, and flexible consensus.<sup>4</sup> Oelsner looks more generally regional and international institutions, arguing that ‘a clear identity is necessary for an organization to project itself not only internally and internationally, but also temporally’.<sup>5</sup>

More specific to our research, various views over the EAEU identity can be found in existing literature, which can be summarised into three camps. The first school of thought takes a *functionalist and economic approach*. For example, Vinokurov argues that ‘the EAEU is best viewed as a functioning customs union with a rich (economic) agenda’.<sup>6</sup> He sees the activities and the future plans of the EAEU, such as the ‘finalization of the Customs Code, the creation of common pharmaceutical, power, oil, and gas markets, and a single financial regulator as components of the same process—elimination of exemptions from the EAEU common market’.<sup>7</sup> Following this functionalist and economic approach, scholars have recognized plenty of achievements of the EAEU, such as ‘a common external tariff, a common set of World Trade Organization (WTO)-compliant technical standards, and a common labour market, which has already been in place or in effect’.<sup>8</sup>

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<sup>4</sup> Amitav Acharya, ‘Ideas, Identity, and Institution-building: From the “ASEAN Way” to the “Asia-Pacific Way”?’ *The Pacific Review*, 10 (3), 1997, p. 343.

<sup>5</sup> Andrea Oelsner, ‘The Institutional Identity of Regional Organizations, Or Mercosur’s Identity Crisis’, *International Studies Quarterly*, 57 (1), March 2013, p. 115.

<sup>6</sup> Evgeny Vinokurov, ‘Eurasian Economic Union: Current State and Preliminary Results’, *Russian Journal of Economics*, 3 (1), 2017, p. 69.

<sup>7</sup> *Ibid.*, p. 60.

<sup>8</sup> Evgeny Vinokurov, Mikhail Demidenko, Dmitry Korshunov, and Mihaly Kovacs, ‘Customs Unions, Currency

The second group of scholars emphasises on the *geopolitical dimension* of the EAEU, arguing that it could be used as a tool to achieve Russia's geopolitical goals. In this regard, Mostafa and Mahmood recognized the critique of the EAEU 'as a Russian initiative to expedite the regional integration process to form a continental bloc and create a multipolar world'.<sup>9</sup> In addition, they point out that the union also 'allows Moscow to present an image of itself as a great Eurasian power that enhances its own self-esteem and, supposedly, its standing in the eyes of foreign audiences'.<sup>10</sup> Kaczmarek offers an interpretive study of how Russia understands regionalism, arguing that 'with regard to the EAEU, Russia opts for universal and legally binding norms, which would create a barrier to the exercise of influence by other actors, in order to maintain its influence in the post-Soviet space'.<sup>11</sup> This illustrates the defensive nature of the project. His study further demonstrates that from the Russian perspective, 'the ultimate expected outcome of the Eurasian integration is to create a political rather than just an economic union'.<sup>12</sup> Dragneva examined the EAEU's external relations, concluding that 'they predominantly serve Russia's geopolitical and strategic interests and are thus unlikely to achieve trade or connectivity promotion'.<sup>13</sup>

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Crises, and Monetary Policy Coordination: The case of the Eurasian Economic Union', *Russian Journal of Economics*, 3 (3), 2017, p. 281.

<sup>9</sup> Golam Mostafa and Monowar Mahmood, 'Eurasian Economic Union: Evolution, Challenges and Possible Future Directions', *Journal of Eurasian Studies*, 9 (2), July 2018, p. 164.

<sup>10</sup> Ibid.

<sup>11</sup> Marcin Kaczmarek, 'Non-Western Visions of Regionalism: China's New Silk Road and Russia's Eurasian Economic Union', *International Affairs*, 93 (6), November 2017, p. 1359.

<sup>12</sup> Ibid., p. 1370.

<sup>13</sup> Rilka Dragneva, *The Eurasian Economic Union: Putin's Geopolitical Project* (Foreign Policy Research Institute,

The third group of literature recognized the functional/economic dimension of the EAEU, but at the same time, demonstrated its geopolitical implications as well. This view is illustrated by Sergi's argument that 'the EAEU is a hybrid half-economics and half-political "Janus Bifrons" that supports both Putin's ambitious political agenda and the Union's economic prospects'.<sup>14</sup> Roberts and Moshes suggest a multi-faceted Eurasian identity behind the EAEU, including the acknowledgement that national economies must be modernised in order to increase competitiveness, a defensive regionalism in a geo-economic sense to protect domestic producers, and a security aspect as well.<sup>15</sup> Libman and Obydenkova acknowledge that the EAEU is formally a purely economic organization, but argue that it may serve as a redistribution mechanism, so that in the geopolitical realm the other countries act in accordance with Russian preferences.<sup>16</sup>

The debate over the EAEU identity is crucial for our discussion of it as an OMA. To view the EAEU as an actor that can establish an order and shape the regional environment, the first thing we need to know is its purpose/mandates and aspirations. This concerns the issue areas in which the EAEU is intended to function, and its vision for the future. This chapter builds upon the

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2018), p. 1.

<sup>14</sup> Bruno S. Sergi, 'Putin's and Russian-led Eurasian Economic Union: A Hybrid Half-Economics and Half-Political "Janus Bifrons"', *Journal of Eurasian Studies*, 9 (1), January 2018, p. 52. The 'Janus Bifrons' is an ancient Roman deity.

<sup>15</sup> Sean P. Roberts and Arkady Moshes, 'The Eurasian Economic Union: A Case of Reproductive Integration', *Post-Soviet Affairs*, 32 (6), November 2016, pp. 551–552.

<sup>16</sup> Alexander Libman and Anastassia V. Obydenkova, 'Regional International Organizations as A Strategy of Autocracy: The Eurasian Economic Union and Russian Foreign Policy', *International Affairs*, 94 (5), September 2018, p. 1045.

above-mentioned views as a starting point. It aims to contribute to the field by using a novel method to explore EAEU identity. Specifically, this chapter will rely on a quantitative analysis of a dataset, which is comprised of the documents issued by the Supreme Council during 2015–2021. This analysis places the focus on the frequently-mentioned key words in the Supreme Council documents, conducting a wordcount of the content and sketching word clouds to illustrate the result of the analysis.

This specific method enables this chapter to make an original contribution in three ways. First, in the above-mentioned literature, very few studies focus on the self-expression or self-understanding of the EAEU identity, as demonstrated in the key documents of this organization. Scholars have largely based findings on their own interpretation, instead of tracing what has been said or discussed by the EAEU's top-level leadership. To fill this gap, Chapter 4 will conduct an intensive analysis of the Supreme Council documents. Second, identity should not be regarded as fixed or pre-given. As Wunderlich suggests, 'identities are dynamic, context- and time-specific'.<sup>17</sup> In a similar way, Acharya sees identity as a quest, or 'identity in the making', instead of an accomplished fact.<sup>18</sup> The method adopted in this chapter allows us to approach the EAEU identity in a time-sensitive manner. For example, in the quantitative analysis, we will be able to examine the documents on a yearly basis. This gives us a

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<sup>17</sup> Wunderlich, *'The EU an Actor Sui Generis?'*, p. 658.

<sup>18</sup> Amitav Acharya, 'Do Norms and Identity Matter? Community and Power in Southeast Asia's Regional Order', *The Pacific Review*, 18 (1), March 2005, p. 104.

more time-specific and dynamic view of the EAEU identity, beside merely an overview of the five-year period. Furthermore, significant events such as COVID-19 happened during the period of our study. This great event could not be expected when the EAEU was established early back in 2015. Therefore, our analysis enables us to see if the EAEU, as an OMA, can adapt to the changing environment and commit to adaptive governance. Third, this content analysis is likely to offer a normative perspective of the EAEU identity. By tracing the language and key words used in the Supreme Council documents, this chapter would be better positioned to find the key norms or principles that are self-expressed by the EAEU. Therefore, apart from the issue areas and mandates, this quantitative analysis can help us approach the EAEU identity in a normative sense.

Next, this chapter will proceed as follows. The first section will be devoted to a scrutiny of the EAEU identity based on an analysis of the Supreme Council documents. There will be a brief introduction of the dataset and the specific method to be used. The second section will present a critique of a geopolitical reduction of the EAEU, which equates the EAEU with a Russian geopolitical tool. It shows that from many perspectives, this reductionist view is problematic. At last, this chapter arrives at a conclusion that offers a socio-economic, people-focused, rather than a geopolitical, power-focused account of the EAEU identity.

## ***4.1. Exploring the EAEU identity: a corpus-based method***

### **4.1.1. Introducing the dataset and method**

This section explores the EAEU identity that is expressed in the documents issued by the Supreme Economic Council. The analysis will rely on a novel, corpus-based and quantitative method. Therefore, it is helpful to give an overview of this dataset and justify the method to be used in the analysis.

This dataset covers all the Supreme Council documents that are available on the EAEU legal portal during the period 2015–2021. The EAEU was formally established in 2015, functioning as an international organization since 1 January 2015. By the time of writing, there has been more than five years since its inauguration. During this period, the Supreme Economic Council has issued a significant number of Acts, which comprises the dataset of our concern. To be more specific, the Supreme Economic Council has issued two types of documents: decision and order. Overall, there are 179 decisions<sup>19</sup> and 55 orders<sup>20</sup> that are available to the public. These documents offer extensive materials for us to explore the purposes and mandates of the EAEU during the given period. Furthermore, the year of 2020 celebrates the 5th anniversary of

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<sup>19</sup> On a yearly basis, there are 36 pieces issued in 2015, 28 in 2016, 16 in 2017, 26 in 2018, 29 in 2019, 24 in 2020, and 20 in 2021. Some of the decisions are missing and thus not available on the EAEU legal portal, including decision no. 10, 20, 27, and 38 in 2015; decision no. 12 and 13 in 2016; decision no. 1, 14, and 15 in 2017; decision no 25, 26 and 27 in 2018; decision no. 12, 24, and 25 in 2019; decision no. 9, 10, and 11 in 2020, and decision no. 15, 16, 17, 18 in 2021.

<sup>20</sup> On a yearly basis, there 4 pieces of order issued in 2015, 7 in 2016, 5 in 2017, 10 in 2018, 13 in 2019, 9 in 2020, and 7 in 2021. One piece of order (2015 no. 3) is missing on the EAEU legal portal.

inauguration of the EAEU. Looking forward, the next milestone for the EAEU will be 2025, which will mark a decade since its establishment. As a result, the EEC has released a 2025 Development Strategy for the EAEU. Therefore, these materials may contain the vision of the top decision-making body for the future, particularly the plans for the 10th anniversary in 2025. This will capture the aspirational aspect of identity in our theoretical framework.

Methodologically, the analysis in this section draws upon the techniques of corpus linguistics to present a quantified discourse analysis. First of all, regarding the term 'discourse', I follow Gee's definition that 'discourse is the language actually used in specific contexts'.<sup>21</sup> Gee further suggests a link between the language-in-use and the identities (of social actors) enacted, recognised, and construed in specific contexts.<sup>22</sup> Therefore, analysing the discourse in our selected documents may help illuminate the EAEU identity.

Meanwhile, corpus-based method has become increasingly popular and noticeable in discourse analysis. For example, Paltridge gives a general introduction of corpus approaches to discourse analysis and specifies its merits and demerits.<sup>23</sup> According to Paltridge, a main strength of this method is that 'a corpus is usually computer-readable and able to be accessed with tools which are able to find and sort out language patterns'.<sup>24</sup> This is particularly

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<sup>21</sup> James Paul Gee, *An Introduction to Discourse Analysis: Theory and Method* (fourth edition, Oxon: Routledge, 2014), p. 19.

<sup>22</sup> *Ibid.*, pp. 21–23.

<sup>23</sup> Brian Paltridge, *Discourse Analysis: An Introduction* (London: Continuum, 2006), pp. 155–177.

<sup>24</sup> *Ibid.*, p. 156.

helpful to this study, given that we can figure out the language patterns in the Supreme Council documents more efficiently, using specialist software and tools.

Lastly, there have been studies relevant to political science that have effectively adopted this corpus-driven method to conduct a discourse analysis. For instance, Alvaro examines the political discourse in China's English language media, using data from a specialised corpus focusing on the term 'harmonious society'.<sup>25</sup> Baker et al effectively combine critical discourse analysis and corpus linguistics, exploring the representation of refugees, asylum seekers, immigrants, and migrants (RASIM) in British news articles.<sup>26</sup> Political science, indeed, can draw upon the methods and techniques that originate from corpus linguistics. These studies also offer some valuable insights into the practice of conducting a corpus-driven discourse analysis. In practice, the focus should be placed on the collocation and concordance (of words).

#### **4.1.2. Data manipulation: coding and procedures**

To make the materials in the dataset more suitable for our research purpose, this section will adopt a specific coding method. In terms of each piece of

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<sup>25</sup> Joseph James Alvaro, 'Political Discourse in China's English Language Press', *World Englishes*, 32 (2), June 2013, p. 147.

<sup>26</sup> Paul Baker, Costas Gabrielatos, Majid Khosravini, Michał Krzyżanowski, Tony McEnery, and Ruth Wodak, 'A Useful Methodological Synergy? Combining Critical Discourse Analysis and Corpus Linguistics to Examine Discourses of Refugees and Asylum Seekers in the UK Press', *Discourse and Society*, 19 (3), May 2008, p. 273.

document, two parts will be differentiated: the 'core text', and the 'attachment'. The Core text refers to the key part of a piece of document that is relevant to our analysis. In practical terms, the core text starts from the title of a certain document and ends before the seals of the heads-of-state. The attachment part refers to the rest of the document below the seals. In our dataset, we would only look at the core texts and incorporate them into the dataset, while the attachment part will not be analyzed.

The reason for differentiation and for adopting our coding method is that the attachment serves as a supplement to the core text. While the core text illustrates the issue areas where the Supreme Economic Council makes a decision to act, the attachment only serves the purpose of elaborating on it. Therefore, if we are interested in the purposes or mandates of the EAEU, the core text will capture the key information of our interest, whereas the attachment part rarely offers any new information. Furthermore, some of the attachments contain substantially detailed elaborations of great length. If we included these attachments into our dataset, we would be overwhelmed with detailed information of little use, while missing the key activities of the EAEU. For example, in Decision No. 16, 2015, the core text contains two pages, whereas the attachment occupies the remaining 242. In this piece of Decision, the Supreme Council made a decision to change the customs rate of certain imported goods. This would be the key information of our research interest.

However, the remaining 242-page attachment contains a detailed list of the goods. Given our research purpose, we are more interested in the materials contained in the core text rather than the attachment. The inclusion of the attachment would even substantially distort our dataset, filling it with less relevant information. Although this example is an extreme one, similar cases exist extensively in our dataset, where the core text captures the key issue areas more efficiently than the attachment. Therefore, our analysis will adopt a uniformed method in coding all materials. This method is transparent and replicable, because both the core text and the attachment are easily recognisable in our documents.

Once we adopt this coding method, there are several steps to process the data to generate results that can fulfill our research purpose. First, with the help of *yandeks perevodchik*<sup>27</sup> (Яндекс Переводчик) OCR technology, we can transfer downloaded documents into computer-readable form (from pdf. to txt.). Second, the transformed files are added to the software *AntConc*. Its Word List function allows us to see the rank and frequency of the words that appeared in our documents. Furthermore, its Concordance function enables us to examine the collocation of selected key words. At this stage, Dictionary A will be used to filter out those non-relevant vocabularies, which is attached as Appendix 1. Third, saved into *Excel*, the result of this statistical analysis would generate

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<sup>27</sup> Available at < [https://translate.yandex.ru/?utm\\_source=wizard&lang=en-ru](https://translate.yandex.ru/?utm_source=wizard&lang=en-ru) > (20 September 2020).

spreadsheets, including information such as frequently mentioned words, their rank, and frequency, etc. Finally, drawing upon the spreadsheets produced by *Excel*, we use *R* software to draw word clouds that help visualise the results of the analysis. The colour, font, and shape of the word clouds are edited via *R Studio*.

### **4.1.3. Results and discussion**

In the first place, the inclusion of all the documents (179 decisions and 55 orders) gives us an overview of the EAEU identity during the given period (2015–2021). If we select the top 100 words in the corpus and filter out the irrelevant vocabulary using Dictionary A, we will get a list of 67 high-ranking words in the EAEU documents. Figure 4.1 gives an account of word frequency in the form of word cloud.

Figure 4.1: High-ranking words in the whole corpus in word cloud, 2015–2021<sup>28</sup>



Source: author

First of all, figure 4.1 demonstrates the institutional architecture within the EAEU. The most frequently mentioned words (Eurasian, economic, union, and commission) capture the three important institutions: the EAEU, the Eurasian Economic Commission (EEC), and the Supreme Council. In this sense, figure

<sup>28</sup> The frequency of the top word in this word cloud is 609.

4.1 suggest the roles of EAEU institutions and the distribution of labour amongst them. For example, one of the most important mandates of the Supreme Council is to fulfil its organizational role, which is to supervise and regulate the overall direction of the EAEU's development. In fact, if we examine the concordance of the word *utverdit'* (утвердить; to approve), we will see extensive cases where this verb follows the Supreme Council. To be more specific, the verb *utverdit'* is collocated with the following nouns: *razmer* (размер; size), *polozhenie* (положение; position or condition), *raspredelenie* (распределение; distribution), *kontsepsiyu* (концепцию; concept), *programmu* (программу; programme), *osnovnye napravleniya* (основные направления; main direction), *osnovnye orientiry* (основные ориентиры; main orientation) and *plan* (план) etc. Interestingly, the EEC is also heavily mentioned in the Supreme Council documents, to the extent that *komissii* (commission) ranks the 6<sup>th</sup> in the word list. This indicates that the EEC plays an important role in the daily functioning of the EAEU, particularly as a delegated governing body. This is evidenced by the fact that in the concordance of the word *utverdit'* (утвердить), there are cases where the verb is used following the Council of the EEC and collocated with the noun *direktivy* (директивы; directives). This suggests that the EEC issues directives following the instruction of the Supreme Council. Therefore, the top-ranking words in figure 4.1 suggest that within the EAEU, the Supreme Council serves as the top decision-making organ, while the EEC plays a critical role as a delegated

governing body.

More specific to our research purpose, the most noteworthy word is *uslug* (услуг; services), which ranks the 24<sup>th</sup> in the top vocabulary list. If we examine the concordance of it, this word is heavily collocated with *edinogo rynka* (единого рынка; single market), *sektoru* (сектору; sector) and *podsektorov* (подсекторов; sub-sectors). Considering the whole corpus and the whole period of our concern, this serves as strong evidence that the service market or the service sector is the predominant issue area to which the EAEU is committed. A further look at the concordance of the word *uslug* (услуг) gives us a more specific picture of the exact areas that the EAEU aimed to cover. Table 4.1 reports these issue areas in detail. In general, this table suggests that these issue areas are highly related to people's daily lives, which indicates the functionalist, people-focused aspect of the EAEU.

**Table 4.1: Issue areas linked with the service sector in the whole corpus**

<b>Russian</b>	<b>English translation</b>
бюро путешествий и туристических агентств	bureau of sightseeing and traveling agencies
в инженерных областях	in engineering field
в области аудита	in auditing field
в области геологии, геофизики, геохимии	in the field of geology, geophysics, and geochemistry
в области градостроительного проектирования	in urban planning field
в области научно-исследовательских работ	scientific research
в области рекламы	in advertising field
в области строительства	in construction field
космических и геоинформационных	space and geographic information systems
по аренде и лизингу прогулочных	rental and leasing of recreational vehicles
по демонстрации видеофильмов	video-film demonstration
по картографии	cartography
по наземной маркшейдерской съемке	ground surveying
по оценке имущества	property valuation
по прогнозу погоды и метеорологии	weather forecast and meteorology

Source: author

Another important field that is highlighted in the whole corpus is the word

makroekonomicheskoi (макроэкономической; macroeconomic). In the concordance of it, this word is always collocated with politiki (политики; policy). This indicates that the macroeconomic policy of its member states serves as an important issue area where the EAEU aimed to play a regulatory role. Words such as 'geopolitical' or 'geopolitics' did not appear at all in the corpus, which supports the argument that the EAEU predominantly presented itself as a *functional and economic* organization.

In terms of the normative aspect or the core principle of the EAEU identity, the word that is worth noting is liberalizatsii (либерализации; liberalisation), which ranks the 37<sup>th</sup> in the top vocabulary list. In the concordance of this word, it is heavily collocated with plan (план) and uslug (услуг). Considered together with the prevalence of the service market/sector, we can argue that liberalisation of the service market/sector accounts for a significant aspect of the EAEU identity.

Next, the analysis will unpack the whole corpus and look at the Supreme Council documents on a yearly basis, exploring the EAEU identity from a time-specific perspective. This time-specific analysis will help us capture the words that do not appear in the top vocabulary list in the whole corpus but may otherwise be important in a specific year. We will select the years that significantly inform us of the EAEU identity, excluding the years that either contain few documents or do not reveal much of the dynamics. Meanwhile, in

the yearly analysis below, to better illustrate the nuances in the changing mandates of the EAEU, we will use Dictionary B to filter out the frequently mentioned words that only indicate the organs of the EAEU, including words such as Eurasian, economic, union, commission, supreme, and council, etc.<sup>29</sup> Although these words are important, they have already been covered by figure 4.1. In the yearly analysis, their high frequency will, instead, defeat the purpose of better showing words that are significant in a particular year.

