

Veterinary Safety's Conflicts in the EAEU

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ABSTRACT

This article is devoted to the problem of veterinary safety of the countries under the Eurasian Economic Union. Animal health's measures are provided in order to prevent the entry and spread of infectious animal diseases, including common to humans and animals, as well as goods not conforming to the common veterinary and sanitary requirements. Ensuring compliance with veterinary and sanitary measures rests on the shoulders of each member state, as well as their authorized agencies. The aim of the study is the veterinary conflicts' review, which reveals the real face of veterinary safety in EAEU. The result of the study is estimation how the post-soviet countries' (which are interested in EAEU) laws are ready to provide veterinary safety to their EAEU-partners. The research's novelty is in psychological and economic discourse of the veterinary conflict's nature in EAEU.

KEYWORDS

Veterinary conflicts, veterinary safety, Eurasian Economic Union (EAEU), post-soviet countries, sanitary safety

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Introduction

The main theme of the study is the veterinary-safety's conflicts in the post-soviet countries, aimed on collaboration with EAEU. D.G. Tarr (2015) doubts that comfort inner collaboration has a place to be, and Linner et. al. (2016) supports him.

From the beginning of the achievement of sovereignty and until the present time, Kazakhstan's legislation in the field of veterinary safety has been at the stage of improvement at all levels (Nurbayeva, 2009). Originating EAEU is a real result in national rules, being recognized at the level of international norms and principles, as well as harmonizing the legislation with a number of foreign countries' legislations in accordance with the concluded multilateral and bilateral international agreements.

There is no total harmony in the international relationships, according to results of monitoring the EAEU inner conflicts, studied by G. Ioffe (2014), L. Delcour & K. Wolczuk (2015).

Nevertheless according to U. Kerimova (2015), D. Dergousoff (2015), ensuring the safety of veterinary has serious enough importance to create

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favorable conditions for life and human health, the environment and natural resources.

In this regard, the study of the legal nature of the content of veterinary safety has great importance, both theoretical and practical positions.

There are no monographic studies in the legal literature on the subject, and there is no single and clear understanding of the current legislation, so we can be sure that there is a place to study.

Aim of the Study

This scientific work highlights the problems of post-soviet countries, aimed to collaborate with the EAEU. The renewing legislative base of these countries provides some ways to ensure veterinary safety. Actually, the aim of the study is to detect how the developing post-soviet countries (members EAEU) facilitate the safety's control through conflicts.

Research Questions

The main questions are:

1. how the sanitary conflicts in EAEU catalyzing improvements in the sphere of veterinary safety;
2. how these conflicts effect on international relations;
3. how the legislative base is ready to protect products from the sanitary problems.

Methods

Research leaned on general scientific methods of knowledge, the concept of interaction of society and the nature, logical-legal methods, structural, functional, comparative and legal analysis on the basis of an integrated approach to an object of research were applied.

The study is based on scientific methods of cognition, the concept of interaction between society and nature.

Results

Ensuring veterinary safety is one of the main development's priorities of EAEU agro-industrial complex. Humanity in conditionals of global overpopulation should pay more attention to agrarian countries, such as member EAEU, because their products may save the human's life in extraordinary situation.

The only organization that has reached the highest level of integration compared with all other groups in the former Soviet space is the EAEU project, which was proposed in 1994 by Kazakh President Nazarbayev.

In developing the concept of integration of post-Soviet states the participants of EAEU countries took into account international experience in the development and economic integration organizations, in particular, the experience of the European Union (EU).

The sanitary conflicts in EAEU catalyzing improvements in the sphere of veterinary safety. The consequences of these conflicts are economic, thereof the exporter is interested in correction his sanitary norms until the exporter likes it.

However, these conflicts exactly effect on international relations in case of economic overreactions (as it happened with Russia and Belarus).

Moreover, the legislative base is hypothetically ready to protect products from the sanitary problems because of economic reasons. Nevertheless, it is necessary to notice that it is not always practically ready (because EAEU countries are developing and their legislative base often cannot be sufficient to provide perfect product).

Furthermore, the developing post-soviet countries (members EAEU) facilitate the safety's control through conflict as a stress-method of economy's stimulation.

Eurasian Economic Union, the Union of the Republic of Kazakhstan, the Republic of Belarus and the Russian Federation intend to engage in a coordinated agrarian policy. This policy will ensure a balanced development of production and markets for agricultural products and food, fair competition, including equal access to the common agricultural market, as well as harmonization of the requirements related to the handling of agricultural products and foodstuffs.