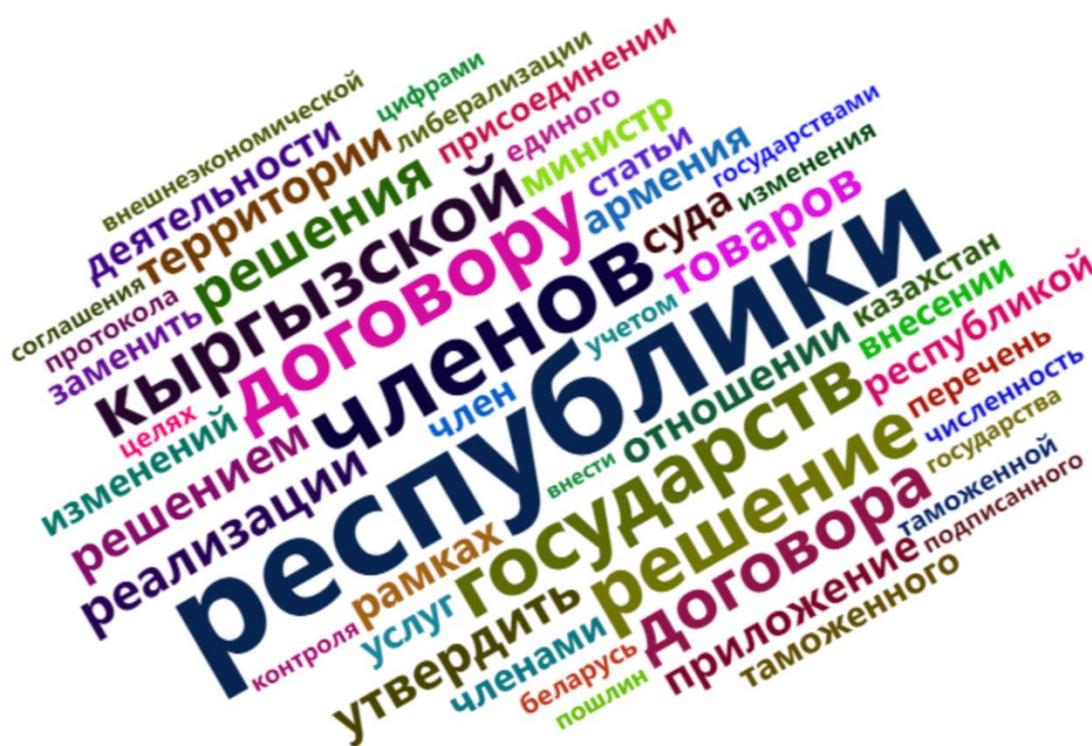
Following the same procedure, figure 4.2 illustrates the top-ranking words in the Supreme Council documents issued in 2015 (36 decisions and 4 orders). The two new acceding states (Armenia and Kyrgyzstan) significantly preoccupied the EAEU. Specifically, the word *kyrgyzskoi* (кыргызской; Kyrgyz) and *armeniya* (армения; Armenia) hit 28 and 15 times respectively. In terms of its concordance, the word *kyrgyzskoi* is heavily collocated with *prisoedinenii* (присоединении; accession) and *k Dogovoru* (к Договору; to the Treaty). In fact, we find 10 cases where the expression that ‘the accession of the Kyrgyz Republic to the Treaty (of the EAEU)’ appears. Armenia is less frequently mentioned, but the collocation pattern is very similar. The expression that ‘the accession of Armenia to the (EAEU) Treaty’ appears four times. Therefore, we conclude from the evidence that in 2015, the EAEU has been preoccupied with

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<sup>29</sup> The dictionary that guides this process of filtering out in the yearly analysis is attached as Dictionary B, please see appendix 2. At this stage we will also filter out words that are of less relevance to our research interests, such as *reshil* and *silu*.

the accession of Armenia and Kyrgyzstan to the Union Treaty.

Figure 4.2: High-ranking words in the corpus (2015)<sup>30</sup>



Source: author

Figure 4.3 presents the analysis of the documents (28 decisions and 7 orders) issued in 2016. We can see that the two significant words (service and liberalisation) have been frequently mentioned in the 2016 corpus, hitting 27 and 22 times respectively. This indicates that the year 2016 serves as a critical period, during which the EAEU started to focus on the key issue areas where it intended to function. Furthermore, the concordance hits of the word uslug lead us to Decision no. 23, which included detailed plans of liberalising the service

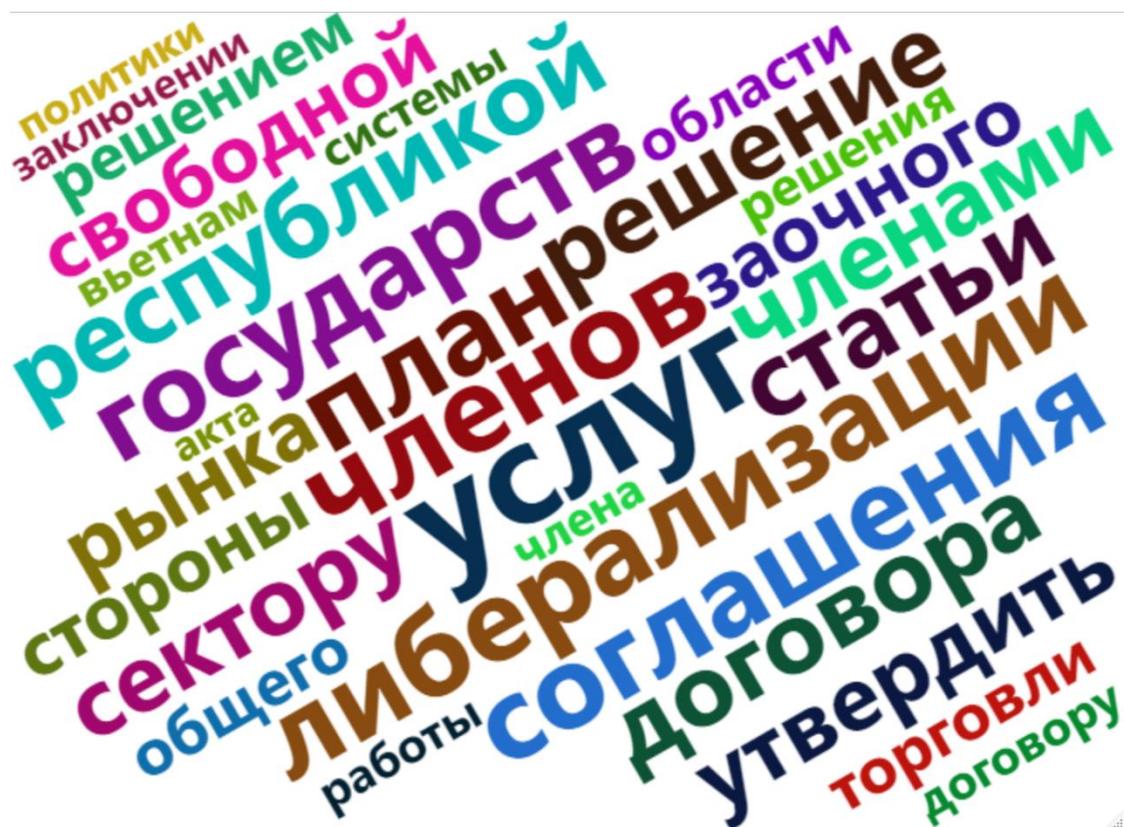
<sup>30</sup> The top word in this word cloud hits 51 times.

sector. This was frequently mentioned in the core text and elaborated on in the (exceptionally long) attachment. To give a few examples of the specific fields, Decision no. 23 covered general construction services, engineering, renting and leasing, advertising, property valuation, and travel agency services, etc. The list of fields corresponds with what we find in the whole corpus in terms of liberalisation of the service sector. Therefore, Decision no. 23 remarkably contributed to this important aspect of the EAEU identity. Furthermore, the word 'plan', which frequently appears in the 2016 documents, backs the argument that liberalisation of the service sector significantly accounts for the EAEU identity. We find 17 cases where the expression that 'liberalisation plan of the service sector' appears in the corpus of this year.

Another noteworthy field is the external actions of the EAEU starting from this year. In Decision no.3 (2016), the Free Trade Agreement (FTA) with Vietnam was declared to enter into force, which is an important outcome of the EAEU's external engagement. Furthermore, the word *peregovory* (переговоры; negotiations) appears in the high-ranking vocabulary list and hits 10 times. If we examine the concordance of this word, it is collocated with countries such as Egypt, Singapore, Serbia, Iran, and India. Therefore, the year 2016 also marks the beginning of the EAEU's intensive effort to conclude FTAs with its external partners. This claim is also supported by the analysis of the word *svobodnoi* (свободной; free), which is heavily collocated with *torgovli*

(торговли; trades), zona (зона; zone), and soglasheniya (соглашения; agreements).

Figure 4.3: High-ranking words in the corpus (2016)<sup>31</sup>



Source: author

In 2018, the Supreme Council issued 37 pieces of documents (27 decisions and 10 orders). Figure 4.4 illustrates the high-ranking words in the corpus of this year. Similarly, the most noteworthy word is uslug, which hits 29 times. However, this should be viewed as an effort to consolidate and extend the EAEU's functioning in the service sector that started in 2016. If we examine the concordance of this word, approximately half of the concordance hits

<sup>31</sup> The top word in this word cloud hits 31 times.

appear in Decision no. 7. This decision is intended to implement the liberalisation plans approved by Decision no. 23 of the Supreme Council issued on 26 December 2016. To achieve this goal, Decision no.7 in 2018 modified the list of sectors or sub-sectors of service, in which the single service market functions. Therefore, we find a direct link between this piece of document and a previous one issued in 2016 that aimed at liberalisation of the service market.

Figure 4.4: High-ranking words in the corpus (2018)<sup>32</sup>



Source: author

In terms of its external action, 2018 also marks the EAEU's engagement with one of its important international partners, namely China. Although China

<sup>32</sup> The frequency of the top word in this word cloud is 36.

does not appear in the top-ranking word list, the Supreme Council issued Decision no. 3 on questions of signing the agreement with China, and Decision no. 21, which finally declared that the Agreement on Trade and Economic Cooperation with China entered into force. Interestingly, while the EAEU made efforts to conclude FTAs with most of its trading partners, this seems not to be an option regarding the engagement with China.

Our next yearly analysis covers the documents issued in 2019 (29 decisions and 13 orders), which is summarised in figure 4.5. The figure illustrates two of the frequently mentioned words that have already appeared in the 2016 and 2018 corpus: service and liberalisation, leading us to conclude that the liberalisation of the service sector may once again be an important theme in 2019. However, beside them, in this part we place the focus on the two newly emerged words, namely *rynka* (рынка; market) and *gaz* (газ; gas), appearing 15 and 11 times respectively. Examining the concordance of the word *rynka* help us tease out some interesting information specific to the year of 2019. We find that this word is collocated with *finansovogo* (финансового; financial), and *elektroenergeticheskogo* (электроэнергетического; electro-power). This indicates that apart from liberalisation of the service sector and the common service market, since 2019 the EAEU has been ambitious to pursue a common financial market and a common market of electric power.

Furthermore, the concordance hits of the word *gaz* lead us to Order no. 6,



Our final yearly analysis looks at the last year during the given period (2021). Apart from the key words that have been already discussed previously, such as service and liberalisation, figure 4.6 shows that two new words appeared frequently in the 2021 Supreme Council documents: realizatsii (реализации; realisation) and obespechit' (обеспечить; to secure or enforce). A closer look at the concordance shows that the EAEU has been committed to the realisation of the measures or plans proposed in previous years. The word 'to enforce' is collocated with phrases such as functioning of the single service market, or realisation of trade regulations. These dynamics suggest that after the initial stage of planning, the EAEU has entered a new stage of realisation and enforcement since 2021.



discussion. Meanwhile, another important aspect of the EAEU identity is to expand the realm of the single market progressively. Specifically, an important mandate of the EAEU in 2018 is to further implement the plan of liberalising the service market. Thereafter, documents issued in 2019 demonstrate a more ambitious identity of expanding the common market to finance, electric power, and gas. In summary, the EAEU has placed top priority on functional and economic issues, implementing and expanding its internal common market in a progressive manner. In the 2020s, the EAEU has focused on enforcement of the regulations or plans proposed in previous years.

Equally important, we need to pay attention to what has been absent in the corpus. We learn from the above discussion that geopolitical or strategic issues have not appeared on the agenda of the EAEU. This challenges the argument that the EAEU has effectively been an instrument serving Russia's own geopolitical interests. In fact, the discussion in this section presents the opposite: the Supreme Economic Council has intentionally avoided mentioning geopolitical or strategic issues. Considering Russia's trade conflicts with the EU and Ukraine in the aftermath of the 2014 Ukraine crisis, we would expect that words such as sanction, the European Union, or Ukraine might appear in the corpus. However, this has not been the case. The fact that the EAEU agenda has avoided mentioning these words also reveal that although Russia is the leading member and sponsor of the Union, its own geopolitical interests have

not completely determined the activities of the EAEU. Instead of presenting a power-based and geopolitically focused identity, the EAEU has been consistently committed to sectors closely related to people's daily lives.

Apart from the purpose/mandates, our OMA theory recognizes the aspirational aspect of identity as well. Herein, the aspirational aspect is operationalised by exploring what the EAEU aspires to become 10 years since its formation, namely in 2025. Tracing the concordance of the word god (год; year) leads us to the following information that involves this timeline.

First, Decision no. 21 of 2016 foresees the formation of the EAEU's digital space. This piece of document stipulates that the member states should, working together with the Commission, develop and submit the directions of implementation of the EAEU digital agenda by the year 2025. One year later, Decision no. 12 of 2017 covered this issue again. Furthermore, Decision no. 12 elaborated on the main directions of implementing the EAEU digital agenda in its long attachment.

The second case where the timeline of 2025 appears is the area of transportation. In Decision no. 19 of 2016, it is stipulated that member states should take measures to remove the existing restrictions on all modes of transport by 2025 within the EAEU framework. In fact, this ambitious goal will have significant implications, given that transportation is extensively related to the movement of goods, people, and services, on the EAEU territory. In this

regard, the aspiration of removing transportation restrictions aims to further support liberalising the internal market.

Lastly, the Strategic Directions for the Development of Eurasian Economic Integration until 2025 (hereafter, the 2025 Strategy) effectively demonstrated the EAEU's goals and visions until 2025. The EEC listed 11 strategic directions or visions towards 2025, including 1) economic development; 2) scientific and technological cooperation; 3) a digital space; 4) a single market of goods; 5) the EAEU as a centre of development in world stage; 6) fully reducing internal barriers; 7) cooperative projects; 8) technical regulation; 9) a (better integrated) institutional system of the EAEU; 10) health care, education, tourism, and sport; and 11) customs regulation.<sup>35</sup> Although there is no guarantee that all these visions can become reality, they have a socio-economic focus predominantly, which aims to address either people's needs in their daily lives (such as health care), or the region's deficits in its development. From an aspirational perspective, we see an EAEU identity that has solid socio-economic roots rather than power or geopolitical considerations.

## ***4.2. Challenging a geopolitical reductionism of the EAEU***

Nevertheless, the existence of a regional hegemon within the EAEU seems to provoke serious scepticism or even antagonism amongst the international audience, which may prevent the EAEU from fully establishing itself in the world

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<sup>35</sup> EEC, *Strategiya–2025: Vektor razvitiya EAES na blizhaishuyu perspektivu*, p. 2.

arena. There has been a common belief amongst both scholars and policymakers that sees the EAEU as a Russian geopolitical tool, which contradicts a predominantly socio-economic identity articulated in our corpus-based analysis.

For example, the EU, arguably the EAEU's most important external partner, seems not willing to recognize the EAEU as a legitimate, well-functioning partner. Even though the EAEU presented itself as an economic and functional organization, the EU has been sceptical about this self-expressed identity, and at the same time, suspicious of the true intention of the EAEU. This is evidenced by a policy briefing issued by the European Parliamentary Research Service (EPRS). This EPRS research points out that 'the member states' decision to join the EAEU has been influenced by a mixture of coercion and bribes from Moscow'.<sup>36</sup> It arrives at the conclusion that 'the EAEU is above all a geopolitical project, designed to keep the former Soviet republics in Moscow's orbit and exclude Western influences'.<sup>37</sup> The reading of the EAEU's geopolitical ambitions is shared by a policy brief written by Dragneva-Lewers and Wolczuk,<sup>38</sup> plus a study by de Jong.<sup>39</sup> Although China seems to be more sympathetic to the EAEU project and thus more willing to engage, a group of

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<sup>36</sup> Martin Russell, *Eurasian Economic Union: The Rocky Road to Integration* (European Parliamentary Research Service, 2017), p. 7.

<sup>37</sup> *Ibid.*

<sup>38</sup> Rilka Dragneva-Lewers and Katarzyna Wolczuk, *Trade and Geopolitics: Should the EU Engage with the Eurasian Economic Union?* (European Policy Centre, 2015).

<sup>39</sup> Sijbren de Jong, *The Eurasian Economic Union and the European Union: Geopolitics, Geo-Economics, and Opportunities for Europe* (Swedish Institute for European Policy Studies, 2016).

Chinese scholars have associated the EAEU with Russia's own geopolitical strategy or vision. For instance, Li suggests a link between the EAEU and Russia's idea of a Greater Eurasian Partnership and its 'pivot to the East'.<sup>40</sup> Furthermore, the view that sees the EAEU as Russia's geopolitical tool has been common in our semi-structured interviews. Interviewees no. 4, 5, and 10 frequently expressed such narratives.

However, this section warns against jumping to the conclusion that equates the EAEU with a Russian geopolitical tool. Essentially, this reflects a geopolitical reductionism of the EAEU. This section contests such a reductionist approach, which is problematic both academically and in terms of its policy implications. It will first consider how the broader regionalism literature views the impact of a regional hegemon. Thereafter, this section will focus on the EAEU and elucidate why a simplistic reductionist approach to the EAEU is flawed.

#### **4.3.1. Regionalism with a regional hegemon and power asymmetry**

At first glance, a geopolitical reductionist approach to the EAEU may seem understandable, given the existence of a regional hegemon within the organization and the exceptional level of power imbalance. Among the regional initiatives globally, the EAEU features a single power that significantly outweighs the other smaller member states. To give an example, table 4.2

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<sup>40</sup> Yongquan Li, 'The Greater Eurasian Partnership and the Belt and Road Initiative: Can the Two Be Linked?' *Journal of Eurasian Studies*, 9 (2), July 2018, p. 96.

illustrates the core state (in terms of Gross Domestic Product, GDP) and the percentage of its GDP within relevant regional groupings. It shows that the EAEU truly demonstrates an unusual level of power asymmetry, with Russia accounting for 85.5% of GDP of the EAEU. Globally, this predominance of a single major power is rare. Only in the North America Free Trade Agreement (NAFTA) can we see a similar level of power imbalance in favour of the US.

**Table 4.2 Regional groupings, core states, and their percentage(s) of GDP (current US\$, 2020)**

<b>Regional grouping</b>	<b>Core state</b>	<b>Percentage of GDP</b>
EAEU	Russia	85.5%
EU	Germany	20.3%
NAFTA	the United States	88.5%
SCO	China	76.0%
RCEP	China	56.7%

*Source:* This table is compiled by the author. Data are obtained from World Bank Open Database. Statistics are calculated by the author.

In the broader regionalism literature, some scholars see the existence of a regional hegemon as a barrier to successful regionalism. For example, Breslin points out that a regional hegemon may incur ‘the emergence of sub-regional groups as a collective defence against actual or potential hegemons and attempts to restrict the free exercise of hegemonic power through “regional

entrapment”<sup>41</sup> Hurrell argues that ‘the existence of a powerful hegemon within a region may undermine efforts to construct inclusive regional arrangements including all or most of the states within the region’.<sup>42</sup> Fawcett lists some factors that may lead to the abuse of regionalist projects by regional hegemons, including manipulating the agenda and eschewing deep commitment to institutions.<sup>43</sup>

However, the relationship between the existence of a regional hegemon and its complete dominance has not been straightforward. A regional hegemon, and the power asymmetry it entails, does not automatically translate into the uncontested free use of hegemonic power, or the full manipulation of a regional project. In this regard, Gouriellec argues that ‘the hegemon offers other partners leadership in return for submission, but it cannot enforce rule as an imperial power and it needs consent from other sovereign actors’.<sup>44</sup> Hurrell maintains that ‘declining hegemony may well press the hegemon towards the creation of common institutions to solve common problems and to generate international support and legitimacy for its policies’.<sup>45</sup> Furthermore, in some situations, the existence of a hegemon may even serve as a necessary condition for regionalism, as Allison suggests that ‘coordination of states’ security and

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<sup>41</sup> Shaun Breslin, ‘Comparative Theory, China, and the Future of East Asian Regionalism(s)’, *Review of International Studies*, 36 (3), July 2010, p. 716.

<sup>42</sup> Andrew Hurrell, ‘Explaining the Resurgence of Regionalism in World Politics’, *Review of International Studies*, 21 (4), October 1995, p. 341.

<sup>43</sup> Louise Fawcett, ‘Exploring Regional Domains: A Comparative History of Regionalism’, *International Affairs*, 80 (3), May 2004, pp. 444–445.

<sup>44</sup> Sonia le Gouriellec, ‘Regional Power and Contested Hierarchy: Ethiopia, an “Imperfect Hegemon” in the Horn of Africa’, *International Affairs*, 94 (5), September 2018, p. 1061.

<sup>45</sup> Hurrell, ‘Explaining the Resurgence of Regionalism in World Politics’, p. 342.

defence policies in Central Asia without the influence of at least one dominant power has been difficult'.<sup>46</sup> In a word, as Hurrell argues, 'the picture is far more interesting and complex'.<sup>47</sup>

#### **4.3.2. Why geopolitical reductionism of the EAEU is problematic?**

Specific to our case of the EAEU and the Eurasian context, the picture seems no less complex. This section contests the geopolitical reductionism of the EAEU, because it approaches complicated regional dynamics in a simplistic and problematic way. Beside the rich socio-economic agenda demonstrated in our corpus analysis, this part argues that several other factors force us to refrain from a reductionist approach, which equates the EAEU with a geopolitical tool fully subject to Russian manipulation and domination.

First, from an academic perspective, reductionism may be expedient, but it has been criticised for not being suitable to capture complex social phenomena. A Special Issue published by *Geopolitics* has intensively contested geopolitical reductionism in analyses of Russia-EU energy relations. To be more specific, Judge, Maltby and Sharples identify three forms of reductionism, arguing that 'geopolitical reductionism overly simplifies the complexities of EU-Russia energy relationship and discount potential dynamics that could facilitate cooperation in the future'.<sup>48</sup> Casier observes that 'the daily reality of energy

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<sup>46</sup> Roy Allison, 'Regionalism, Regional Structures and Security Management in Central Asia', *International Affairs*, 80 (3), May 2004, p. 463.

<sup>47</sup> Hurrell, 'Explaining the Resurgence of Regionalism in World Politics', pp. 341–342.

<sup>48</sup> Andrew Judge, Tomas Maltby, and Jack D. Sharples, 'Challenging Reductionism in Analyses of EU-Russia Energy

relations is extremely complex, which is made up of a panoply of actors with their own specific motivations, preference, interests, perceptions, and logics'.<sup>49</sup> Romanova demonstrated that 'the Russian state is not a unitary actor, and that apart from geopolitical instrument, legal and technocratic instruments have their institutional proponent in Russia as well'.<sup>50</sup> Essentially, reductionism treats complex social phenomena in simplistic and partial ways, reducing a complex picture to incomplete and biased pieces.

The second factor that warns us against geopolitical reductionism of the EAEU is that changing regional dynamics presented increasing barriers for Russia to advance its geopolitical ambitions through the EAEU. Consequently, Russia's own orientation towards the EAEU has not remained the same. In an article published in Izvestia in 2011, Putin clearly showed strong geopolitical expectations in the new regional initiative in the making, which at that time, he called the Eurasian Union. He foresaw the Eurasian Union taking the shape of 'a powerful supranational association capable of becoming one of the poles in the modern world'.<sup>51</sup> Furthermore, he was keen to see a partnership between the Eurasian Union and the EU, which 'will prompt changes in the geo-political and geo-economic setup of the continent as a whole with a guaranteed global

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Relations', *Geopolitics*, 21 (4), October-December 2016, pp. 754–756.

<sup>49</sup> Tom Casier, 'Great Game or Great Confusion: The Geopolitical Understanding of EU-Russia Energy Relations', *Geopolitics*, 21 (4), October-December 2016, p. 763.

<sup>50</sup> Tatiana Romanova, 'Is Russian Energy Policy towards the EU Only about Geopolitics? The Case of the Third Liberalisation Package', *Geopolitics*, 21 (4), October-December 2016, pp. 872–873.

<sup>51</sup> Vladimir Putin, 'A New Integration Project for Eurasia: The Future in the Making', *Izvestia*, 3 October 2011, <<https://russiaeu.ru/en/news/article-prime-minister-vladimir-putin-new-integration-project-eurasia-future-making-izvestia-3->> (11 February 2022).

effect'.<sup>52</sup> However, the Eurasian Union, which reflects Putin's geopolitical ambitions, never came into existence or gained an international legal personality formally. Furthermore, in the aftermath of the 2014 Ukraine crisis, Putin/Russia's expectations turned out to be unfulfilled, as Russia-EU relations further deteriorated and hit a post-Cold War low. There has yet been a formal and institutionalized engagement between the EU and the EAEU. To make matters worse, our Interviewee no. 7 pointed out that 'at the current stage, even functional interactions at practical levels (such as seminars between the European Commission and the EEC) are no longer taking place'. As a result, Russia seemed to have gradually internalised these adverse effects. For example, in its Foreign Policy Concept adopted in 2016, the section on regional foreign policy priorities took a more modest and down-to-earth approach to the EAEU, emphasising development, technology modernisation, enhancing competitiveness and improving living standard of populations of the member states.<sup>53</sup>

Third, even if Russia is willing to manipulate regional groupings to serve its own geopolitical interest, the EAEU may not be the most relevant one. The latest developments in the region show that the CSTO may be more readily deployable in geopolitical and military sense. In response to President Tokayev's request in the wake of Kazakhstan's public disorder in January 2022,

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<sup>52</sup> Ibid.

<sup>53</sup> The Foreign Policy Concept of the Russian Federation, adopted on 30 November 2016, <[https://www.rusemb.org.uk/rp\\_insight/](https://www.rusemb.org.uk/rp_insight/)> (11 February 2022).

the Russia-led CSTO decisively deployed peacekeeping troops in Kazakhstan. This event was unprecedented as the CSTO's first-ever direct intervention in domestic affairs in one of its member states. It remains to be seen whether this merely serves as a short-term tactic deployment or a more substantial and long-term strategy for Russia. But the point is that the CSTO is the most relevant (and arguably the only) organization to respond to public unrest and ensure regime security/stability in the region. Meanwhile, from the perspective of the number of peacekeeping troops sent by the CSTO, the organization's campaign in Kazakhstan relied heavily on Russian military forces and hardware.<sup>54</sup> In a geopolitical sense, Russia can advance its geopolitical interests in broader terms after the mission in Kazakhstan, such as 'strengthening its status as the only possible guarantor of security in the region'.<sup>55</sup>

Apart from these academic considerations, geopolitical reductionism may have real-life policy ramifications as well. Deep scepticism and even antagonism against the EAEU makes it difficult for the EU to engage the EAEU where the two unions could and should have cooperated. Although various calls

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<sup>54</sup> BBC News, 'Kazakhstan: Why Are There Riots and Why Are Russian Troops There?' 10 January 2022, < <https://www.bbc.com/news/explainers-59894266>> (14 February 2022). Also see Luca Anceschi, 'The Week that Changed Kazakhstan Forever', Open Democracy, 6 January 2022, < <https://www.opendemocracy.net/en/odr/the-week-that-changed-kazakhstan-forever/>> (14 February 2022). The exact number of peacekeeping troops deployed is unclear. An estimate would be that more than 2000 soldiers have been sent to Kazakhstan, most of which are Russian troops.

<sup>55</sup> Vyacheslav Sutyurin, 'Kazakhstanskii Krizis: Itogi Miccii ODKB, Kitai I Budushee Pegiona', Evraziya Eksperm, 19 January 2022, < <https://eurasia.expert/kazakhstan-itogi-missii-odkb-kitai-i-budushchee-regiona/>> (14 February 2022).

for engagement have been noticeable from the EU's side,<sup>56</sup> these proposals did not translate into the regular and institutionalized engagement between the EU and the EAEU. Importantly, Kobayashi points out that 'even in the functional domains of common interests, such as issue-specific partnerships, there is no institutional cooperation between the EU and the EAEU'.<sup>57</sup> Disengagement between the two union has been lamented by European business leaders. For example, President of the Schneider Group argues that 'rapprochement between the EU and the EAEU offers more than economic benefits, and that Minsk II and relations with the EAEU should not be made into a package deal'.<sup>58</sup> Our interview with this business leader (respondent no. 2) shows that he is keen on 'starting official talks on harmonisation or mutual recognition of regulations of the two unions'. Contrary to scepticism amongst some European policymakers or scholars, the European business community takes a highly pragmatic approach to the EAEU. Our interviewee no. 2 commended the EAEU's achievements with the customs union and common product certification regulations, believing that concrete proposals (of cooperation) should be made in the areas of transport, customs, taxation, green economy,

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<sup>56</sup> See Georgi Gotev, 'Juncker Opens the Door to EU-Eurasian Union Rapprochement', EURACTIV, 20 November 2015, < <https://www.euractiv.com/section/economy-jobs/news/juncker-opens-the-door-to-eu-urasian-union-rapprochement/>> (15 February 2022); and Andrew Rettman, 'EU Talks Fail to Stop Russia Sanctions on Ukraine', Euobserver, 2 December 2015, < <https://euobserver.com/foreign/131338>> (15 February 2022).

<sup>57</sup> Kazushige Kobayashi, 'The Normative Limits of Functional Cooperation: The Case of the European Union and Eurasian Economic Union', *East European Politics*, 35 (2), May 2019, p. 144.

<sup>58</sup> Ulf Schneider, 'Rapprochement between the EU and the EAEU Offers More than Economic Benefits', European Leadership Network, 27 January 2020, < <https://www.europeanleadershipnetwork.org/commentary/rapprochement-between-the-eu-and-the-eaeu-offers-more-than-economic-benefits/>> (15 February 2022).

and pharmaceutical market.

#### ***4.4. Conclusion***

This chapter engaged with the first constitutive element of an OMA and explores the identity of the EAEU. It used a specialised corpus composed of the documents issued by the Supreme Council during the given period. This method is particularly appropriate for our enquiry because the corpus enables us to systematically study the language-in-use: words of high frequency, and their concordance and collocation. Meanwhile, the use of the corpus allows us to conduct this analysis on a yearly basis, and thus situate the EAEU identity within a temporal context. Our word-cloud data traced the key words in Supreme Council documents, showing that the EAEU presented itself in a predominantly functional and economic manner. Identity of the EAEU features rich socio-economic agenda instead of geopolitical considerations. The service sector serves as a crucial theme throughout our analysis, although other issue areas, such as a common financial and gas market have also been covered. If we must boil down the EAEU identity to a single sentence, as it has been self-expressed, this chapter argues that liberalisation of the service market/sector preoccupies the organisation.

That said, the method presented in this chapter showed some limitations. First, the EAEU documents that comprised our corpus can only illustrate the organization's activities and ideational foundations on paper, whereas in

practice political leaders of the member states and practitioners within the Union may not always follow these documents as their guidelines. Second, within an authoritarian context, there may be agenda that did not appear in the corpus but secretly advanced by political leaders of the EAEU. In other words, the documents may not have captured the whole picture of what the EAEU has been committed to. Third, the assumption that the EAEU has just a single identity may be problematic. There may be competing ideational foundations or agenda within the Union. For example, how the Russian leader approached the EAEU may be drastically different from the perspective of top officials of the EEC. This Chapter sifted through the multi-faceted identity of the EAEU and focused on its under-explored socio-economic aspect.

Given the view in both the existing literature and amongst some of our interviewees that sees the EAEU as Russia's geopolitical tool, this chapter further contested the geopolitical reductionism of the EAEU and cautioned against jumping to this problematic conclusion. Instead of hyper-focusing on Russian hegemony and its manipulative use of regional groupings, a more fruitful approach gives a nuanced and holistic account of the identity of this OMA. This chapter argues that the EAEU has been committed to actions and aspirations that attend to people's daily lives. Identity of the EAEU has been characterised by a socio-economic, pragmatic, and down-to-earth approach. It has not been one that is based on power struggles and geopolitical

considerations, or one that is imposed on the people in the region.

This chapter serves as the first part of the empirical study in this thesis. Next, Chapter 5 will focus on the delegated governing body of the EAEU, namely the EEC. It will thus engage with the representation element of an OMA and look at the EEC as the case under study.

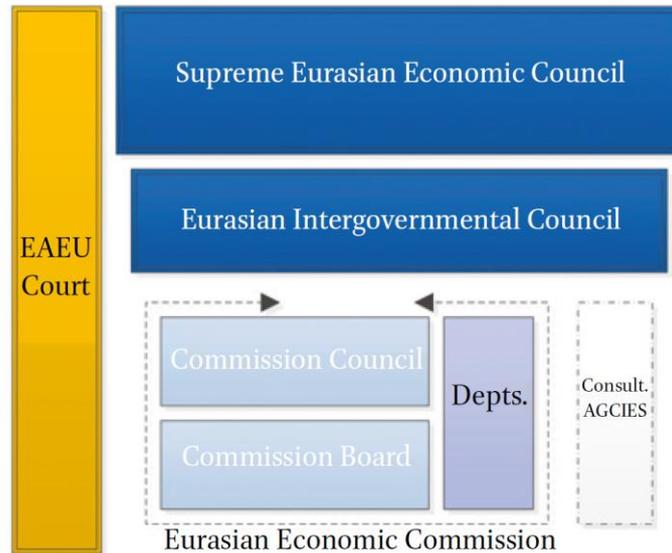
## **Chapter 5. Representation Inside and Out: The EEC's Internal and External Competences**

Chapter 4 engaged with the identity element of the EAEU as an OMA, giving a socio-economic account of its identity that finds its roots in regional development needs. This chapter builds upon the previous discussion, looking at the representation element of the EAEU. For an actor to successfully establish an order, a clear identity is necessary but may not be sufficient by itself. To draw upon our theoretical framework developed in Chapter 3, an organizational actor is always an abstraction. In practical terms, its actions must be represented or enacted by specific agents. Within our context of the EAEU, its sub-institutions need to be identified to take actions on behalf of the Union. In this chapter, we will focus on the specific agents who effectively represent the OMA both institutionally and in practice. Specifically, this chapter narrows down to the EEC, which serves as the central agent hence our exclusive focus on it.<sup>1</sup>

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<sup>1</sup> Other institutions may be covered in the thesis as well. For example, in Chapter 6 the EAEU Court will be examined when we discuss the instrument element. However, this chapter on representation is solely devoted to the EEC.

**Figure 5.1: Institutional structure of the EAEU**



*Source:* Maksim Karliuk, 'The Eurasian Economic Union: An EU-Inspired Legal Order and its Limits', *Review of Central and East European Law*, 42 (1), 2017, p. 56.

The selection of the EEC needs further justification. Figure 5.1<sup>2</sup> gives an overview of the EAEU institutional structure, including the Supreme Economic Council, the Intergovernmental Council, the EEC, and the EAEU Court. These institutions serve as the potential agents that could represent the EAEU when it comes to its specific actions. In general terms, this illustration shows the division of labour and the internal hierarchy within the Union. To be more specific, the Supreme Council plays the role of the top decision-making body. The Intergovernmental Council, as Karliuk argues, partly complements the role

<sup>2</sup> The Commission Board is also termed as the College in the official documents. To avoid confusion, it will be uniformly called the Board in this chapter.

of the Supreme Council when the latter is not in session.<sup>3</sup> The EAEU Court serves as a dispute resolution mechanism, dealing with the legal disputes involving the Union or one of its bodies.

Among these institutions, we have strong reasons to believe that the Commission serves as the crucial representing agent that acts on behalf of the EAEU both internally and externally. First, we learn from Chapter 4 that although the Supreme Council serves as the decision-making body which sets out the overall development strategy of the Union, in daily practice it relied heavily upon the EEC. The EEC is *the only agent* that has been extensively mentioned in the Supreme Council documents. The Supreme Council delegated specific tasks to the EEC, which is evident extensively in the corpus. The EEC would issue decisions or directives following the Supreme Council instructions, to translate the overall development strategy of the Union into concrete policies or regulations.

Second, the EEC is officially presented as ‘a permanent regulatory body of the Union, while the basic objectives of the Commission are enabling the functioning and development of the Union, as well as developing proposals in the sphere of economic integration’.<sup>4</sup> This official introduction summarises the important internal competences of the EEC, such as monitoring the functioning

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<sup>3</sup> Maksim Karliuk, ‘The Eurasian Economic Union: An EU-Inspired Legal Order and its Limits’, *Review of Central and East European Law*, 42 (1), 2017, pp. 58–59.

<sup>4</sup> See the official website of the EEC, < [http://www.eurasiancommission.org/en/Pages/eec\\_quest.aspx](http://www.eurasiancommission.org/en/Pages/eec_quest.aspx) > (14 January 2021).

of the Union, and drafting proposals for consideration by the top leadership. Within the EAEU, these important internal competences belong exclusively to the EEC, as no other institution has been assigned with such tasks.

Third, from a diplomatic perspective, the Commission has become the only agent that represents the Union in external engagements. For example, in the negotiations with China, the Commission serves as a party by itself. It was the then Commissioner of Trade Veronika Nikishina who signed the joint declaration with her counterpart (Chinese Minister of Commerce) on October 1<sup>st</sup>, 2017, to conclude the negotiating process.<sup>5</sup> Although this competence to negotiate with external partners is shared between the EEC and the member states, the Commission is undoubtedly the central agent that has been involved in external engagements on behalf of the Union. Diplomatically, the EEC is the only institution that has the mandate of participating in international negotiations and concluding agreements.

Therefore, the EEC is a legitimate agent to focus on if we examine the representation element of an OMA within our Eurasian context. Next, representation will be unpacked and operationalised into more specific competences that can be better captured in our empirical analysis. As a starting point, this chapter will first engage with the literature on the European Commission, which greatly informs our study of the EEC. This analogy between

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<sup>5</sup> Zite Zhang, “‘Yidaiyilu’ jianshe yu ouya jingji lianmeng jianshe duijie hezuo qude xinchengguo’, *Ouyajingji*, 5, 2018, p. 33.

the two Commissions is justified for two reasons. First, our study is disadvantaged by the limited scholarship that exclusively focuses on the EEC. Among the extremely limited coverage of the EEC, Dragneva discussed its historical formation, decision-making mechanism, and the legal effect of its decision.<sup>6</sup> However, she did not exclusively focus on the Commission and embedded the discussion on the EEC in the study of various institutions of the EAEU. By contrast, the study of the European Commission is well established in scholarship, so that we can learn from the rich literature that focuses on the European Commission. Second, it has been pointed out that ‘the EEC was modelled on the EU Commission’.<sup>7</sup> Although the EEC pales in comparison with its European counterpart in the sense that the latter has functioned for a much longer period and has been in a more developed shape, studies on the European Commission serve as an important reference point that can shed light on the discussion of the EEC. Specifically, consulting the European Commission literature will help us unpack the representation element into more specific, measurable factors. With this in mind, we would survey these studies, looking at the internal and the external competences of the EU Commission.

The first group of studies summarise the representative functions of the European Commission from the internal perspective. For example, Hooghe

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<sup>6</sup> Rilka Dragneva, ‘The Eurasian Economic Union: Balancing Sovereignty and Integration’, in Roman Petrov and Peter Van Elsuwege (eds.), *Post-Soviet Constitutions and Challenges of Regional Integration: Adapting to European and Eurasian Integration Projects* (New York: Routledge, 2018), pp. 56–63.

<sup>7</sup> *Ibid.*, p. 56.

argues that ‘the European Commission serves as the agenda setter in the EU, with exclusive formal competence to initiate and draft EU legislation’.<sup>8</sup> Nugent and Rhinard identify three of the European Commission’s core functions: ‘agenda-setter, legislative actor, and executive’.<sup>9</sup> Peterson argues that ‘the Treaty of Rome gives the Commission the exclusive right<sup>10</sup> to propose legislation, and the Commission should define, promote, and pursue the “Community interest”’.<sup>11</sup> Admittedly, the situation has changed, as the right to propose legislation no longer belongs exclusively to the European Commission. For example, the European Parliament assumes this role as well. Meanwhile, EU citizens can launch an initiative, asking the European Commission to propose new legislation under certain provisions.<sup>12</sup> Despite that the European Commission no longer enjoys exclusive competences, these accounts greatly inform our study of the EEC, in terms of two important internal competences: *agenda-setting* and *legislation-proposing* on behalf of the whole community. Herein, these two internal competences are acknowledged to guide our discussion of the EEC.

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<sup>8</sup> Liesbet Hooghe, ‘Several Roads Lead to International Norms, but Few Via International Socialization: A Case Study of the European Commission’, *International Organization*, 59 (4), Fall 2005, pp. 862–863.

<sup>9</sup> Neill Nugent and Mark Rhinard, ‘Is the European Commission Really in Decline?’ *Journal of Common Market Studies*, 54 (5), September 2016, p. 1199.

<sup>10</sup> The author acknowledges that this exclusivity does not hold true anymore. The EU has experienced a long period of development and therefore, the competences and status of the Commission has been subject to changes.

<sup>11</sup> John Peterson, ‘The Santer Era: The European Commission in Normative, Historical and Theoretical Perspective’, *Journal of European Public Policy*, 6 (1), March 1999, pp. 47–48.

<sup>12</sup> See the website of the European Commion, < [https://ec.europa.eu/info/about-european-commission/get-involved/european-citizens-initiative\\_en#:~:text=make%20an%20impact%3F-,What%20is%20a%20citizens'%20initiative%3F,EU%20legislation%20on%20that%20issue](https://ec.europa.eu/info/about-european-commission/get-involved/european-citizens-initiative_en#:~:text=make%20an%20impact%3F-,What%20is%20a%20citizens'%20initiative%3F,EU%20legislation%20on%20that%20issue)> (17 March 2022).

Equally important, scholars have recognized the European Commission's external competence. For instance, Bruter examined the European Commission's external delegations, which are unique to the extent that 'they represent neither a state, nor even a super-state, but a particular institution of a super-national organization'.<sup>13</sup> These external delegations have unique status also to the extent that 'they are listed *among* state embassies by the Vienna Convention, and thus are different from the external offices of other international organizations (the United Nations, for example)'.<sup>14</sup> Allen and Smith give some specific numbers of the scale of the Commission's external delegations.<sup>15</sup> Therefore, a network of external delegations/offices may be an important indicator of the European Commission's external competence. This comparison with the European Commission thus leads us to examine the external delegations of the EEC, within our Eurasian context.