Discussion and Conclusion

Veterinary science is an area of special scientific knowledge and practical activities aimed at the study of diseases and food poisoning (losses) of animals, their prevention, diagnosis, treatment and elimination, ensuring that objects comply with the state veterinary and sanitary control requirements of the legislation in the field of veterinary science, as well as protection of the public from diseases common to animals and humans.

However, things changed from July 2010, when customs procedures in Belarus, Kazakhstan and Russia were harmonized, including here a "stricter implementation of rules of origin for goods imported to Kazakshtan, veterinary and phytosanitary controls, control over quantities of goods by individuals" (Mogilevskij, 2012a), tampering with informal trade in the region, which had long been an important source of revenue for poor residents. Finally, in July 2011, the customs moved to the external borders of the Customs Union, making informal cross-border trade even more difficult, even though on the positive side it reduced shipping time and costs (Mogilevskij, 2012a).

This scientist also looks into the processes retrospectively: in 2006, Belarus, Kazakhstan and Russia, aiming at improving their trade relations, opted for "a full-fledged customs union" (Mogilevskij, 2012b).

But one key aspect that has been emphasized in the literature is that customs unions are less desirable than non-discriminatory trade liberalization, since the latter does not involve trade diversion (Pomfret, 2014).

Moreover, G. Ioffe (2014) notes that following the annexation of Crimea and the conflict in Eastern Ukraine, Western countries or regions, including the European Union, imposed sanctions on Russian imports. In response, the Russian Federation imposed “counter-sanctions” on a range of agricultural and food products from Western countries. Belarus and Kazakhstan, however, refused to go along with the counter-sanctions. Thus, the ban on imports of the products under counter-sanctions represent a serious breach in the Customs Union, which, in principle, should apply a common external trade policy in all respects to third countries. The breach has been seriously exacerbated by what the Russian government perceives as direct export of Western products to Russia through Belarus. It is alleged that Belarussian exporters import Western products and ostensibly transport them through Russia for sale in Kazakhstan; but, the goods are sold, en route, in Russia. Russian sources accuse Belarus of repackaging meat from the European Union and reselling Norwegian salmon. In response, Russia has found that exports from Belarus of these products are not safe for human consumption, so their import was banned.

R. Black and I. Kireeva (2014) have found that “GOST based systems of the Russian Federation... impose serious constraints on the competitiveness of production... Consequently, sanitary and phytosanitary measures [that are] not based on risk assessment and science, may become barriers to trade, as is illustrated by the case studies on the fisheries sector...” Legislation in Russia, Belarus and Kazakhstan calls for conversion to European Union technical regulations and to voluntary standards where no health and safety problem exists; but this is happening very slowly in all three countries.

Years later, in 2015, these scientists also consider that there is a discussion of the key issues about SPS measures and trade in the CU that were raised in the introduction. It is intended that this will provide the legal/regulatory background for economic analysis of trade in food and other agricultural products within the CU and between the CU and third countries.

Adelin A. Dumitru (2015) conceives that Eurasian Union has the potential to be a game-changer for the region, for better or for worse.

D.G. Tarr (2015) prefers to look into the inner conflicts in EAEU. Further to the discussion above on the trade conflict between Russia and Belarus, in December 2014, Russia declared that Belarussian meat and dairy products contain antibiotics, salmonella and listeria. Russia imposed an import ban on these products. Belarussian authorities failed to confirm these findings, and responded by increasing customs checks on Russian vehicles entering their territory, arguing this is a smuggling prevention action. On February 6, 2015, Russia allowed the import of frozen and chilled beef from seven enterprises from Belarus, but products from some other companies remained banned from exporting to Russia. On February 10, 2015, Russia’s Federal Service for Veterinary and Phytosanitary Surveillance (Rosselkhoznadzor) found bacteria in partly salted salmon delivered from Belarus. This product was banned from the Russian market. So, we can see that Russia and Belarus can have mutual claims.