The other important aspect of the European Commission's external competence is its actual involvement in international negotiations. For example, Niemann and Huigens looked at the European Commission's involvement in the setting of the Group of Eight (G8),<sup>16</sup> arguing that 'the Commission's expert knowledge has added value to G8 discussions and generally benefitted the

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<sup>13</sup> Michael Bruter, 'Diplomacy without a State: The External Delegations of the European Commission', *Journal of European Public Policy*, 6 (2), June 1999, p. 183.

<sup>14</sup> *Ibid.*, p. 185. Italics are original.

<sup>15</sup> For example, see David Allen and Michael Smith, 'External Policy Developments', *Journal of Common Market Studies*, 37, Annual Review, September 1999, p. 88; and David Allen and Michael Smith, 'External Policy Developments', *Journal of Common Market Studies*, 43, Annual Review, September 2005, p. 110.

<sup>16</sup> The Group of Eight is now replaced by G7, as Russia no longer serves as a member.

Commission's legitimacy at the Summit'.<sup>17</sup> Conceição-Heldt demonstrated that 'the European Commission showed significant discretion and great ability to secure package deals in the Doha Round, sometimes against the preferences of some EU member states'.<sup>18</sup> Therefore, in our discussion of the EEC, we will be interested in its actual role in various international settings.

Meanwhile, scholars observed that the European Commission has undergone significant transformation, against the changing political environment within the EU. For example, Peterson notes that 'the European Commission has changed itself from the pre-Maastricht 'engine of integration'<sup>19</sup> into 'a more intergovernmental institution that is more open to network governance'.<sup>20</sup> Bickerton *et al* argue that 'Europe has pursued integration with less supranationalism since Maastricht, while there has been an increasingly deliberate and consensual approach to EU decision-making'.<sup>21</sup> Consequently, they point out that 'member states have been deeply reluctant to cede further powers to the European Commission (since 1992), delegating new powers to *de novo* institutions instead'.<sup>22</sup> These studies suggest that the

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<sup>17</sup> Arne Niemann and Judith Huigens, 'The European Union's Role in the G8: A Principal-Agent Perspective', *Journal of European Public Policy*, 18 (3), April 2011, p. 431.

<sup>18</sup> Eugénia da Conceição-Heldt, 'Variation in EU Member States' Preferences and the Commission's Discretion in the Doha Round', *Journal of European Public Policy*, 18 (3), April 2011, p. 403.

<sup>19</sup> John Peterson, 'The Commission and the New Intergovernmentalism: Calm within the Storm?' in Christopher J. Bickerton, Dermot Hodson, and Uwe Puetter (eds.), *The New Intergovernmentalism: States and Supranational Actors in the Post-Maastricht Era* (Oxford: Oxford University Press, 2015), p.186.

<sup>20</sup> John Peterson, 'Enlargement, Reform, and the European Commission. Weathering a Perfect Storm?' *Journal of European Public Policy*, 15 (5), July 2008, p. 775.

<sup>21</sup> Christopher J. Bickerton, Dermot Hodson, and Uwe Puetter, 'The New Intergovernmentalism and the Study of European Integration', in Christopher J. Bickerton, Dermot Hodson, and Uwe Puetter (eds.), *The New Intergovernmentalism: States and Supranational Actors in the Post-Maastricht Era* (Oxford: Oxford University Press, 2015), p.1

<sup>22</sup> *Ibid.*, p. 5.

supranational/intergovernmental dichotomy may be problematic. In our discussion of the EEC, we should avoid simply labelling it as a supranational or intergovernmental institution. Instead, we may need to take a more nuanced approach and pay attention to the transformation it has undergone.

Informed by the above-mentioned literature, we can then unpack the representation element from an internal/external perspective. Specific to our case of the EEC, we would look at its internal competences of *agenda-setting* and *legislation-proposing*. Regarding its external competence, we will examine its network of *external delegations or offices*, and its actual *involvement in international negotiations*. Therefore, the research questions that are central to this chapter are as follows: To what extent has the EEC obtained the internal competence of agenda-setting and proposing legislation within the EAEU? Externally, to what extent has the EEC developed a network of external delegations/offices, and established its presence in international negotiations?

In terms of the methods to be used, this chapter will intensively draw upon information gained from a series of semi-structured interviews. Potential respondents would include the EEC officials or practitioners, or scholars who specialise in the studies of the EAEU. These semi-structured interviews would provide us with rich information and the insiders' views of the EEC. During the process of analysing these qualitative data, we will use *NVivo* to process them more efficiently. Given that we have identified four important factors to assess

the EEC's competences (agenda-setting, legislation, network of delegations, and roles in international negotiations), we would create four root nodes in NVivo respective to these four factors. Furthermore, we would categorise all the information gained from interviews based on these four root nodes, which allows us to approach our data more neatly and effectively.

Besides, the discussion will also use the EEC documents as an important source. These documents are available to the public at the EAEU legal portal. However, in this chapter we will no longer treat EEC documents as a specialised corpus, given the large amount of the material. Instead, we take a highly selective approach to these documents and refer only to the most relevant ones to help illustrate our discussion. Academic work and public statements will also be consulted as a complementary source.

This chapter will move in the following steps. It will first examine the EEC's internal competence regarding agenda-setting and legislation-proposing. Thereafter, it will orient the discussion towards the external competence, looking at its network of external delegations/offices and its role in the negotiations with international partners. Finally, the conclusion will summarise the development of the EEC as a crucial representing agent within the EAEU.

### ***5.1. Internal competences of the EEC***

As a starting point, one of the interviewees (no. 3) points out that 'it is necessary

to compare the EEC with the European Commission, but that would put the EEC in a pre-existing disadvantage'. This statement elucidates the status the EEC. On the one hand, the EEC marks the establishment of a governing structure beyond the member states within our Eurasian context, which makes it comparable to the European Commission. Another interviewee (no. 1) puts this as follows: 'the main similarity is the Commission Board, which is organised around the functional ministries, so that individual members of the Board are not representatives of their countries but are heads of the ministries (of the Board)'.

On the other hand, what makes the two Commissions different is that the EEC is substantially less developed and less powerful than its European counterpart. Our interviewees made this claim uniformly. For example, a European business leader who participated in the interviews (no. 2) observed that 'the Eurasian Economic Commission has less power than the EU Commission', and furthermore, he personally hopes that this situation will change and that the heads-of-state of the five EAEU members could plan for structural reforms that would give the EEC more competences. Indeed, if we judge the competences of the EEC against our four criteria, it is not in the same position enjoyed by its European counterpart.

In terms of the first important internal competence, i.e., agenda-setting, respondent no. 1 points out that 'the EEC is clearly not an agenda-setter, like

the European Commission'. What emerged from our data is that the EEC must deal with very strong and powerful national leaders, which is termed an 'authoritarian context' by interviewee no. 1. Essentially, the real agenda-setters are the political authorities of the individual member states, rather than the Commission. The EEC thus has been left to play a secondary role compared to the strong and decisive national leaders. Respondent no. 4 claims that 'the political authorities have a decisive say over the development (of the Union), as I understand it'. Against this background, there has been a tendency that the EEC was instrumentalised to simply advise the political leadership and implement their decisions, instead of having its genuine and independent influence over the agenda of the EAEU. Respondent no. 1 comments that 'maybe you can say that they (the EEC) have some advisory and analytical capacities, but it's not an agenda-setting role; it's simply advising and recommending'.

Interviewee no. 1 further spells this out from the perspective of personnel and the organizing structure of the EEC. He argues that 'the EEC *cannot* be powerful enough, simply because its members are career bureaucrats from their member countries, while most of these countries are in an authoritarian context, where showing initiatives going beyond the will of the political leadership is a problem'. The same interviewee contrasts the EEC Commissioners with EU Commissioners, showing significant differences

between their roles. Specifically, he refers to the EU Commissioners as *politicians* and argues that within the European context 'you have something like a political Commission'. Indeed, the European Commission has their Director-Generals (DGs), which are headed by professional career bureaucrats of the European bureaucracy. The situation is very different within the Eurasian context. First, the DG level does not exist in the EAEU, and the EEC Commissioners are by no means politicians themselves. Second, given that they are career bureaucrats from their home countries, interviewee no. 1 points out that:

They would not even *try* to gain important competences comparable to the EU Commission, as many members (of the EEC) are not ambitious, who simply focused on executing the tasks they received from their national governments or guessing what the political leadership wants.

The fact that there are only 5 member states in the EAEU, whereas there are 27 in the EU, also leaves a much smaller room for the EEC to serve as a real and powerful agenda-setter. One participant no. 6 mentioned that 'if you think about the body that has the decision-making power, and the individual countries have a lot of autonomy in driving or stopping those decisions, there is very little room left for the EEC'. This participant refers to a specific example within the EU to illustrate the difference. In May 2020, the European

Commission proposed the temporary recovery fund of 750 billion euros to mitigate the impacts of COVID-19, which was agreed by EU leaders afterwards. Our participant no.6 pointed out that this recovery fund was not what Germany wanted, but Germany decided to go along with it at last. In fact, neither Germany nor 'the Frugal Four' (which includes Austria, Denmark, the Netherlands, and Sweden) managed to veto this recovery plan. Interviewee no. 6 argues that 'it would be difficult for individual countries to veto it at the level of 27, but in the EAEU it would be completely different, where Russia certainly has a veto, and the other countries probably have a collective veto'. He further elaborated on this: 'If smaller member states believe that something coming from the Commission may work better for Russia than for themselves, they will make sure their (national) political leaders will intervene, which further weakens the Commission'. Therefore, given the strong presence of national authorities in the EAEU, there has been very little space for the EEC to play a genuine agenda-setting role. It will be extremely difficult for the EEC to come up with proposals that contradict the member states' wills.

Legislation, our second internal competence, is another factor that makes the EEC comparable to the EU Commission. One of our interviewees (no. 1) points out that 'the Eurasian Economic Commission has the right to issue directives, which immediately become part of the national law, specifically in foreign trade and customs regulations. I would say these are things that make

them (the two Commissions) similar'. Whereas the EEC is not seen as a genuine agenda-setter within the EAEU, its legislating competence is stronger and more visible in the daily functioning of the EAEU.

However, its legislating competence depends largely upon the specific issue area. What emerged from our data is that, in issue areas where the EAEU has real mandates and influences, the legal status of the EEC's decisions becomes more significant. The best example to illustrate this is the area of trade, and more specifically, the external customs schedule. This is the issue area where the EEC serves as the only governing body, whose decisions directly and immediately become national laws that govern the foreign trade relations of the member states. In this regard, respondent no. 1 observes that 'national governments have some abilities to influence how things are implemented on the ground, things like how customs check works, but the legal framework is provided by the Commission, which is the only body that can do it'. Given that external customs schedule is crucial in the sphere of international trade, the importance of the EEC's legislating competence should not be ignored or dismissed. Interviewee no. 1 thus puts it in this way: 'I would say in this area (i.e., trade) we shouldn't discard the Commission at all'. Indeed, the EEC's competence on trade is crucial under certain circumstances, such as the COVID-19 pandemic. As Nikitina and Arapova demonstrated, in light of COVID-19 that started in 2020, the EEC adjusted the importation and exportation of

certain products related to health care, including personal protective equipment, disinfectants, and medical products.<sup>23</sup>

Compared to trade and external customs schedule, the influences of the EAEU are much weaker in other issue areas, and correspondingly, the legal status of the Commission's decisions or directives becomes less considerable. Respondent no. 1 elaborated on this: 'the Commissioner responsible for trade is an influential figure, whereas most other Commissioners govern areas either where the Eurasian Economic Union is very weak, or fundamentally symbolic: things like integration policy, antitrust, or agriculture'. Another respondent (no. 4) specifically points out that energy is a 'non-issue' of the EAEU. Although Commissioners are officially appointed to be responsible for these 'non-issues', we have reasons to believe that in issue areas that are beyond the remit of the EAEU, the Commission's legislating competence is much weaker.

Another noticeable issue area that emerged from our data is the labour market. One participant (no. 4) commends the EAEU internal labour market as very well developed, arguing that 'the most developed area (of the EAEU) is the free movement of labour'. This view is shared by another interviewee (no. 8), who argues that the free movement of labour has been an outstanding area as a uniform medical care system has been established and a pension scheme

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<sup>23</sup> Yulia Nikitina and Ekaterina Arapova, 'COVID-19 as a Test for Regional Integration Resilience in the Eurasian Economic Union', *Problems of Post-Communism*, 69 (1), January/February 2022, p. 29.

is being negotiated. However, respondent no. 5 refers to the problems with how the regulations are implemented in practice. This interviewee observes that 'from the public domain there are many problems for some nationals from some Eurasian (Economic) Union member states, on Russian territory'. One example is that 'citizens of Kyrgyzstan did not always have the same de facto rights to the free movement of labour, as Belarusians do'. He further argues that 'the provisions of the Commission do not necessarily dictate the exact behaviour of the member states'. These comments speak to Korneev and Leonov's study that provisions of the EAEU Treaty on labour migrations are fairly advanced, but in practice the Treaty faces implementations problems.<sup>24</sup> Therefore, the labour market is certainly not one of those 'non-issues', where the Commission (or the EAEU) is merely symbolic or irrelevant. But at the same time, the Commission's legislating competence on labour issues is not as strong as its competence on trade or external customs agenda. The Commission's legislating competence on labour issues would thus fall somewhere in between.

Apart from agenda-setting and legislation, what has been suggested in our interviews and extensively evidenced by EEC documents is that the EEC Board serves as an effective monitor of member states' fulfilment of their obligations, within the framework of the EAEU internal market. One of our interviewees (no.

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<sup>24</sup> Oleg Korneev and Andrey Leonov, "'Home-Grown" vs. "Imported" Regionalism? Overlapping Dynamics of Regional Migration Governance in post-Soviet Eurasia', *Journal of Ethnic and Migration Studies*, November 2021, p. 7.

6) describes the EEC as a 'watchdog' in this respect. In fact, the word monitoring (мониторинг) has appeared every year in the relevant documents of the EEC Board, which indicates that this is an important competence of the Commission. Generally, the EEC Board considers the information provided by one of its Commissioners on whether a certain member state has complied with the Treaty or the Commission's regulations on the functioning of the single market, and further requires that national governments should report the measures they take within 10 days, if the given member state has been found not fulfilling its obligations. The EEC has issued decisions that monitor the activities of all the member states, and this monitoring competence covers a variety of issue areas, including trade, labour issues, advertisement, industrial subsidies and so on. Below are some of the examples:

In Decision No. 163 issued on 8 December 2015, the EEC Board requested the Kazakhstani Government to take measures aimed at abolishment of collecting rental tax in Kazakhstan on exports of coal sold on the territories of other member states.

In Decision No. 47 issued on 11 May 2017, the EEC Board asked all the member states' governments to take measures aimed at eliminating restrictions, established both at the level of national legislation, and at the level of local sports organizations, to ensure that professional athletes who are citizens of the member states can carry out labour activities freely, without the protection

of national labour markets. In the same year, the EEC Board issued Decision No. 153 on November 14<sup>th</sup>, asking Russia to comply with the general principles of competition in advertising wine and champagne in the media, at exhibitions of food products, and at exhibitions of public catering organizations.

The EEC Board issued Decision No. 43 on 27 March 2018, which notified Russia of the need to comply with prohibition of the provision of prohibited industrial subsidies. On November 28<sup>th</sup>, the EEC Board issued Decision No. 195, which notified Armenia of the need to ensure the publication of information on public procurement in Russian.

More recent examples include the EEC Board's notification to Armenia in Decision No. 85 (on 4 June 2019), in terms of compliance with the general principles of competition when advertising locally produced brandy in electronic media. On 3 March 2020, in Decision No. 31, the EEC Board asked Belarus to ensure the possibility for legal entities of EAEU member states to open their branches on the territory of the Republic of Belarus.

To summarise the EEC's internal competences, we can argue that it is not a strong agenda-setter within the EAEU equal to the European Commission. Within the Eurasian context, the Commission must function against strong national leaders and powerful national authorities. Furthermore, the EEC is staffed by career bureaucrats who are not as ambitious and proactive as EU Commissioners, which further prevented it from assuming the role of a genuine

agenda-setter. The EEC has a strong legislative competence regarding international trade. Its decisions on the external customs schedule automatically became part of national law. However, its legislative competence is less strong on labour issues, and significantly weaker on those 'non-issues' such as energy. Other than these two competences, the EEC has constantly functioned as a monitor of member states' obligations under the Union Treaty or EEC regulations. It supervised member states' compliance with the functioning of the internal single market and asked that measures should be taken if a certain member state has been found in the circumstances of non-compliance.

## ***5.2. External Competences of the EEC***

Within the EU, the Treaty of Lisbon created the High Representative for Foreign Affairs and Security Policy and an assisting administration, the European External Action Service (EEAS).<sup>25</sup> The EEAS has been appraised as 'a catalyst of diplomacy innovation',<sup>26</sup> which represents 'one of the most far-reaching attempts to reform EU foreign policy institutions'.<sup>27</sup> From a practitioner's point of view, the EEAS aims to function beyond a foreign ministry, combining

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<sup>25</sup> The author acknowledges the extensive literature on multiple dimensions of the EEAS. This introductory paragraph serves the purpose of offering a reference point for the discussion of the EEC below.

<sup>26</sup> Jozef Batora and David Spence, 'Introduction: The EEAS as a Catalyst of Diplomatic Innovation', in David Spence and Jozef Batora (eds.), *The European External Action Service: European Diplomacy Post-Westphalia* (Hampshire: Palgrave Macmillan, 2015), p. 1.

<sup>27</sup> Michael E. Smith, 'The European External Action Service and the Security-Development Nexus: Organizing for Effectiveness or Incoherence?' *Journal of European Public Policy*, 20 (9), 2013, p. 1299.

elements and resources from diplomacy, defence, and development.<sup>28</sup> The High Representative assumes a dual-hatted role, serving as the Vice-President of the European Commission as well. Since the introduction of the High Representative and the EEAS, the EU external delegations have been placed under the authority of the High Representative.<sup>29</sup> Consequently, the High Representative, the EEAS headquarters, and the EU Commission instruct these delegations and are in turn informed by them of local development in non-EU countries.<sup>30</sup>

When it comes to our Eurasian context, the EAEU has not yet developed a body that is comparable to the EEAS. No official within the Union can assume such a role as the High Representative. In this sense, EU foreign policy institutions have presented a peculiar case, which we do not see in the setting of the EAEU.

In terms of the EEC, although it does not possess a developed network of oversea delegations, it has established itself as a competent body that can represent the EAEU externally. Judging from the perspective of its oversea delegations or offices, our interviewees uniformly point out that such a network

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<sup>28</sup> See Catherine Ashton, 'Foreword' in *EEAS Review* (Brussels: European External Action Service, 2013), pp. 1–2; also see Federica Mogherini, 'Foreword' in David Spence and Jozef Bátorá (eds.), *The European External Action Service: European Diplomacy Post-Westphalia* (Hampshire: Palgrave Macmillan, 2015), p. x.

<sup>29</sup> Jan Wouters and Sanderijn Duquet, 'Unus inter plures? The EEAS, the Vienna Convention and International Diplomatic Practice', in David Spence and Jozef Bátorá (eds.), *The European External Action Service: European Diplomacy Post-Westphalia* (Hampshire: Palgrave Macmillan, 2015), p. 159.

<sup>30</sup> Jan Wouters, Geert de Baere, Bart Van Vooren, Kolja Raube, Jed Odermatt, Thomas Ramopoulos, Tina Van den Sanden, and Yole Tanghe, *Organization and Functioning of the European External Action Service: Achievements, Challenges, and Opportunities* (Brussels: European Union, 2013), p. 67.

of EEC overseas delegations is absent. Respondent no. 1 said that 'to my knowledge the (Eurasian Economic) Commission does not have anything similar to the EU Ambassadors'. An interviewee from the business community (no. 2) claims that he is not aware of such plans (to develop overseas delegations), although this could be helpful to enhance the Commission's reputation.

Interestingly, our interviewees listed a variety of reasons why the EEC has not yet developed an extensive network of overseas delegations, and further, why such efforts would not even be meaningful. Respondent no. 4 referred to the EU as a potential reason. Given that the EU still does not want to establish any permanent dialogue with the EAEU, such efforts to expand the EEC's overseas delegations would be undermined. This respondent further argues that 'in case that the situation would change, in case that there would be more substantial dialogues between the EU and the EAEU, this kind of recognition (from the EU) would certainly provide the impulse for the EAEU and then we could see the scenario that the EAEU might try to build its overseas networks'.

Economic foundation has been identified as an important reason. Interviewee no. 4 observes that 'the biggest problem is the size of the market, as the EAEU does not present a huge market comparable to the EU, with implications of hundreds of billions of dollars'. Furthermore, he argues that it is not only about the size of the market, but also what is produced and exported

by the member states. We know from the previous discussion that energy has not yet been incorporated into the remit of the EEC or the EAEU. Interviewee no. 4 points out that ‘in the hypothetical case that there was a single energy market, and there was the necessity to deal with the *Eurasian energy market* as a partner, you would like to have the (Commission’s) representatives’.<sup>31</sup> According to his accounts, international partners can only deal with states on energy issues, which undermines the prospects for a greater presence of the EEC abroad.

Another respondent (no. 5) frankly points out that he is not convinced by the necessity of opening oversea delegations or offices, in the case of the EAEU. He argues that ‘they might want to do this for image or visibility reasons, but in practical terms I don’t see what they can do in terms of real-life interactions’. This respondent further compares the EAEU with other international organizations, namely the EU and the Organization for Security and Cooperation in Europe (OSCE). According to his accounts, the EU delegations play a role in managing political relations, while the OSCE is contributing to conflict stabilisation, being a mediator that other countries want to engage. But in terms of the EAEU, it is not necessary to open a proper embassy at the time when you only need to sign an FTA. He observes that ‘except for public relations exercise, even if the EAEU opens its oversea delegations they would have little

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<sup>31</sup> Italics are added by the author.

meaningful things to do’.

Given that the EEC has not yet developed a network of overseas delegations or embassies, it serves as the crucial body that can represent the Union in external settings or participate in international negotiations. One of our interviewees (no. 1) puts it in this way: ‘Negotiations are not done by embassies on behalf of the Commission. The Commission negotiates by itself as an *independent international organization*’.<sup>32</sup> We learn from our interviews that the EEC has gained substantial competences to represent the EAEU in various international settings.

The first example to illustrate the external competence of the EEC is the case of China-EAEU engagement. Respondent no. 1 points out that although negotiations with China (which was primarily a political initiative) were initially conducted by the Russian Ministry of Foreign Affairs, it became more pragmatic later on and consequently, the competency was given to the Commission. We interviewed an expert (no. 8) from the Chinese Academy of International Trade and Economic Cooperation, which is an institute under the Chinese Ministry of Commerce. Given that the Chinese Ministry of Commerce was directly responsible for negotiations with the EEC, her views on the EEC would be highly informative. In her accounts, she sees the EEC as a body that coordinates all the external economic cooperation (of the EAEU) and takes

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<sup>32</sup> Italics are added by the author.

charge of all international negotiations. Interestingly, she observes that ‘the EEC enjoys the status comparable to our Ministry of Commerce...because these two bodies are responsible for the same things, including negotiating international agreements and deciding upon the final text’. Furthermore, she mentioned that ‘the EEC coordinates the various ministries under its umbrella and enjoys a decision-making power. Therefore, it has the capacity to be responsible for negotiating with China’.

In terms of the setting of the EU-EAEU engagement, given that the EU has not established a permanent dialogue with the EAEU, the EEC has not been able to secure any international agreement within this context. However, we learn from our interviews that the EEC has demonstrated the competence to establish functional communications with its European counterpart. One of our respondents (no. 7) points out that DG Trade (of the EU) had direct dialogues with the EEC, while functional cooperation has been achieved in terms of exchange of information. Besides, joint seminars were held between officials from DG Trade and officials from the EEC, where they looked at potential approximation of rules and regulations of the two Unions.

### ***5.3. Conclusion***

Guided by our theory developed in Chapter 3, we identified the second constitutive element of an OMA, which is representation within both the internal and external contexts. An effective OMA entails specific agent(s) that can take

actions on behalf of the actor in question. Compared to the EU, the EAEU has shown a much simpler organizing structure. The EAEU does not have a Parliament or a body comparable to the EEAS under the Union's umbrella. Therefore, in this chapter we conceptualised the EEC as the crucial representing agent that possesses important internal and external competences. Drawing upon first-hand data obtained from a series of semi-structured interviews, we examined the extent to which the Commission has demonstrated these competences in internal and external settings.

In terms of its internal competences, although the EEC does not serve as an influential agenda-setter within the Union, we find that it contributes to order-making by legislation and monitoring member states' compliance with their obligations. Specifically, with regard to customs regulations, the EEC's legislating competence is considerable. Its directives immediately became part of the national law with binding forces. The Commission also functions as an effective monitor of member states' economic behaviour and requires that measures should be taken if member states are found not to comply with their obligations under the single-market rule.

Externally, the EEC has established itself as an independent organization that can represent the Union in international negotiations or external engagement. Given that the Commission does not possess an oversea network of delegations, the Commission negotiates directly on behalf of the EAEU. We

learn from our data that the EEC essentially assumes the role of a functioning Ministry, serving as a body that coordinates the Union's external economic cooperation and takes charge of international negotiations. In this sense, the Commission has become the crucial body that contributes to the diffusion of order into the international arena. External partners, namely China and the EU, have engaged with the EEC as a representing agent in international settings.

We must also note that the EEC functions against a variety of barriers. First, it must cope with powerful national authorities and does not count as an influential *political* body by itself within the EAEU. Without substantial structural reform of the Union, this will remain the same in the foreseeable future. Second, the EAEU itself has not yet become a fully-fledged Union, in the sense that important issue areas (such as energy) do not fall into its remit. When it comes to such issue areas, the Commission's role would be very much limited. This has prevented international partners from taking the Commission's representation seriously enough, as they would do with other more established international organizations such as the EU or OSCE.

That said, the EEC serves as the only permanent representing agent observable within the Union, and to make a stronger argument, it is the representing body that fit best for the EAEU at the current stage. The strong presence of national leaders or authorities does not give much room for an influential political body to emerge, not to mention to take in charge. At the same

time, the EAEU's limited remits make it difficult for the EEC to develop an extensive network of oversea delegations. Therefore, it is unreasonable to expect that the EEC will gain significant competences comparable to the EU Commission. Instead, the EEC has fulfilled the roles that the EAEU would assign to it: effective legislation in setting customs schedule, monitoring as a watchdog, and negotiating on behalf of the Union as an independent functioning Ministry.

Next, Chapter 6 will approach the last constitutive element of an OMA. It will examine the pool of resource available to the EAEU and discuss how has the EAEU used its instrument in various settings.

## **Chapter 6. Ample Supply in the Arsenal? Instrument of the EAEU as an OMA**

This last empirical chapter approaches the third constitutive element of the EAEU as an OMA with a focus on the instrument aspect. Before we probe into the concept of 'instrument', it is helpful to review the previous chapters and recap the essential logic that guides our discussion. Following our theoretical framework presented in Chapter 3, we break up an OMA into three constitutive elements: identity, representation, and instrument. For an OMA to effectively establish an order and thus shape the environment, it needs to possess a clearly presented identity and furthermore, a representing agent that can take actions on behalf of the OMA in question. Specifically, in Chapter 4 we analyzed the Supreme Council documents, finding that the EAEU presented itself primarily as a socio-economic organization that aims at liberalising its internal market and addressing the development needs of the region. In particular, the service sector has been salient in the Supreme Council documents. In Chapter 5, we examined the EEC as a crucial agent that can take actions on behalf of the Union and thus represent the OMA. Although the EEC has not become a powerful political institution comparable to the European Commission, it should not be dismissed because it functions effectively in a variety of important areas, such as regulating the external customs schedule, monitoring member states'

obligations, and acting as a Ministry in international economic negotiations. Within the Union, the EEC is arguably the most established permanent agent that supervises the Union's daily activities.

Apart from a clear identity and a representing agent, an actor also needs specific and concrete resources, tools, or toolkit to successfully establish an order and maintain it. Without a set of available tools to be employed within a specific context, effective order making is unimaginable. In Chapter 6 we use the term 'instrument' to denote such resources or tools of an OMA. Before moving on to an in-depth look at the EAEU, it is necessary to review how instrument is used in relevant literature and further conceptualise the term within our context.

### ***6.1. Point of departure: instrument in IR and public policy literature***

Instrument, or policy instruments have been an important field of study in both the International Relations and Public Policy disciplines. In general, although IR scholarship has not rigorously defined the term, it offered extensive examples of policy instruments that have been used by states in the world arena. In a study that examines the US anti-apartheid policy instruments, Kaempfer, Lehman, and Lowenberg identified three examples: private divestment, legislated investment sanctions, and corporate disinvestment,

which serve as potential channels of policy change.<sup>1</sup> In another example, Schreiber looked at US economic coercion against Cuba as a foreign policy instrument, listing a variety of specific measures: banning imports/exports, discouraging transactions with Cuba, denying banking facilities, and collective trade embargo.<sup>2</sup> Lindsay focused on trade sanctions as policy instruments and listed a variety of objectives that states seek when imposing sanctions, including compliance, subversion, deterrence, international symbolism, and domestic symbolism.<sup>3</sup> Similarly, Barber argued that there were primary, secondary, and tertiary objectives behind economic sanctions as a policy instrument.<sup>4</sup>

More recent studies situate the discussion of instruments into specific contexts and examined a set of distinct tools possessed by an actor. For instance, Kotzian, Knodt, and Urdze referred to three examples of instruments in the context of the EU's external democracy promotion: European Initiative for Democracy and Human Rights (EIDHR) allocations, partnership or cooperation agreements, and sanctions.<sup>5</sup> Romanova examined how Russia reacted to the EU's third liberalisation package, arguing that apart from the geopolitical aspect,

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<sup>1</sup> William H. Kaempfer, James A. Lehman, and Anton D. Lowenberg, 'Divestment, Investment Sanctions, and Disinvestment: An Evaluation of Anti-Apartheid Policy Instruments', *International Organization*, 41 (3), Summer 1987, pp. 458–460.

<sup>2</sup> Anna P. Schreiber, 'Economic Coercion as an Instrument of Foreign Policy: US Economic Measures against Cuba and the Dominican Republic', *World Politics*, 25 (3), April 1973, pp. 387–389.

<sup>3</sup> James M. Lindsay, 'Trade Sanctions as Policy Instruments: A Re-Examination', *International Studies Quarterly*, 30 (2), June 1986, pp. 155–156.

<sup>4</sup> James Barber, 'Economic Sanctions as a Policy Instrument', *International Affairs*, 55 (3), July 1979, pp. 370–373.

<sup>5</sup> Peter Kotzian, Michèle Knodt, and Sigita Urdze, 'Instruments of the EU's External Democracy Promotion', *Journal of Common Market Studies*, 49 (5), September 2011, p. 1003.

Russia also made use of legal and technocratic instruments.<sup>6</sup> Specifically, she elaborated on these instruments, observing that ‘legal instruments include the use of legal agreements and judicial (or para-judicial) procedures to enforce them, while technocratic instruments involve attempts to resolve issues at the level of implementation, through trans-governmental and transnational relations’.<sup>7</sup>

Finally, different types of instruments have also been identified, such as ‘state- vs civil-society oriented, bilateral vs multilateral, instruments that respect sovereignty vs intrusive instruments, strong vs weak instruments, and positive vs negative instrument’.<sup>8</sup>

Meanwhile, in the Public Policy discipline that looks at the domestic context, instrument has been more rigorously defined, while the field of studying government’s tools has been more established. In this regard, Hood approached government from a ‘toolkit’ perspective, arguing that a government’s basic resources can be classified into four categories: nodality, treasure, authority, and organization.<sup>9</sup> Bemelmans-Videc defined public policy instruments as ‘the set of techniques by which governmental authorities wield

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<sup>6</sup> Tatiana Romanova, ‘Is Russian Energy Policy towards the EU Only about Geopolitics? The Case of the Third Liberalisation Package’, *Geopolitics*, 21 (4), December 2016, p. 858.

<sup>7</sup> *Ibid.*, pp. 867–868.

<sup>8</sup> Kotzian, Knodt, and Urdze, ‘*Instruments of the EU’s External Democracy Promotion*’, p. 999. For a more detailed discussion of various types of instruments, see Thomas Carothers, *Aiding Democracy Abroad: The Learning Curve* (Washington, DC: Carnegie Endowment for International Peace, 1999); Larry Diamond, *Developing Democracy: Toward Consolidation* (Baltimore: Johns Hopkins University Press, 1999); Jon C. Pevehouse, *Democracy from Above: Regional Organizations and Democratization* (Cambridge: Cambridge University Press, 2005); and Hadewych Hazelzet, *Carrots or Sticks? EU and US Reactions to Human Rights Violations (1989–2000)* (Florence, European University Institute, 2001, EUI PHD theses, Department of Political and Social Sciences).

<sup>9</sup> Christopher Hood, *The Tools of Government* (London: Macmillan, 1983), pp. 2–4.

their power in attempting to ensure support and effect social change'.<sup>10</sup> Vedung offered a three-fold typology of policy instruments: regulations, economic measures, and information (metaphorically the stick, the carrot, and the sermon respectively).<sup>11</sup> Salamon introduced the new governance approach with a focus on tool choices, defining instrument of public action as 'an identifiable method through which collective action is structured to address a public problem'.<sup>12</sup> Following this approach, Peters specifically discussed the politics of tools choice, arguing that 'policy instruments are not politically neutral, and the selection of one instrument or another for a policy intervention will generate political activity and have political consequences'.<sup>13</sup> Lascoumes and Le Gales offered a novel definition that differentiated between 'instrument', 'technique', and 'tool', viewing a public policy instrument as 'a particular type of institution that organizes specific social relations between the state and those it is addressed to'.<sup>14</sup>

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<sup>10</sup> Marie-Louise Bemelmans-Videc, 'Introduction: Policy Instrument Choice and Evaluation', in Marie-Louise Bemelmans-Videc, Ray C. Rist, and Evert Vedung (eds.), *Carrots, Sticks & Sermons: Policy Instruments & Their Evaluation* (New Jersey: Transaction Publishers, 2010), p. 3.

<sup>11</sup> Evert Vedung, 'Policy Instruments: Typologies and Theories', in Marie-Louise Bemelmans-Videc, Ray C. Rist, and Evert Vedung (eds.), *Carrots, Sticks & Sermons: Policy Instruments & Their Evaluation* (New Jersey: Transaction Publishers, 2010), p. 29.

<sup>12</sup> Lester M. Salamon, 'The New Governance and the Tools of Public Action: An Introduction', in Lester M. Salamon (ed.), *The Tools of Government: A Guide to the New Governance* (New York: Oxford University Press, 2001), pp. 19–20.

<sup>13</sup> B. Guy Peters, 'The Politics of Tool Choice', in Lester M. Salamon (ed.), *The Tools of Government: A Guide to the New Governance* (New York: Oxford University Press, 2001), p. 552.

<sup>14</sup> Pierre Lascoumes and Patrick le Gales, 'Introduction: Understanding Public Policy through Its Instruments—From the Nature of Instruments to the Sociology of Public Policy Instrumentation', *Governance: An International Journal of Policy, Administration, and Institutions*, 20 (1), January 2007, p. 4.

## ***6.2. Instrument of an OMA: an analytical framework***

Informed by the above-mentioned accounts, we conceptualise the term instrument in this chapter to capture its key dimensions and thus offer an analytical framework for the subsequent empirical discussion. We do not perceive ‘instrument’ as a tool or toolkit per se. Instead, we approach instrument as an important constitutive element of an OMA and thus pay attention to its broader implications in terms of order making. Herein, instrument is defined as a set of identifiable resources tactically selected for advancing or implementing a particular governing arrangement. This proposed definition entails three important aspects of an instrument:

First, it captures the *resource aspect* of a policy instrument. An instrument always involves certain identifiable resources, be it financial, military, legal, or technocratic. For an OMA, these resources may refer to tangible resources or assets, such as funding/money (financial), or weapons/arms (military). But the resources that an OMA possesses and uses may also be intangible. Ideas, norms, information, social capital, or expertise can also assume critical roles and thus be classified into this category. Under certain circumstances, these intangible resources can be even more important than their tangible counterparts. Therefore, the *type* of instrument would largely be determined by the resources being used. Given that the EAEU is primarily an economic union and that military resources are irrelevant in this case, in our empirical discussion

we would mainly focus on financial, legal, and technocratic resources.

Second, our definition indicates that a certain type of resources is *deliberately and purposefully selected*. Tool choice is thus in no way a purely technical process. Instead, it is a tactical or even strategic one. Often, it involves the internal politics and even the power structure that drive the process towards a certain decision of instrument selection. Therefore, in our discussion, we should look beyond merely the resource aspect and keep in mind the political process and power structure behind choosing a certain type of instrument. In our subsequent empirical discussion, this refers to the institutional setting or internal politics within the EAEU.

Finally, this definition captures the overarching aim of an OMA to use a certain type of instrument, which is to *advance, support, or propagate* a particular governing arrangement. In our literature review we have seen a variety of contexts where instrument is used for different purposes, such as discouraging apartheid, democracy promotion, or reacting to EU energy regulation, etc. Often, these purposes are associated with changing states' behaviour or policy. Given that 'instrument' is treated as a constitutive element of an order-making actor, in this chapter we would focus on situations where using an instrument will have broader implications on setting up a governing arrangement. Specifically, in terms of the EAEU's financial, legal, or technocratic instruments, we would be more interested if they are used to

establish regulations and schemes that concern and govern all the member states. Furthermore, selecting a particular type of instrument will largely determine the manner, in which an order is advanced, implemented, or maintained. Table 6.1 gives a summary of the nexus between potential types of instruments being used and their implications for ways of order building.

**Table 6.1: Type of instrument and ways of order building<sup>15</sup>**

<b>Type of instrument</b>	<b>Ways of establishing or maintaining order(s)</b>
Military	Top-down, force-based, and imposed
Financial	Inclusive, capital-intensive, and developmental
Legal	Specialistic, expertise-intensive, and procedural
Political/technocratic	Give-and-take, negotiable, and network-based

*Source:* author

With this framework in mind, we propose the following research questions that will guide our discussion in Chapter 6: What sorts of instrument are available to the EAEU? How have these instruments been used in different contexts? To be more specific, we will examine three types of instruments of the EAEU: financial, legal, and political/technocratic. The EAEU is an

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<sup>15</sup> This is a more general argument beyond the EAEU context, given that military instrument is irrelevant in our discussion.

organization with a clear and focused mandate on economic and social issues. As such an economic and social organization, these three types of instruments are available to the Union, whilst other types of resources (such as military or technological ones) are less relevant. The three types of instruments of our concern will cover a range of both tangible and intangible resources. For example, the EAEU's budget/funding, and the judicial procedures represented by its Court, should be considered as tangible resources, while the expertise of its Judges, or the leverage of its politicians/technocrats should be categorised as intangible resources. More importantly, these three types of instruments are crucial for the EAEU to establish an order, and further advance it. Without financial resource, it will be impossible for the Union to fund any development projects or offer financial public goods. Legal instruments are important to maintain the legal arrangement established by the EAEU legal framework, particularly when disputes or conflicts occur. Leverage of politicians or technocrats will be indispensable, under certain circumstances, to enforce or implement a governing arrangement within the post-Soviet context, particularly when legal procedures are restrained.

In terms of methods and data, this chapter will draw upon a balanced variety of sources: data gained from our semi-structured interviews, public statements, policy reports, and official documents. Findings will be summarised in the conclusion after data analysis and a detailed discussion.

### ***6.3. Financial Instrument: the present and potential***

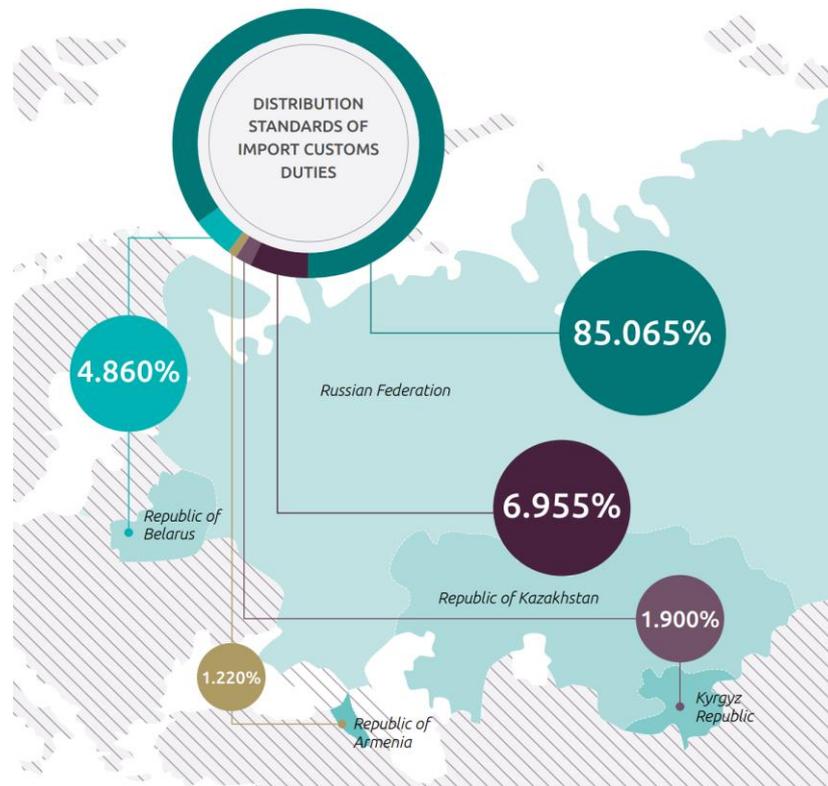
The EAEU is first and foremost an economic organization dedicated to consolidating its internal single market and boosting economic development in the region. As such an economic union, its financial instrument will be crucial to achieve these goals. In this section we examined the extent to which the EAEU, as an OMA, has its pool of resources to advance a union-wide governing arrangement to offer financial public goods at supranational level. It is important to keep in mind that the EAEU is still undergoing a period of reform and transition, while the year of 2025 marks the next important stage of its own development. Therefore, we would analyze the financial instrument that the EAEU currently possesses, and at the same time, consider the instrument that it can potentially utilise, as suggested by scholars or policymakers.