Furthermore, L. Delcour & K. Wolczuk (2015) notice that although Armenia initially ruled out membership in the Eurasian project, Russia gradually forced Armenia to reverse its decision. Although closer empirical scrutiny would be required to ascertain the degree to which EU rules are effectively implemented, the introduction of EU food safety standards in

Armenian food-producing companies indicates that the country has started applying EU templates. In April 2013, the country signed a memorandum of understanding with the Eurasian Economic Commission, which was still vague and lacked any binding obligations. Yet on 3 September 2013, President Sargsyan suddenly announced his country's intention to join the ECU, stating that 'participating in one military security structure [CSTO] makes it unfeasible and inefficient to stay away from the relevant geo-economic area'. The role of Russia in guaranteeing the country's security was key in Armenia's decision on accession to the Russian-led Single Economic Space. Russia's use of security vulnerability (e.g. arms sales to Azerbaijan) forced Armenia to reject EU's offer of deep economic integration even though negotiations had been completed a few weeks earlier. The highly centralised decision-making system in Armenia helps explain this volte-face. The decision to engage in Eurasian integration was taken by the president without any domestic deliberations and took the Armenian elites, society as well as the EU itself by surprise.

N. Africa (2015) makes an accent on role of Russian leader too.

A. Dumitru (2015) assures that taking advantage of a still underdeveloped human capital potential will play a significant role in the future evolution of the countries in the region.

According to Agreement on the Application of Sanitary and Phytosanitary Measures of WTO (2007), B. Nurbayeva (2009), Y.S. Ayanbayev, Z.T. Sairambayeva & S.Z. Aidarbayev (2015), M. Essenbayev (2015), U. Kerimova (2015) consist on the main existing problems. Which are the ensuring the safety of food and other commodity groups, the health of people, animals and plants, scientific substantiation and balanced assessment of the risks, the proportionality of restrictive measures. The efforts in the question of solving these problems in the Customs Union, in the Common Economic Space and in particular in the Republic of Kazakhstan are needed to be done.

D. Dergousoff (2015) and C. Putz (2015) study the role of Kyrgyzstan in EAEU, and conclude that there are the profits for this developing country.

Also, J.D. Linnell (2015) notices what formerly political alliances are being reborn as newly emerging economic alliances, as in the case of the Eurasian Customs Union and the importance of Central Asia as a hotspot for the conservation of large herbivore migrations is being increasingly recognized.

Discussion although bases on Constitution of Republic of Kazakhstan (1995), which has established legal framework for the veterinary safety. One can distinguish three main blocks of rules relating to this sphere:

- 1) the rights and freedoms of citizens in the field of veterinary business;
- 2) the right of ownership and other property rights;

3) the purpose of the state in providing favorable conditions for human life and health.

Providing veterinary-sanitary and phytosanitary safety is one of the main priorities of the agro industrial complex. In the definition of agriculture, which is given in the law "On State Regulation of agricultural and rural development," the emphasis is on security in the areas of production, processing, storage, and transportation, processing and marketing of agriculture, fisheries and food industry, related industries veterinary and sanitary and phytosanitary security.

These legislative priorities are stated in paragraph 2 of Art. 13 of the Law, which states that in order to meet the quality and safety of agricultural products to the international requirements, the state does the following activities:

1) A veterinary and phytosanitary control in accordance with the legislation of the Republic of Kazakhstan;

2) prevention, diagnosis and eradication of contagious animal diseases on the list approved by the Government of the Republic of Kazakhstan, on the authorized body in the field of agriculture;

3) organization of public items artificial insemination of animals, harvesting of animal products and raw materials, agricultural areas for slaughtering animals, burial grounds, special storage (burial), pesticides and their containers;

4) veterinary measures aimed at protecting the territory of the Republic of Kazakhstan and prevention of the spread of diseases common to animals and humans;

5) phytosanitary measures aimed at preventing the spread of harmful and dangerous pests, protection of the territory of the Republic of Kazakhstan from quarantine facilities as well as on the identification, localization and liquidation of the centers of their distribution;

6) damages suffered by the subjects of agro-industrial complex as a result of the seizure and destruction of animals, products and raw materials of animal origin pose a threat to animal and human health.

The system of the State Veterinary Service included: republic governing agency of veterinary management; local veterinary service; veterinary research organizations; republican, regional and district veterinary laboratories; Republican expedition to combat animal diseases; regional, district and city veterinary medical organizations; ant epizootic expedition teams and control of brucellosis and tuberculosis; service of veterinary supervision at the state border and transport; other organizations of veterinary and animal health profile, subordinate to the government agencies veterinary management. Along with this, the ministries and agencies were entitled to create their departmental veterinary services.

In order to ensure animal health safety the Ministry of Agriculture conducts systematic transformations, allowing to build the veterinary service. This allowed the provision of new forms of public support: in the form of free issue of ear tags and vetpassport for farm animals and veterinary certificates, compensation cost to pet owners for neutralized animals, raw materials and products of animal origin.