The basic pool of financial resources of the EAEU is the shared contribution of its member states, which comprises the main revenue of the Union's budget. Another source of the Union's funding is the aggregate revenues from its import customs duties. In this regard, Figure 6.1 shows the current distribution standards of import customs duties between the member states since 1 January 2020. The EAEU has the legal power to redistribute these financial resources between its member states.<sup>16</sup>

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<sup>16</sup> Yuri C. Kofner, 'Eurasian Venture Fund: A Proposal for the EAEU Development Strategy', Institute for Market Integration and Economic Policy (MIWI), 1 September 2020, < <http://miwi-institut.de/archives/460> > (30 June 2021).

**Figure 6.1: Distribution standards of import customs duties (since January 2020)**



Source: Eurasian Economic Commission, *Eurasian Economic Union Facts and Figures: Economy and Financial Policy* (Moscow: Eurasian Economic Commission, 2020), p. 13.

Apart from its own financial resources, the Eurasian Development Bank (EDB) serves an important source of funding that the EAEU has intensively drawn upon. The EDB is not formally an institution under the EAEU umbrella. Instead, it is an independent international financial institution founded by Russia and Kazakhstan in 2006. However, all the EAEU member states are members of the EDB as well, and arguably the EDB's missions are generally in line with the EAEU's own ones. Therefore, we have a scenario where the EDB officially

and closely cooperates with the EAEU (with the EEC in particular) since 2013.<sup>17</sup>

At present, various bodies of the EAEU have liaised with the EDB to provide financial public goods for the member states. This is first evidenced by a memorandum of cooperation signed by the EDB and the EAEU Business Council in 2017. The aim of the memorandum is to ‘develop partnership and long-term, efficient cooperation with a view of preparing and fulfilling projects in the EDB’s member states’.<sup>18</sup> Chairman of the EDB Management Board Dmitry Pankin stated that ‘the Bank would focus on projects with an integration effect. EDB and EAEU Business Council will continue to participate in infrastructure projects in the region, thereby promoting sustainable economic growth and the expansion of trade and economic ties through investment’.<sup>19</sup>

In 2021, the EEC has worked closely with the EDB on financial and funding issues for the EAEU. In January, the EEC prepared a list of industrial projects for possible financing by the EDB.<sup>20</sup> Specific measures of financing these industrial projects by the EDB include concessional financing of capital outlays of industrial enterprises, Research and Development (R&D) subsidies, and concessional funding of the EAEU’s national leasing and credit organizations.<sup>21</sup>

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<sup>17</sup> Ibid.

<sup>18</sup> ‘EDB and the EAEU Business Council Intend to Fulfil Projects in the Bank’s Member States’, Eurasian Development Bank Press Releases, 15 June 2017, < <http://eabr.org/en/press/news/edb-and-the-eaeu-business-council-intend-to-fulfil-projects-in-the-bank-s-member-states/>> (30 June 2021).

<sup>19</sup> Ibid.

<sup>20</sup> ‘EEC is Preparing Measures to Support Industrial Projects of the Union Countries’, Eurasian Economic Commission, 26 January 2021, < [www.eurasiancommission.org/en/nae/news/Pages/26-01-2021-01.aspx](http://www.eurasiancommission.org/en/nae/news/Pages/26-01-2021-01.aspx)> (30 June 2021).

<sup>21</sup> Ibid.

In April of the same year, Nikolai Podguzov, Chairman of the EDB Management Board, said that 'the EDB is ready to work closely with the EEC and the EAEU Industrial Policy Council to finance EAEU interstate programmes and projects that are in line with the Bank's mission'.<sup>22</sup> He also proposed the specific measures of offering financial support, such as issuing letters of credit and bank guarantees.<sup>23</sup>

On the other hand, given that right now the EAEU budget is solely spent on the administrative expenses of the EEC and the EAEU Court,<sup>24</sup> there may be potential for the EAEU to use its own pool of financial resources to offer public goods at a genuinely supranational level. For example, Yuri Kofner proposed a Eurasian Venture Fund to give supranational financial support for science, research and development, by deducting one percent of the total amount of annual import customs duties of the EAEU.<sup>25</sup> Apart from supporting fundamental science and research, the Fund could also invest, on a venture basis, in Eurasian start-ups which are engaged in commercialising new research and development results.<sup>26</sup> This would be an ambitious effort to diversify the expenses of the EAEU budget and use its financial resources more effectively. Besides, funding and investing in R&D at supranational level is

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<sup>22</sup> 'Chairman of the EDB Management Board Says in Tashkent that the Bank is Ready to Finance EAEU Interstates Programmes', Eurasian Development Bank, 5 April 2021, < <http://eabr.org/en/press/news/chairman-of-the-edb-management-board-says-in-tashkent-that-the-bank-is-ready-to-finance-eaeu-interst/>> (30 June 2021).

<sup>23</sup> Ibid.

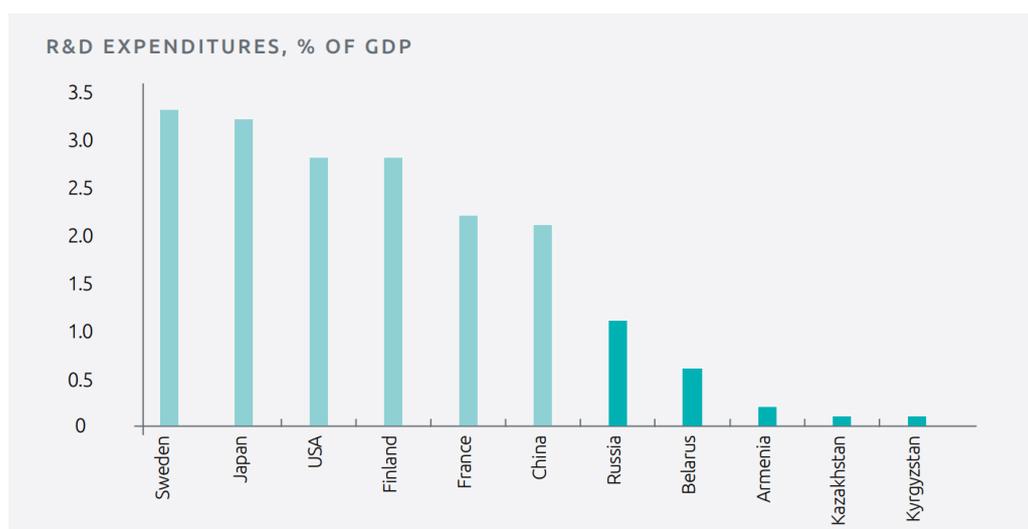
<sup>24</sup> Kofner, '*Eurasian Venture Fund*', (30 June 2021).

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

crucial within the Eurasian context, given that, as figure 6.2 shows, the EAEU member states lagged in their R&D expenditures compared to major research-intensive countries in the world arena.

**Figure 6.2: R&D expenditures as proportions of GDP (2020)**



Source: Eurasian Economic Commission, *Eurasian Economic Union Facts and Figures: Integration and Macroeconomics* (Moscow: Eurasian Economic Commission, 2020), p. 14.

Furthermore, considering that the Supreme Economic Council approved the Strategic Directions for Developing the Eurasian Economic Integration until 2025, and that consequently, establishing a common financial market and a supranational financial regulator become a priority, the EAEU could use this as an opportunity to further sharpen its financial instrument. Possible policy recommendations include the introduction of a carbon tax on fossil fuel products in proportion to their carbon content, which would significantly increase the government revenues of EAEU member states and the total EAEU GDP as

well.<sup>27</sup> This policy measure will enlarge the EAEU budget and make it possible for the EAEU to offer supranational public goods in other areas such as education, science, and public health.

With a common financial market in mind, and a potential supranational financial regulator (to be located in Nursultan) in place by 2025, Yuri Kofner proposed a more ambitious policy recommendation, which is to 'grant the EEC or the future financial regulator the right to impose financial sanctions or penalty on member states that violate the macroeconomic convergence criteria'.<sup>28</sup> This will be a financial instrument with macroeconomic and legal implications that go beyond funding joint projects or increasing its budget. It would help advance a legally binding governing arrangement that shapes member states' macroeconomic policies and propels their key indicators (such as government debt/GDP ratio and inflation rate) towards further convergence.

At the same time, we learn from our interviews that it is indeed necessary for the EAEU to enlarge its pool of resources and further sharpen its financial instruments. For example, respondent no. 9 observed that 'the EAEU is now operating in a permanent deficiency mode; it was like a desktop or laptop, they are running in a power-saving mode basically'. A Dutch expert (interviewee no. 11) commented that 'if there are projects funded by the EAEU and the EDB,

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<sup>27</sup> Yuri Kofner, 'Effects of Introducing a Carbon Tax in the Eurasian Economic Union', Institute for Market Integration and Economic Policy (MIWI), 8 August 2020, < <http://miwi-institut.de/archives/310>> (30 June 2021).

<sup>28</sup> Yuri Kofner, 'Five Years Eurasian Economic Union: Progress of Macroeconomic Convergence', Institute for Market Integration and Economic Policy (MIWI), February 2020, < <http://miwi-institut.de/archives/741>> (30 June 2021).

they are not really very big. For most countries, the projects in the context of the BRI funded by China are much more interesting.....Countries like Armenia can also look at the European Bank for Reconstruction and Development (EBRD) and maybe, there is much more in the EBRD for them to gain than from the EDB'.

However, we should not over-estimate the EAEU's ability to expand its financial resources. First, the above-mentioned proposals have yet been translated into the Union's official policies. In theory, they may seem feasible. But in practice, there may be significant barriers that prevent these proposals from turning into reality. To give an example, considering that Russia and Kazakhstan rely heavily on oil and gas in terms of their national budgets, a carbon tax on fossil fuels can face criticism and opposition from these two member states. Second, given Russia's war against Ukraine in 2022, and the subsequent sanctions imposed by the West on Russia, it may be extremely difficult, if not impossible, for the EAEU or the EDB to obtain adequate funding from the international financial market.

But overall, our conceptual framework of 'instrument' demonstrated its analytical purchase in examining the financial aspect of the EAEU. A pool of financial resources is identifiable. However, to advance a governing arrangement in financial sense, which is to provide financial public goods at the Union's level, choosing or developing specific financial tools is a tactical or even

strategic one. The major resources hitherto available to the EAEU largely concern the funding of the EDB. If the EAEU aims to boost and further sharpen its financial instrument, more ambitious policy instruments need to be adopted, which also depends on the successful functioning of the EAEU common financial market by 2025.

#### ***6.4. Legal instruments of the EAEU***

Legal instrument refers to the legal norms, procedures, and expertise of specialists/judges of the Union. These resources are crucial for maintaining and consolidating the governing arrangement established by the EAEU, particularly when disputes or conflicts occur between member states or EAEU bodies. In this section we will focus on the legal institution of the EAEU, which is the Court located in Minsk. As the most important legal entity of the Union, the EAEU Court has effectively formalised the rules and norms represented by the EAEU legal framework, and at the same time, it has used its procedures and expertise of legal specialists to put these rules and norms into practice.

In the first place, we obtained some positive comments on the EAEU court from our interviews. Participant no. 9 commended on the Court in this way:

Compared to the national courts, the EAEU Court can be quite efficient and very effective. So rather than go to the Tajik Court or to the Moscow District Court and doing all the nonsense, they (the

applicants) would better go to the Eurasian Court in Belarus. It is going to be quicker. I would say that they are very effective and that they can solve the problems more effectively than national courts.

This respondent further observed that ‘so far as I can see, especially for people who do trans-border interactions and stuff like that, they (the EAEU Court) are probably the first preference to go’. This serves as strong evidence that the overall performance of the EAEU Court is satisfactory. For applicants who want to file a legal case, the EAEU Court seems to be a better option than national courts in the member states.

A further look at the cases and documents of the EAEU Court shows more specifically how the Court has used the available legal instruments. During the period 2015–2021, the EAEU Court has dealt with a significant number of cases. These disputes covered the following areas: technical regulations, trade in services, functioning of the Customs Union, general principles, and rules of competition.

The first important way that the Court has extensively used its legal instrument is to offer advisory opinions (консультативное заключение), which served the purpose of clarification and elucidation. These cases have been initiated by the member states or the EEC, who asked the Court to clarify on the legal status of a particular section of the EAEU Treaty, and to judge an uncertain legal issue or dispute. Individual Judges would publish their special

opinions (особое мнение), which served as important references for the final collective opinion of the Court.

To give an example, a case (no. P-1/20) was filed to the EAEU Court by Russian Ministry of Justice, and it was accepted by the Court on July 10th, 2020. The applicant (заявитель/истец) believes that in the law of the EAEU there is uncertainty in the issue of classifying financial leasing provided by non-banking economic entities as financial services, and the legality of applying prudential measures to it is also problematic. Specifically, the Ministry of Justice of Russian Federation asked the EAEU Court for clarification on: 1) whether leasing services provided by a non-banking leasing company are subject to the regulation of the Protocol on Financial Services, or are they regulated by the provisions of Protocol on Trade in Services; and 2) do member states have the right to determine the specifics of direct taxation (income tax and corporate property tax) when introducing prudential regulation on leasing activities of organizations that enter into leasing agreements. Regarding these enquiries, the EAEU Court reached the conclusions that: 1) the provision of financial services such as financial leasing is regulated by the provisions of section X VI of the Union Treaty and the *Protocol on Financial Services*; and 2) determining the specifics of direct taxation is within the competence of the member states and does not fall within the scope of the EAEU Law.

This type of application, which came in the form of legal enquiry, have

constituted an important part of the work of the EAEU Court. Similar cases include case no. P-4/17, applied by the Ministry of Transport and Roads of the Kyrgyz Republic (accepted on 20 November 2017); case no. P-1/18, applied by the Belarusian Ministry of Justice (accepted on 10 July 2018); and case no. P-3/19, applied by the EEC (accepted on 31 October 2019).

At the same time, the EAEU Court has also extensively issued Decisions to intervene more directly in legal disputes. Most of these disputes occurred between companies (the applicant/plaintiff), on the one hand, and the EEC (the respondent), on the other. By satisfying or rejecting the requirements of the applicants, and by making decisions on these legal disputes, the EAEU Court has made straightforward contributions to the EAEU's legal arrangements.

To give an example, a case (no. C-4/21) was filed to the EAEU court by LLC 'DHL Global Forwarding' (ДХЛ Глобал Форвардинг, the plaintiff), and was accepted by the Court on 27 April 2021. In this lawsuit, the plaintiff requested the EEC in the previous year to ensure compliance and application, in the Russian Federation, of the norms of the EAEU Law that regulates the fulfilment by declarants (декларант) and customs brokers (таможенный представитель) of their joint obligation to pay customs duties. The plaintiff pointed out that the courts of the Russian Federation refused it, as a customs broker, to reclaim from the declarant the amounts of customs duties paid in fulfillment of the joint

obligation.<sup>29</sup> The plaintiff argued that this creates the possibility of releasing the declarants from the joint obligation in the field of customs affairs and encourages them to evade customs payments. However, the EEC failed to take actions to solve this problem. Instead, the EEC proposed a counter argument that issues related to the right of customs brokers to reclaim from the declarant of the amounts of customs paid in fulfilment of the joint obligation are not regulated by the EAEU Law in the field of customs regulation. The EEC also argued that relations between customs brokers and declarants are built on a contractual basis, and consequently, the settlement of their mutual claims and the claim for compensation should be carried out within the framework of civil legal relations.

After considering the arguments from both sides and going through its legal procedures, the EAEU Court finally reached a conclusion to satisfy the requirements of the plaintiff. The Court further recognized that the inaction of the EEC is inconsistent with international treaties within the EAEU framework, and that it violates the rights and legitimate interests of an economic entity in the field of entrepreneurial and other economic activities.

Therefore, by clarifying uncertain legal issues, judging the legality of behaviours, and by intervening more directly in legal disputes, the Court has used a variety of legal resources, including its interpretation of the law and

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<sup>29</sup> Companies such as DHL offer customs brokerage services, including advance payment of duties & taxes for their customers (declarants).

norms, its legal procedures, and the expertise of its Judges, to maintain and consolidate the legal order established by the Union. Nonetheless, we need to bear in mind that the choice of using legal instrument is subject to specific contexts. Often, conflicts between non-state actors have witnessed a more active intervention of the Court, whilst as we will see in the next section, legal instrument is less relevant when it comes to inter-state disputes.

### ***6.5. The EAEU's political and technocratic instrument***

Beyond the above-mentioned legal instruments, we also need to pay attention to the political and technocratic instrument of the EAEU, which refers to leverage of politicians/technocrats, and certain political or technocratic platforms that can advance or implement a governing arrangement. Compared to legal procedures, clout of politicians or technocrats has operated in a less formalised way, and often, negotiations or even transactions have been going on behind the scenes. Nevertheless, these political and technocratic instruments are crucial in the post-Soviet context, given that political leadership of the member states and high-ranking technocrats can exert substantial influences in the EAEU. Often, states resort to the Court and legal procedures only when political leadership failed to resolve the dispute.

First of all, this is suggested by data gained from our semi-structured interviews. Participant no. 9 claimed that:

Most of the disputes got resolved without going to the Court, because going to the court is very much a European culture.....I would say that 70 percent of the disputes do not go the Court and get resolved. By looking at the cases dealt by the Eurasian Economic Union Court, you are looking at the tip of iceberg, which can be very special cases.

A legal expert who participated in the interview (no. 12) pointed out that 'going to the Court is very sensitive politically. If you go after one state, the state can also go after you at some point in the future'. This participant suggested that 'what has usually been done is to solve it (disputes) diplomatically. There were lots of other disputes on trade and everything, but they have been usually resolved through negotiation'. He further commented that 'the Court has lost quite a lot of power because of being too activist in terms of law interpretation. The states did not like it, and now the Court was quite wary of stepping too far'.<sup>30</sup>

These remarks show that beside the legal cases accepted and dealt by the EAEU Court, we need to examine other channels through which disputes got resolved and parties involved in the disputes agreed on a certain governing arrangement. In this section we will look at leverage of politicians/technocrats, and certain political or technocratic platforms, which served as important

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<sup>30</sup> A review of legal cases dealt by the EAEU Court shows that inter-state disputes account for only a very small number of cases. Instead, the majority of the cases were filed by business entities against the EEC. At the same time, in the EAEU, the EEC cannot sue the member states at the current stage of development.

resources of the EAEU.

A case in point is the 'Milk War' between Russia and Belarus that started in February 2018. The Russian Federal Service for Veterinary and Phytosanitary Surveillance imposed temporary restrictions on certain types of dairy products imported from Belarus, since the Russian side believed that some of these dairy products did not meet Russian food safety standards. However, this action was against the EAEU norm of mutual recognition of veterinary certificates. In response to this, the EEC has assumed its role of an effective monitor of member states' obligations. The EEC Board issued Decision no. 11 on 22 January 2019, in which they recognized that closing off the Russian market from certified Belarusian dairy products was a violation and asked that measures should be taken within 10 days.

However, this dispute has been subject to political interferences, as the Russian side has wanted to overrule the EEC's decision. The request to abolish and overrule the EEC's decision was made by the then Russian Prime Minister Dmitry Medvedev. According to Kofner, 'in Moscow's opinion it would give the wrong signal about the possibility of abusing the rule on the mutual recognition of veterinary certificates',<sup>31</sup> given that the Belarusian side carried out the certification of products from dairy enterprises that lacked the necessary

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<sup>31</sup> Yuri Kofner, 'Five Years On: The Eurasian Economic Union in Action', Valdai Discussion Club, 7 May 2019, <<http://valdaiclub.com/a/highlights/the- Eurasian-economic-union-in-action/>> (27 February 2022).

capacity and equipment’.

This dispute was not settled through formalised legal procedures. The two parties, Russia and Belarus, reached an agreement without going to the EAEU Court. Instead, an agreement was reached at a regular meeting of the EAEU Intergovernmental Council held in Yerevan on 30 April 2019. The Intergovernmental Council issued Decision no. 5, in which it is stipulated that the EEC Decision was valid and would enter into force. At the same time, Russia will remove its sectoral restrictions on the supply of Belarusian dairy products, replacing it with a temporary ban on specific enterprises.<sup>32</sup>

This case has been illustrative of reaching a governing arrangement within the EAEU through technocratic and political platforms. Despite the pressure from the Russian side, the dispute got settled at the end and an agreement was reached through the decisions of the EEC (a technocratic platform) and the Intergovernmental Council (a political platform composed of heads of governments). Furthermore, Kofner pointed out the wider significance of this settlement:

The arrangement is important for ensuring free trade within the EAEU as a whole, since there now is a consensus that member states do not have the right to close off markets by sectors and decisions should be only made on specific enterprises that violate the

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<sup>32</sup> Ibid.

requirements.<sup>33</sup>

In more general terms, our interviewee no. 12 referred to ‘an elevator scheme’, where the EEC Board is supposedly a supranational and technocratic body, and if something is not resolved at this level, it goes up to the political body of the Commission (the EEC Council). And if there is no result there, it went further up to the Intergovernmental Council or potentially up to the highest level (the Supreme Economic Council). This path of resolving disputes and reaching agreements is rather independent of the formal legal procedures. This elevator scheme has given the EAEU technocrats and politicians of the member states considerable opportunities to advance and implement a governing arrangement through diplomatic channels, particularly when it comes to inter-state conflicts or disputes.