To maintain a database, the processing center for animal identification was created. Since 2015 it is planned to implement a centralized supply of ear tags through the center and create the republican stock.

Moreover, requirements to quality of veterinary drugs were toughened along with a gradual annual increase of used veterinary drugs in proportion, the production of which meets international standards. In addition, there was an increase in control over the transportation, storage and use of veterinary drugs by requiring each party and package of veterinary drugs to include temperature indicators.

EAEU is based on the concept of mutually beneficial and effective trade and economic cooperation to achieve the goals, objectives and prospects for sustainable development of post-Soviet states. The document provided organizational and legal instruments for implementation of the agreements reached, monitoring system for the implementation of decisions.

At the present stage, it is important to consider that most of the economic plans of the EAEU will not only depend not on the degree of interest in cooperation, but also on the real possibilities of economic integration. Significant differences in the levels of socio-economic development, economic structure, geographical remoteness of the States of the Community and the high transport tariffs, a complex socio-political situation in individual states require careful study combining perspectives of the objectives of their close economic cooperation within the EAEU.

Among the main areas of intergovernmental cooperation in the field of agriculture are forecasting, state support of agriculture, a common agricultural market regulation, uniform requirements for the production and circulation of products, development of export of agricultural products and foodstuffs, scientific and innovative development of agriculture, its integrated information software.

When conducting a coherent agricultural policy, Member States will take into account the special nature of agriculture, not only due to industrial, economic, but also social significance industry, structural and climatic differences between regions and territories included in the union countries.

A separate section of the agreement on the establishment of the Eurasian Economic Union is dedicated to health, animal health, quarantine and phytosanitary measures. Thus, Article 58 provides for the veterinary and sanitary measures.

In order to prevent the entry and spread of infectious animal diseases, including common to humans and animals, and goods not conforming to a unified veterinary (veterinary-sanitary) requirements for veterinary checks are carried out after the controlled veterinary inspection of goods, including goods

for personal use, and also for objects subject to veterinary control in accordance with the acts of the Commission.

Basic principle in providing security of controlled veterinary inspection of goods in their production, processing, transportation and (or) storage in third countries is an audit of foreign official surveillance.

Authorized bodies in the veterinary field conduct audits of foreign official surveillance and inspection (inspection) of objects subject to veterinary inspection, in accordance with the regulations of the Commission.

Also, Member States have the right to develop and implement temporary veterinary requirements and measures in the case of official information from relevant international organizations, Member States and from third countries, about the deterioration of the epizootic situation in the territories of third countries or Member States. In the case of the above information, but in the absence of sufficient scientific evidence or the impossibility of its representation in the proper time, the Member States may take urgent veterinary-sanitary measures.

Implications and Recommendations

The scientific value of the study consists of psychological and economical discourses, which are the main membership's reasons of studied union. As we can see, conflicts are an integral part of EAEU members' international self-establishment. Also, the veterinary requirements are aimed to be higher, realizing the economic potential of the developing agrarian countries. Studying of the legal nature and the maintenance of veterinary safety has huge value, both theoretical and practical.

Unified veterinary (veterinary-sanitary) requirements are applied to the goods and objects, which are subject to veterinary control (supervision). The list of goods that are subject to veterinary inspection, are approved by the Commission, created within the framework of the EAEU.

The Republic of Kazakhstan as an originator of EAEU is an agricultural state. One of the problems of agricultural development in Kazakhstan remains the problem of providing veterinary safety. Development of the system of veterinary safety is constrained by a number of factors. The existing infrastructure does not provide the proper level of veterinary safety; veterinary organizations (utilities state enterprises, regional and district veterinary laboratories) are not properly equipped with all necessary equipment.

Currently EAEU is an emerging economic system with enormous economic potential, significant sphere of geopolitical influence and real prospects of development, important for each member of the Community. However, the formation of the Eurasian Economic Union is a complex and lengthy process. For the efficient operation of any economic integration association it must be included into the global economic system, which is impossible, especially without a functioning within the WTO. It will take some time, but will provide an opportunity for each country to realize themselves and integrate associations in general as equal participants in the regional and global economic cooperation.

In the first place, the accession of the Republic of Kazakhstan requires improving the veterinary legislation of the Republic of Kazakhstan. New legal

levers must not only strengthen veterinary control, but also to improve the veterinary infrastructure in all rural settlements.

This theme may be developed in global discourse, which may highlighten the geopolitical situation with the unions in the whole world, and veterinary norms in this case may be considered as comparative factor.

Disclosure statement

No potential conflict of interest was reported by the authors.

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