## ***6.6. Conclusion***

Following the previous discussions on identity and representation, this chapter engaged with the last constitutive element of an OMA and argues that apart from a clear identity and a representing agent, an actor needs a set of available resources to advance, propagate, and implement a governing arrangement. We refer to the term ‘instrument’ to capture this element of an OMA and further discuss what types of instruments does the EAEU possess, and how these

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<sup>33</sup> Yuri Kofner, ‘Did the Eurasian Economic Union Create a Common Domestic Market for Goods, Services, Capital and Labor?’ Institute for Market Integration and Economic Policy (MIWI), 30 October 2019, < <http://miwi-institut.de/archives/1176>> (23 July 2021).

instruments have been used in specific contexts.

Given that the EAEU has a focus on economic and social issues, we engaged with the three most relevant types of instruments: financial, legal, and political/technocratic. In terms of its financial instrument, the EAEU has secured a pool of resource, which is composed of shares of member states and their customs duties. Apart from that, the EEC has constantly liaised with the EDB, who has co-funded various development projects on the EAEU territory. However, the problem lies in the efficient use of the EAEU budget, and there remains a gap if the EAEU aims to offer genuine public financial goods at supranational level. Potential policy options include a proposed Eurasian Venture Fund, and a financial regulator to be placed in Nursultan, which can boost and sharpen the financial instrument of the EAEU.

A review of legal cases dealt by the EAEU Court shows that legal instruments have been extensively used. This includes the Court's interpretation of the EAEU Treaty or other international agreements, the legal procedures of the Court, and the expertise of individual Judges. Legal instruments have been crucial for the Union to propagate and maintain the order set by its legal framework, particularly when conflicts or disputes occurred between non-state actors such as business entities. We learn from our interviews that the EAEU Court has been viewed to be quite efficient, and it often serves as the first preference of an applicant or plaintiff.

However, the choice of using legal instrument is less relevant when it comes to inter-state disputes, since the Court is less assertive and wary of intervening too much under these circumstances. Consequently, we found that leverage of politicians/technocrats, and certain political or technocratic platforms of the EAEU are important to implement a governing arrangement to settle inter-state disputes. Within the post-Soviet context, a great number of disputes got settled without going to the Court or without undergoing formal legal procedures. These political/technocratic resources include platforms such as the EEC and the Intergovernmental Council. Important arrangements have been reached through these channels, rather than at the level of the Court.

Finally, the empirical data presented in this chapter further supports the argument in Chapter 5 that the EEC serves as the most important representing agent of the Union as an OMA. We found that in the daily practice and functioning of the EAEU, specific actions have largely been undertaken by the EEC, including liaison with the EDB, monitoring member states' obligations, filing cases to the EAEU court. Surprisingly, in legal cases where companies or business entities serve as the applicant/plaintiff, the defendant was the EEC under most circumstances. It is obvious that these business entities have treated the Commission as the (only) agent who represents the EAEU, if they felt that they have been mis-treated or their interests have been at stake by the Union's misbehaviour or inactions.

## **Conclusion: Small OMAs Can Make a Difference. The EAEU and Its Broader Implications for International Order**

So far in this thesis we have proposed a novel notion of OMAs in the Introduction. Thereafter, a historical review looked at a variety of different actors (including the CIS, the CSTO, and the predecessors of the EAEU. In our theoretical chapter, we developed a theory that identified three key constitutive elements of an OMA, which explained how an OMA is composed. These three chapters laid out a foundation that formed the first half of the thesis. From these discussions we developed a theory arguing that identity, representation, and instrument serve as the three compositional elements, which guided our empirical discussion of the EAEU. Thereafter, in the second half of the thesis, we dedicated one chapter to each of the three elements and organized our empirical materials accordingly. Specifically, Chapter 4 explored the identity of the EAEU and adopted a corpus-based approach to count and visualise key words in the Supreme Council documents. These vocabularies concern the specific issue areas and mandates where efforts of order-making took place. In Chapter 5, we conducted a series of semi-structured interviews and used these first-hand data to examine the role of the EEC as a crucial representing agent in both internal and external contexts. Lastly, we consulted a range of different

sources of information in Chapter 6 to demonstrate the instruments possessed by the EAEU to advance a specific governing arrangement.

Now we will move towards drawing conclusions premised on the findings from the previous discussions and re-addressing the overall research question posited in the Introduction. Given that we have examined the identity, representation, and instrument elements separately, the primary questions to be asked in the Conclusion are: How does the process of order-making become possible with these three compositional elements? And what are the broader implications of the EAEU, or OMAs in general, on the changing international order architecture?

This concluding chapter will proceed in the following steps: First, it will refer to the materials presented in the empirical sections, plus the latest dynamics of the EAEU, to offer some reflections on our conceptual and theoretical discussions. Considering that the theory was developed before empirical discussion, we are now better positioned to offer some insights that help revise or enrich our theory. Second, the above-mentioned questions that are of our concern will be addressed. Herein, I will explain the order-making process and discuss the broader implications of the EAEU on order architecture respectively. Third, this chapter will consider the wider significance regarding how a study of OMAs speaks to the general debate over the transformation of international order. Finally, the end of the Conclusion will summarise the contributions to

scholarship made by the whole thesis.

## ***7.1. Some general reflections***

The year 2020 marked the 5<sup>th</sup> anniversary of the EAEU, while 2025 will celebrate the next milestone. The EAEU has undergone an unusual period, during which significant events such as the COVID-19 pandemic occurred. Given that our theory had been developed prior to engagement with empirical materials, it is imperative to reflect on the conceptual or theoretical framework, after we consider our discussions in Chapters 4–6 and some latest dynamics beyond them. In this section we will organize our reflections around the three elements recognized in Chapter 3: identity, representation, and instrument.

First, our OMA theory discussed the importance of identity as a constitutive element but under-explored the extent to which a regional hegemon (Russia) could dominate, in terms of how much it can affect or even determine the OMA's identity. This issue becomes salient, given the exceptional power asymmetry within the EAEU. From many perspectives such as GDP, population, and financial contribution, Russia truly outweighs the other smaller states. Furthermore, Russia certainly has its own vision of the purpose of the EAEU, viewing it as political project that consolidates its own status as a great power and maintains its influence in the post-Soviet space.<sup>1</sup> We also know from

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<sup>1</sup> Similar accounts can be found from a lot of sources, for example, see Andrej Krickovic, 'Imperial Nostalgia or Prudent Geopolitics? Russia's Efforts to Reintegrate the Post-Soviet Space in Geopolitical Perspective', *Post-Soviet Affairs*, 30 (6), November 2014, p. 507; Irina Busygina and Mikhail Filippov, 'Russia, Post-Soviet Integration, and

Chapter 4 and from our interviews that due to Russia's geopolitical ambitions, external partners, such as the EU, seriously doubted the genuine intention of the EAEU, which has prevented the inter-Union engagement. Besides, several participants in our interviews cast their doubts and suggested that the EAEU served as Russia's geopolitical tool.

Nonetheless, this thesis is cautious about equating the EAEU with an organization that purely serves Russia's geopolitical agenda or purposes. We contend that a series of factors have prevented the EAEU from being fully instrumentalised as Russia's geopolitical tool. First, despite that Russia had a clear geopolitical ambition at the very early stage during the EAEU's formation and thus aspired to incorporate Ukraine,<sup>2</sup> the fact that Ukraine has decisively distanced itself from any Russia-led integration presented a serious barrier to Russia's geopolitical ambitions. In fact, in light of the 2022 Ukraine war, Russia may have to resort to military actions, instead of relying on the EAEU or other regional organizations to achieve its geopolitical goals. As Furman and Libman pointed out, the 2014 crisis in Ukraine marked a significant change in the development of Russian foreign policy to the extent that the idea of creating a Eurasian Union became less interesting for Russia, and that the EAEU was

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the EAEU: The Balance between Domination and Cooperation', *Problems of Post-Communism*, Online First, September 2020, <<http://doi.org/10.1080/10758216.2020.1803755>> (6 September 2021); Sean P. Roberts and Arkady Moshes, 'The Eurasian Economic Union: A Case of Reproductive Integration?', *Post-Soviet Affairs*, 32 (6), November 2016, p. 544.

<sup>2</sup> This was informed by a presentation made by Fyodor Lukyanov at the World Peace Forum held in Beijing in the summer of 2018.

slowly disappearing from the rhetoric of the Russian leadership.<sup>3</sup> Second, we have seen a series of dynamics that aims to de-politicise the EAEU and counter Russia's geopolitical visions. An interviewee pointed out that the EAEU is wary of touching political areas, which is clearly expressed by the new President of Kazakhstan Tokaev. Furthermore, the Strategy of Development to 2025 has demonstrated a more people-focused vision. Apart from the traditional aspects such as economic development, single market, technical and customs regulations, the 2025 Strategy has included science-technology cooperation, health care, education, tourism, and sports into the strategic directions of the EAEU towards 2025.<sup>4</sup> If a geopolitical agenda rarely appeared in our corpus-based analysis in Chapter 4, it seemed even less relevant in the 2025 Strategy. Third, we should not dismiss the role of smaller member states in the EAEU. Interviewee No.1 has mentioned that the institutional design of the EEC gave smaller member states disproportionate voices and power in the Commission. We also learn from interviewee no. 9 that:

Many smaller states have become more powerful than before.....  
even during the early stage of negotiation, Kyrgyzstan could speak up against Russia and put out a long list of demands. It is very surprising because, we have not seen Kyrgyz putting such a demand

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<sup>3</sup> Ekaterina Furman and Alexander Libman, 'Imitating Regionalism: Eurasian Regional Organization as a Soviet Legacy', in Arkady Moshes and András Rácz (eds.) *What Has Remained of the USSR: Exploring the Erosion of the Post-Soviet Space* (Finnish Institute of International Affairs, 2019), pp. 100–101.

<sup>4</sup> EEC, *Strategiya–2025: Vektor razvitiya EAES na blizhaishuyu perspektivu*, p.2.

against Moscow in the past 300 years.

Therefore, to reflect on our conceptual and theoretical discussions about identity, these above-mentioned factors challenged the view of full Russian domination or the EAEU being geopolitically instrumentalised by Russia, in the sense of identity. From a theoretical perspective, we may have over-estimated the role of the hegemon, and at the same time under-estimated the role of smaller states and the EAEU's key agencies, in shaping the identity of the OMA in question. We also need to bear in mind that the EAEU as an OMA is adapting to the changing environment and thus extending to new territory as well. For instance, COVID-19 has been an exogenous shock that no one could expect when the Union was founded. However, the 2025 Strategy demonstrates that the EAEU has made efforts to cope with the pandemic, extending its mandate to medical and health care issues. If this campaign becomes successful, it may help further consolidate its position in the international arena.

Second, in terms of representation, in Chapter 3 we recognized that it is necessary for an OMA to possess a specific agent that take actions on behalf of it. Nonetheless, in subsequent discussions we found that in fact, there may be a network of agents, instead of one single agent, that take actions in various occasions. From Chapter 6 we know that the EAEU Court and the Intergovernmental Council have extensively served as agents to advance or implement a governing arrangement.

That said, this is not to deny the legitimacy of selecting the EEC as the crucial representing agent. Instead, we need to revise our theory to the extent that a representing agent must also take actions proactively rather than responsively on behalf of the OMA. What really distinguishes the EEC from other EAEU bodies (e.g., the Supreme Council, the Court, or the Intergovernmental Council) is that the Commission may be the only proactive agent in its daily functioning. For example, it is the Commission who monitors member states' compliance, raises the issue in case of non-compliance, asks that measures should be taken, and files legal cases to the Court. In this sense, the other bodies in this institutional network have taken their actions that are responsive to the EEC.

Finally, when it comes to the instrument element, in Chapter 6 we examined three types of instruments: financial, legal, and political/technocratic. However, the latest dynamics have shown that the EAEU is entering into new territory (such as digital space and public health), which means that its arsenal of instruments may broaden to incorporate resources such as digital infrastructure (database or servers), and medical services (vaccines or other medical equipment). The importance of these new instruments will unfold in the coming years, which cannot be envisioned by Chapter 6 or even this thesis. But herein, the main takeaway is that what counts as 'instrument' to an OMA may be dependent on its identity. As the EAEU is developing itself beyond its

traditional mandates, it is very likely to expand its toolkit and capitalise on technological, digital, and medical resources. For example, Nikitina and Arapova found that the EDB has used its Digital Initiative Fund to create a mobile app called 'Travel without COVID-19', which helped citizens of certain EAEU member states enter Russian territory with their PCR test results and QR-codes uploaded.<sup>5</sup> This serves as a recent case where multiple types of resources are jointly used to find an innovative solution to the pandemic.

Given that the discussion in Chapter 5 and 6 intensively drew upon the information gained from our semi-structured interviews, we also need to reflect on the potential biases that occurred in the process. The most significant bias is that indigenous scholars or practitioners were under-represented in the sample of interviewees. Our sample included a lot of European scholars, one Japanese scholar, and a Chinese expert, but only one scholar from the region of Eurasia itself. During the process of finding and selecting potential respondents, indigenous scholars or practitioners were less willing to engage. Due to language skills and connections of the author, engaging Eurasian local experts was much more difficult than approaching a European or Chinese expert. Therefore, the information in Chapter 5 and 6 largely represented the outsiders' views, whereas the indigenous' perspective was not represented

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<sup>5</sup> Yulia Nikitina and Ekaterina Arapova, 'COVID-19 as a Test for Regional Integration Resilience in the Eurasian Economic Union', *Problems of Post-Communism*, 69 (1), January/February 2022, p. 29.

enough.

## ***7.2. How is order-making possible for the EAEU?***

With all the empirical analysis in Chapters 4–6 and reflections in this Conclusion, we can now re-address our overall research question asked in the Introduction. Herein, we seek to explain how is order-making possible for the EAEU, given its three crucial elements that we recognized (identity, representation, and instrument)?

First, the EAEU has developed a clear identity with an economic and social focus. From the perspective of issue areas, it contributed to an order that has successfully found its niche in the post-Soviet space. Drawing upon the discussion in Chapter 2, we know that the CIS lost its momentum after it helped consolidate the newly gained sovereignty and independence of post-Soviet space. Very few states were willing to participate in a deepened integration within the CIS framework, while some of them have even ceased their CIS membership. The main problem with the CSTO is that post-Soviet states never experienced a real external military attack. By contrast, military conflicts originated from the region itself, whilst the CSTO could do little to intervene in these intra-region conflicts.<sup>6</sup> These rather unsuccessful antecedents suggest that for an order to sustain itself, it is necessary to satisfy the needs of its

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<sup>6</sup> After the withdrawal of US troops in Afghanistan, perhaps the CSTO can do more in combating terrorism and extremist groups.

subscribers in the long run.

Identity of the EAEU that mainly covers economic and social domains helped erect an order that not only fits better with the needs of its member states, but also reaches out more broadly to the people in the region. It serves the interests of EAEU member states to have their cross-border transactions regulated by a common and transparent legal framework, to have their goods, labour, capital, and service circulate more freely in a single market, and have their trade-related conflicts better managed and resolved. Furthermore, what made the EAEU distinct from previous regional organizations is that it has looked beyond the states and aimed to engage with the people in the region. For example, the EAEU has been praised for protecting labour's interests and working towards a pension regime for migrant workers. We have also seen examples in this thesis that the EAEU has aimed to protect the interests of businesses within its remit, and it has developed new mandate to secure people's health and wellbeing against the COVID-19 pandemic. Therefore, besides the member states, the identity factor of the EAEU has made it possible that the businesses and individuals become stakeholders and subscribers to the governing arrangement. Identity, as the first important constitutive element, ensured that order-making has its roots both in states' interests and more broadly in the interests of the people in the region.

An order is institutionalised into daily practices and functioning by the key

representing agent, which is primarily the EEC in our case. The representation factor contributed to this in three aspects. First, the EEC has taken proactive actions to maintain the governing arrangement and make sure that it functions normally. The best example is that the EEC constantly works on the external customs schedule, on which it has full and exclusive remit. The EEC has issued directives in areas of trade and customs regulation, which can be directly translated into national law. Second, the EEC functioned as a watchdog to monitor behaviour of the member states. In cases of non-compliance with their obligations, the EEC would raise the issue and ask a member state to take measures. This monitoring role contributed to the enforcement of the governing arrangement. Finally, although we know from Chapter 5 that the EEC is not a powerful political institution, it is well situated within an institutional network and effectively works with other bodies. For example, the EEC worked with the EDB and the Court in cases of development and legal issues respectively. It has also worked with upper-level institutions, such as the Inter-governmental Council, when it cannot resolve a conflict alone. Often, the other bodies acted in response to the EEC's requests or recommendations.

Lastly, the instrument factor enables that specific agents or bodies have a pool of relevant resources to propagate and implement an order. We learn from Chapter 6 that through its liaison with the EDB, the EEC has harnessed financial resources to fund development projects. In responding to the requests

of plaintiffs, the EAEU Court has used its legal procedures and the specialised knowledge of its Judges to make judgements or clarifications, and thus implement the legal order within the Union. When it comes to disputes that the Court could not manage to resolve, arrangements were made through technocratic or political channels. In such cases, Commission technocrats and politicians at intergovernmental level have come to arrangement through diplomacy and negotiations rather than formal legal procedures.

Importantly, the EAEU may further sharpen its instruments by the milestone of 2025. There are several potential ways to expand its toolkit and arsenal of available resources. In terms of its financial instrument, a potential Eurasian Venture Fund could make it possible for the EAEU to genuinely provide public financial good at supranational level, particularly in the field of R&D, on which the EAEU has placed an emphasis. Meanwhile, as the EAEU is seeking to expand its domain of order-making, including health care and medical services, it will need to obtain relevant resources to advance a governing arrangement in these new issue areas.

### ***7.3. Broader implications for international order: analysis on its local, regional, and global impacts***

If identity, representation, and instrument have made it possible for the EAEU to establish and maintain a governing arrangement, then what are its broader implications for the international order architecture as an OMA? In this section

we will break down the analysis into three levels: the local, the regional and the global ones. We advance the argument that implications of the EAEU's order-making campaign on international order architecture depend on the level of analysis. Specifically, its impact has been more salient at the local and global level, has been rather limited at the regional level.

The local level focuses on the sub-national implications and considers the extent to which the EAEU's order-making has affected lives and wellbeing of the people in the region. This thesis contends that at the local level the EAEU's order-making has been significant, because in this region there has been hitherto no other similar actor that is dedicated to social and economic problems that concern individuals and businesses. If we look back and consider the kaleidoscope of regional organizations in Chapter 2, arguably the only one that showed similar intentions was the CIS. True, in its agenda the CIS included social and economic issues, and it is still playing a role in labour issues and a region-wide free-trade area. However, the importance of social and economic issues paled in comparison with the political agenda in the CIS. By contrast, they are listed as priority in the EAEU. Furthermore, the CIS lacks a key representing agent that can effectively make proposals, monitor, and commit to enforcement. The single market arrangement that the EAEU commits to directly reached out to the people, in the sense of protecting labour's rights and interests of enterprises. In cases of non-compliances and violation of states'

obligations, the EEC will ask for measures to be taken and work with other bodies to facilitate enforcement. Compared to this, no other actor in the region has been capable, or has aspired to such a governing arrangement, as the EAEU did. Speaking to the thesis posed in the Introduction, we contend herein that the EAEU has committed to a shared order in the region that considers and accommodates the local needs of individuals and enterprises, apart from the needs of its member states. Chapter 5 and Chapter 6 have extensively demonstrated that in this order-building process, interests of local shareholders have been taken into accounts (for example, the protection of labour rights), and sometimes local shareholders (such as businesses) have resorted to legal means to defend their interests. If we overlook this shared regional order, and the consequent local-friendly regulation where states' behaviour can be regulated for the sake of the people and the local needs, we will fail to fully comprehend the unique role of the EAEU or its contribution to international order locally but significantly.

We need to bear in mind that the EAEU is also adapting to the rapidly changing environment, and further consolidating its irreplaceability by its newly included agenda. Issues such as digital economy, investment in research and technology, health care, and medical services have been singled out in response to the changing needs of the region, and more importantly, the needs of the people. Although the EAEU has yet to establish the arrangement

effectively in these areas, the potential impact on people's livelihoods and wellbeing would be unmatched by any other (non-state) actor in the region.

If we consider the implications of the EAEU's order-making at the regional level, what the EAEU has achieved and what it can achieve potentially would be rather limited at best. In our semi-structured interviews, one expert pointed out that 'disintegration (in the post-Soviet space) is continuing, and there is no way for Russia to stop that process'. This is an insightful argument, and to build it up further, this thesis will argue that nor can the EAEU stop the irreversible breaking up of the whole region.

First, from a geographic perspective, the EAEU's order-making does not concern the whole region. Moshes and Rácz correctly pointed out that 'the EAEU no longer intends to integrate the region as a whole. Instead, it is geographically a much narrower, albeit deeper form of cooperation'.<sup>7</sup> Although the EAEU has gained some momentum to the extent that it has included Uzbekistan as an observer state, while Tajikistan is likely to become a member, it is still far away from covering all the post-Soviet states. Countries like Ukraine, Georgia and Moldova have clearly been European oriented and shown more interests in deeper cooperation with or even accession to the EU. In this sense, we cannot expect the EAEU to be as geographically overarching as the CIS.

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<sup>7</sup> Arkady Moshes and András Rácz, 'Conclusion: What Has Remained of the Former Soviet Union?' in Arkady Moshes and András Rácz (eds.) *What Has Remained of the USSR: Exploring the Erosion of the Post-Soviet Space* (Finnish Institute of International Affairs, 2019), p. 240.

Perhaps more importantly, as an OMA that is limited to economic and social issues, the EAEU has its limitations and thus is not capable of cementing the region to the extent that is beyond its mandates. Moshes and Rácz made an even stronger argument that ‘it is less and less justified to approach the region as a single entity, particularly when it comes to politics, security and defence-related issues’.<sup>8</sup> What the EAEU can achieve is to preserve and intensify the economic, social, and energy ties. However, the EAEU is not the platform that states seeking security or cultural cooperation can rely on. In fact, in some cases they have constantly looked beyond the region. Consider Kazakhstan, the second largest member state within the EAEU, who has aimed to build and participate in a pluralistic network of regional organizations or regimes beyond the post-Soviet space that better serve its needs for security or cultural cooperation. In this sense, Vanderhill, Joireman and Tulepbayeva discussed the diverse mechanisms, such as the OSCE and the SCO that Kazakhstan relied on to pursue its multi-vector diplomacy.<sup>9</sup> Besides, it has also actively pursued cooperation in the settings of the Conference on Interaction and Confidence Building Measures in Asia (CICA) and the Turkic-speaking Countries Cooperation Committee, which has recently materialised into the Organization of Turkic States in November 2021. Therefore, despite the governing arrangement made by the EAEU that helped maintain the economic,

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<sup>8</sup> Ibid., p. 244.

<sup>9</sup> Rachel Vanderhill, Sandra F. Joireman and Roza Tulepbayeva, ‘Between the Bear and the Dragon: Multivectorism in Kazakhstan as a Model Strategy for Secondary Powers’, *International Affairs*, 96 (4), July 2020, pp. 986–988.

social, and energy ties, it cannot reverse the trend that the whole post-Soviet space is becoming more and more incohesive, and that even the sense of 'regionness' is shrinking. In fact, regionalism in the post-Soviet space has become increasingly complex. There is not a single regional grouping that can effectively integrate the whole region in full. Instead, several regional organizations co-exist with their different missions, which is presented in table 7.1.

**Table 7.1 Complex regionalism: different regional groupings and their missions in the post-Soviet space**

<b>Regional organizations</b>	<b>Mission or mandate</b>
The Russo-Belarusian Union State	Military or strategic (as demonstrated in the 2022 Ukraine war)
The CSTO	Ensure regime security and regional stability
The EAEU	Socio-economic, regional development
The CIS	Maintain historical and cultural ties

Source: author

If we look beyond the region and discuss the EAEU's implications on international order architecture globally, the EU serves as an important reference point that any analysis cannot evade. This was evident due to several factors, including its 'EU-like' institutional design, the persistent efforts of creating some sort of 'Eurasian EU'<sup>10</sup> by post-Soviet states, and the EAEU's

<sup>10</sup> Furman and Libman, *'Imitating Regionalism'*, p. 87.

geographic proximity to the EU. Furthermore, in our interviews, almost every participant referred to the EU to illustrate their points and made an analogy where it was necessary.

When asked about how the EAEU contributes to the changing international order globally, interviewee no. 9 offered the following remarks: 'I would say that they contributed to changing international order by establishing themselves as "the second Union" and providing the second pole that potentially breaks up the monopoly of the EU'. Taking this as a starting point, this thesis argues in favour of the view that the EAEU contributed to a more pluralistic international order architecture. However, this has not been achieved by challenging the EU per se.

Ideationally, the EAEU does not take a revisionist approach to regional integration that challenges the EU. Instead, the EAEU dedicated itself to the principles championed by the EU: free movement of goods, labour, service, and capital, and liberalisation of its internal market. They served as the underlying goal and principle of the EAEU. From this perspective, the EAEU followed the practices and norms of the EU, instead of challenging them. Nor is the EAEU in a position to challenge the EU as an actor sui generis. All our interviewees reached a consensus that from every aspect, the EU is in a more developed and advanced shape. Judged by the EU as a touchstone, the EAEU is currently underdeveloped, understaffed, and dysfunctional.

Therefore, it is not reasonable to view the EAEU as a qualified alternative to the EU, or even a competitor to the EU. Instead, the most salient implication of the EAEU is that as an OMA, it has managed to borrow the European experiences of economic integration, combining them with regional practices in Eurasia. Against the powerful political leadership of the member states, and their reluctance of delegating excessive power to a supranational body, the current shape of the EAEU reflects the balance between European experiences and the regional circumstances of Eurasia. The EAEU has not established itself as another EU and imposed itself on the member states. Instead, what it has really achieved, as an OMA, is to establish an EU-inspired, but Eurasia-rooted and people-friendly governing arrangement. If the EAEU has challenged anything, it is not the EU per se or the EU's sui generis status. Rather, it has challenged the universality of European experience or practice, and thus contributed to a more pluralistic and decentralised order architecture at the global level. One of our respondents (no. 9) puts it in this way: 'Despite that the EAEU is dysfunctional and not so significant (compared to the EU), this does not mean that it didn't contribute to the significant change of order; in a social world, the decentralising change of order often originates from the efforts of small actors'.

## ***7.4. OMAs and transformation of international order: wider significance***

The point of departure of this thesis was that we are experiencing a remarkable transformation of international order. In our Introduction, a review of the discussions in existing literature shows that the previously dominant and even hegemonic liberal international order led by the US was in decline and deterioration, and we may be heading towards a more pluralistic global order architecture. The idea of a changing international order has gained increasing consensus and growing attention in IR scholarship. As Alcaro observed, ‘the notion that we are experiencing a change in times whereby an old order of the world is giving way to a new era has been gaining legitimacy in international debates among experts, policymakers, and practitioners’.<sup>11</sup> Although this thesis is a case study of the EAEU as one OMA, it may have wider significance that can advance the general debate of the changing international order.

First, despite the consensus amongst scholars that this remarkable change is real, how they perceive or characterise this transformative process varies. Western-centric views may see the liberal international order eroding,<sup>12</sup> degrading,<sup>13</sup> an international disorder and disruption today,<sup>14</sup> a world in

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<sup>11</sup> Riccardo Alcaro, ‘The Liberal Order and its Contestations. A Conceptual Framework’, *The International Spectator*, 53 (1), March 2018, p.1.

<sup>12</sup> Milan Babic, ‘Let’s Talk about the Interregnum: Gramsci and the Crisis of the Liberal World Order’, *International Affairs*, 96 (3), May 2020, p. 767.

<sup>13</sup> Philip Cunliffe, *The New Twenty Years’ Crisis: A Critique of International Relations, 1999–2019* (Montreal: McGill-Queen’s University Press, 2020), p. 33.

<sup>14</sup> Aaron Mckeil, ‘On the Concept of International Disorder’, *International Relations*, 35 (2), June 2021, p. 13.

disarray,<sup>15</sup> hegemonic disarray,<sup>16</sup> or disintegration challenges confronting component institutions of the liberal international order.<sup>17</sup> However, a study on the EAEU presented in this thesis would view this transformative process as an *opportunity* for smaller and regional OMAs often situated outside or at the periphery of the liberal international order. The relative decline of the (previously) hegemonic liberal order has not left the world in complete chaos or disarray. Instead, the lack of an overarching hegemonic order has provided smaller OMAs with room and opportunity to shape their immediate environments. These smaller and local OMAs may not be so ambitious to become global shapers of international order. Nor do they aspire to establish orders that overthrow or replace the liberal one. Often, they are limited in their geographic coverage, scope, and functions. But importantly, these small and regional OMAs are not simply the bystanders of the current significant transformation of international order. Rather, they are important promoters of this transformative process. Although this research only looks at the EAEU as a case study, it may further inform the study of other OMAs of its kind. The framework presented in this thesis may be generalisable to help understand how other OMAs develop their identity, representing agent, and instrument. Consequently, we would have

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<sup>15</sup> Richard Haass, *A World in Disarray: American Foreign Policy and the Crisis of the Old Order* (New York: The Penguin Press, 2017), p. 12.

<sup>16</sup> Daniel Deudney, 'Hegemonic Disarray—American Internationalisms and World Disorder', in Hanns W. Maull (ed.) *The Rise and Decline of the Post-Cold War International Order* (Oxford: Oxford University Press, 2019), p. 200.

<sup>17</sup> Mark Copelovitch, Sara B. Hobolt and Stefanie Walter, 'Challenges to the Contemporary Global Order. Cause for Pessimism or Optimism?' *Journal of European Public Policy*, 27 (7), July 2020, p.1121.

a better sense of how they shape their immediate environments in turn. Examples of similar OMAs may include ASEAN (which is based on a specific region), and the AIIB (which operates in a specific area, and AUKUS (which is a newly established bloc of English-speaking countries with military and strategic ambitions). For example, Ella demonstrated that ‘the AIIB’s architects identified certain functional deficiencies in the performance of existing financial institutions and attempted to establish an alternative that will better address these deficiencies’.<sup>18</sup> In particular, this study can inform future research on newly formed international organizations, such as the Organization of Turkic States, and investigate how these newly formed OMAs will present themselves and shape the international environment.

Second, this thesis advances our understanding of the challenge to the liberal international order itself. Although scholars have identified important internal or domestic challenges that ‘hollowed out the liberal order from within’,<sup>19</sup> such as a return to populism, dispossession of the working class in the West, a loss of national solidarity,<sup>20</sup> and that the US, as a dominant power,

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<sup>18</sup> Doron Ella, ‘Balancing Effectiveness with Geo-Economic Interests in Multilateral Development Banks: The Design of the AIIB, ADB, and the World Bank in a Comparative Perspective’, *The Pacific Review*, Vol. 34 (6), November 2021, p. 1022.

<sup>19</sup> Rebecca Adler-Nissen and Ayşe Zarakol, ‘Struggles for Recognition: The Liberal International Order and the Merger of Its Discontents’, *International Organization*, 75 (2), Spring 2021, pp. 611–612.

<sup>20</sup> For an extended analysis of this see Jeff D. Colgan and Robert O. Keohane, ‘The Liberal Order Is Rigged: Fix it Now or Watch it Wither’, *Foreign Affairs*, 96 (3), May–June 2017, pp. 36–40. For a more detailed analysis of the widening gap between the rich and the poor more globally, see Markus Kornprobst and T.V. Paul, ‘Globalization, Deglobalization and the Liberal International Order’, *International Affairs*, 97 (5), September 2021, pp. 1310–1311. Furthermore, Miller argues that the attempts to liberalize the world had a boomerang effect, encouraging the rise of illiberal forces in the West itself, see Benjamin Miller, ‘How “Making the World in its Own Liberal Image” Made the West Less Liberal’, *International Affairs*, 97 (5), September 2021, p. 1354.

is less committed to defending the liberal order,<sup>21</sup> this thesis may capture a more fundamental external challenge observable in the international arena. We contend that the current challenge faced by the liberal international order is not only one posed to the liberal order per se. Instead, it is a challenge that ultimately any hegemonic or dominant order will experience. In this sense, Tang's critique on the liberal international order is informative: Even though the liberal international order is presented as 'liberal', there are countries who do not get to willingly submit to it, because this order was imposed by victors of World War II and the Cold War.<sup>22</sup> Beside the contestations that come from major reformist powers (such as China, Russia and Turkey), a globally dominant or even domineering order simply cannot accommodate various small and regional OMAs that have their own agenda, with their various identities, agencies, and instruments. The introduction of OMAs thus forces scholars to look beyond the Euro-Atlantic world and examine order-making dynamics at regional and even local levels. Furthermore, given that the liberal international order has been hyper-focused on democratization and democracy promotion, the idea of OMAs allows us to consider order-building within a non-liberal context. As our study on the EAEU has shown, an OMA may learn from the liberal international order and internalise some of its norms and principles (such as liberalisation of its internal market). But at the same time, they reject and

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<sup>21</sup> Steve Chan, 'Challenging the Liberal Order: The US Hegemon as a Revisionist Power', *International Affairs*, 97 (5), September 2021, p. 1335.

<sup>22</sup> Shiping Tang, 'China and the Future International Order(s)', *Ethics & International Affairs*, 32 (1), January 2018, p. 32.

contest the practices deemed inappropriate and adjust them according to their local situations. If, apart from the EAEU, there are plenty of other smaller and regional OMAs with their respective agenda, we have less reason to believe that a single globally dominant order can make all these OMAs willingly subscribe to it. In this sense, even if, in parallel with the liberal international order, a China-led ACIO<sup>23</sup> is emerging, this research predicts that such an order would hardly ascend to global predominance.

Lastly, this research centred on OMAs may inspire us to consider the nature of the current transformation of international order. Ikenberry identified those critical turning points in international relations history: 1815, 1919, and 1945.<sup>24</sup> Indeed, these reordering junctures in history served as great watersheds. However, these reordering moments occurred after destructive world wars and oftentimes, post-war winning states were able to take the lead in shaping international order. As Ikenberry pointed out, 'the great moments of international order building have tended to come after major wars, as winning states have undertaken to reconstruct the post-war world'.<sup>25</sup> But what makes the transformative process that we are undergoing peculiar, is that it does not happen after a major world war. In fact, we cannot even identify a critical juncture in our time that is comparable to 1815, 1919, or 1945. True, we could

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<sup>23</sup> John M. Owen, 'Two Emerging International Orders? China and the United States', *International Affairs*, 97 (5), September 2021, p. 1416.

<sup>24</sup> G. John Ikenberry, *After Victory: Institutions, Strategic Restraint, and the Rebuilding of Order after Major Wars* (Princeton: Princeton University Press, 2001), p. 14.

<sup>25</sup> *Ibid.*

observe the Great Recession that occurred in 2008, the election of Trump and Brexit that happened in 2016, and the unrest on the Capitol Hill in the US in 2021, which all served as important signs. If these are rather peaceful signs, Russia's military operations against Ukraine in 2022, which is not permitted by the UN Security Council, decisively challenged the US-led liberal international order, testing its global dominancy and resilience at the highest level. Our interviewee no. 13, a diplomat working at the UN Security Council, described this event as 'a confrontation of orders'. But none of these can be classified as a historic reordering moment. Nor is there a postwar winning state that can act as a hegemonic global shaper of international order comparable to the post-1945 US. What makes the current great transformation distinct is that it is incremental, procedural, and rather peaceful.<sup>26</sup> This thesis argues that we should not overlook the efforts made by small and regional OMAs, which significantly contributed to this incremental change. The current transformation of international order is not achieved by major global wars and post-war settlements. Instead, it is possible only when we consider the progressive, trickling, and sometimes under-estimated efforts of the OMAs. These order-making efforts did not happen overnight. Nor can a single major power alone contribute to the shifting architecture of order globally. But the aggregate effects of these OMAs have made the current transformative process remarkable

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<sup>26</sup> For a more detailed analysis of the peaceful change of international relations, see Arie M. Kacowicz and Benjamin Miller, 'The Problem of Peaceful Change Revisited: From the end of the Cold War to Uncertainties of a post-liberal order', *International Studies Review*, 20 (2), June 2018, pp. 301–306.

enough in international relations history. This research serves as a suggestion that these OMAs have already made a dent in, as Wu pointed out, 'facilitating the incremental transformation of the liberal hegemonic order into one that is less hegemonic, empowering emerging economies, giving developing countries a louder voice, allowing regional organizations a more prominent role, and accommodating greater social, economic, and political diversity'.<sup>27</sup>

### ***7.5. Concluding remarks***

This final section looks back the whole thesis, responds to initial expectations in the Introduction, and teases out its novelty and contributions to relevant fields that it covers. First, the idea of order-making actors proposed in this thesis serves as an important conceptual contribution. The Introduction identifies and engages the salient phenomenon of the changing international order. However, the whole thesis does not explore this transformation per se. Instead, it took a novel and bottom-up approach to this issue from an actor's perspective, arguing that the change may be generated by actors' aggregate order-making efforts. It conceptualised an order-making actor as an actor that can effectively shape the environment and establish a governing arrangement. Given the decentralising transformation that may undermine the previously dominant liberal order, it is imperative to focus on non-western actors (such as the EAEU) that aim to

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<sup>27</sup> Wu Xinbo, 'China in Search of a Liberal Partnership International Order', *International Affairs*, 94 (5), September 2018, p. 997.

establish orders of their own, and to use Acharya's metaphor again, to explore how these non-western and local actors may bring their shows to the multiplex cinema.

Theoretically, this thesis developed a framework to better understand what constitutes such an OMA. If we look back the discussion of Chapter 3, the 'traditional actorness debate' focused on various characteristics of being an actor, instead of the constitution of an actor. By contrast, this thesis treats an OMA as a property and seeks to better understand how such a property is composed. The theory presented in Chapter 3 argues that identity, representation, and instrument serve as three crucial constitutive elements of an OMA. It serves as a novel theory that aims to understand not the characteristics, but the composition of an actor that can shape the environment and establish a governing arrangement. Meanwhile, by identifying the three constitutive elements, the theory presented in this thesis aims to look beyond the traditional EU-centric actorness debate. Identity, representation, and instrument would allow for OMAs that may come in various shape, with different agenda, different form of institutionalization, and different set of tools.

In an empirical sense, this thesis treats the EAEU not as a regional organization dominated by a particular member state or hegemon. Instead, the EAEU is viewed as an OMA with a certain degree of subjectivity, with its own identity, representing agent, and instruments. Following this approach,

Chapters 4–6 explored these elements separately. In terms of data and methods, Chapter 4 combined R programming with discourse analysis, drawing word clouds that illustrated the focus of EAEU's actions and mandates. Illustrating the EAEU identity by word clouds thus introduced a novel method to the field. Chapters 5 and 6 presented information based on a series of semi-structured interviews conducted by the author with knowledgeable experts on the EAEU. These all serve as original data brought by this thesis to the study of the EAEU.

Drawing upon the empirical discussions, the Conclusion examined the EAEU's broader implications on international order architecture. It offers a novel perspective by looking at the local, regional, and global levels, arguing that its implications may depend on our level of analysis. Specifically, the EAEU's order-making efforts may have salient implications at the local and global level. Locally, the governing arrangement made by the EAEU enters the social and economic lives of individuals and businesses. In important areas, such as protecting labour rights and business interests, the arrangement has succeeded to improve the wellbeing of the people. At the global level the EAEU has contributed to a pluralistic order architecture by combining the European-inspired experiences with specific Eurasian circumstances (for example, powerful national political leadership and reluctance of excessive delegating).

Although essentially this thesis is a case study of the EAEU, it aims to

speak to the general debate of the changing international order and thus has wider significance beyond the EAEU or the region itself. This thesis views the current transformation of international order not only as a crisis or challenge faced by the liberal order, but more importantly, as an opportunity for non-western, smaller (compared to major global powers) and local OMAs like the EAEU. This research captures the progressive and incremental change of the international order architecture, which is rather peculiar in international history and can only be fully understood if we consider the aggregate efforts by these OMAs in the world arena. Beside the crisis of the liberal international order itself and the ambitions of the major reformist powers, this thesis argues that the study of the global reordering cannot eschew these OMAs, which are often underestimated and overlooked. In this sense, this research offered a framework that may shed light on future studies of other OMAs that are small, local/regional shapers of international order.

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A PhD is always a long and lonely journey. Even the smartest and brightest among us can be lost and struggle from time to time, let alone someone like me. A PhD helped me grow as a person. During this process I learnt how to deal with criticism, how to adapt to drastic changes in life, and how to be resilient at those tough moments. These are lifelong benefits beyond my academic progress.

I did my doctorate during an exceptionally turbulent time, witnessing historic events such as COVID-19 and the Ukraine War. As a student of International Relations, I feel that perhaps we are all tiny individuals against such a historic transformation. Fortunately, I was able to experience these events and explore them in an academic way, which is a joyful part of this four-year commitment.

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## Appendix 1: Dictionary A

This dictionary contains the less relevant vocabulary in the whole corpus, which will be filtered out in our analysis in all cases. It includes the following words:

в; о; и; с; со; от; по; год; года; годы; году; годах; на; г; мая; соответствии; к; ко; его; декабря; даты; настоящее; настоящего; вступает; силу; пункт; пункта; пунктом; пункте; пунктами; при; об; для; между; за; подпунктом; далее; а; также; год; годы; из; октября; до; января; мая; которых; совместно; или; другой; одной; без; июня.

## Appendix 2: Dictionary B

This dictionary serves the purpose of filtering out words only in the yearly analysis. It is acknowledged that these words are important but removing them from the yearly analysis will enable the word clouds to better illustrate the changing context. It includes the following words:

экономического; евразийского; союза; экономической; евразийской;  
комиссии; комиссией; комиссию; экономическом; экономическую;  
евразийском; союзе; совета; евразийский; экономический; высшего;  
высший; совет; совете; советом; коллегии; евразийским; евразийскую;  
экономическим; союзом; решил; силу.

### Appendix 3: List of interviews conducted

No	Date	Interviewee	Location/Method
1	1 March 2021	Alexander Libman	Virtual, via Skype
2	9 March 2021	Ulf Schneider	In written form
3	14 March 2021	Rosa Turarbekova	In written form
4	25 March 2021	Marcin Kaczmarek	Virtual, via Skype
5	29 March 2021	Nicu Popescu	In audio form
6	12 April 2021	Arkady Moshes	Virtual, via Skype
7	27 April 2021	Fabienne Bossuyt	Virtual, via Skype
8	14 May 2021	Huaqin Liu	Face to Face at the Chinese Academy of International Trade and Economic Cooperation
9	25 May 2021	Kazushige Kobayashi	Virtual, via Zoom
10	1 June 2021	Michael Emerson	In written form
11	2 July 2021	Tony van Togt	Virtual, via Skype
12	26 July 2021	Maksim Karliuk	Virtual, via Skype

13	23 February 2022	Song Li	In written form
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Disclaimer: In conducting these interviews, I followed all relevant university research ethics and procedures.