

## BOOK REVIEW: THE SHANGHAI COOPERATION ORGANIZATION. EXPLORATION OF NEW HORIZONS / ED. BY MAROCHKIN S., BEZBORODOV YU. LONDON: ROUTLEDGE TAYLOR & FRANCIS, 2022. – 262 P.



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The article reviews a monograph under the name «Shanghai Cooperation Organization. Exploring new horizons», written by an international team of authors edited by Doctor of Law, Professor Marochkin S.Yu. and Doctor of Law, Professor Bezborodov Yu.S. This international team consists of 32 scientists: 2 researchers from India (A. Bava, K. Dvivedi), 7 scientists from Kazakhstan (Zh. Busurmanov, Zh. Iskakova, Zh. Kulzhabayeva, A. Oynarova, A. Ospanova, M. Sarsembayev, A. Khamzin), 3 analysts from China (K. Meng, G. Nan, K. Tianbao), 2 experts from Kyrgyzstan (A. Orozbekova, K. Ramankulov), 16 scientists from Russia (A. Abashidze, O. Arkhipova, Yu. Bezborodov, O. Bogatyreva, A. Chukreev, E. Gladun, M. Lagutina, T. Luzina, S. Marochkin, K. Lyabakh, E. Mikhailenko, O. Porshneva, S. Razinkov, A. Solntsev, O. Vinnichenko, L. Zaitseva), 2 researchers-representatives of Uzbekistan (A. Mukhamedzhanov, M. Rakhimov). This book is devoted to historical, legal, economic and political issues of the functioning of the Shanghai Cooperation Organization (SCO). Justification by the authors of the monograph of the possibility of combining

the potentials of the SCO and the EAEU gives it the status of a special book. Published by the famous London publishing house, it is largely addressed to the Western reader: that is why the authors sought to show the possibility of combining certain Eastern and Western political views, which distinguishes the book from the general series of similar books. The content of the book, in particular, is revealed through the analysis of the development of the Eurasian space through regional cooperation, which can be carried out by searching for new ways. The authors scrupulously investigate the roots and foundations of the SCO. The analytical study of the formation and institutional development of the SCO, the international legal framework and aspects of interaction between the SCO member states contributes to the disclosure of the contents of the book. The book pays considerable attention to the issues of cooperation in the field of security of the SCO. The SCO member states consider the settlement of border conflicts and countering extremism to be important tasks of their organization, which is clearly reflected in the pages of the peer-reviewed monograph. One of the interesting facets of the study is the desire to bring together Western and Asian legal values in the perspective of the SCO activities. The authors of the monograph offer rational ideas for the rapproche-

ment of the positions of China and India in order to establish closer business and friendly relations between them. The SCO is a unique international organization in its own way, which, as it further develops and improves, could contribute to deepening trade and economic cooperation between countries in the Asian and Eurasian space, could more professionally resist terrorism in this space.

*Keywords: Shanghai Cooperation Organization, security, counteraction to extremism, humanitarian cooperation, human rights, mutual trade, SCO platform, fight against terrorism, legislation, mutual action.*

Many books have been written about the SCO.<sup>1</sup> But this book differs primarily in that it is written by the authors of the countries that are part of the SCO: this palette of views makes the book more saturated, interesting, and meaningful.

The book consists of three parts.

The first chapter is devoted to the fundamentals of the functioning of the SCO. In particular, the issues of institutional development of the SCO in the historical and legal context, as well as cooperation in the field of security and countering extremism were considered.

The authors note that, on the one hand, «the entry of India and Pakistan threatens to exacerbate existing contradictions and transfer the conflict between these two states to the SCO platform»; on the other hand, it presents «the potential for turning the SCO into a platform for resolving these conflicts». The combination of such a challenge and potential, of course, is an advantage for the SCO in ensuring regional security.

The authors also note that the SCO is «ineffective in relation to Afghanistan and economic cooperation», and believe that the reason for this is «the dependence of Central Asian countries on Chinese credit». However, I think that the authors should have explored the question of what role the SCO should play in ensuring security in Afghanistan and how the dependence of the Central Asian countries affects the effective functioning of the SCO and regional security.

Of particular note is the vision of the authors, according to which the membership in the SCO of states with undeveloped democratic institutions affects lawmaking; in particular, the law-making activity of the SCO is characterized as declarative and demonstrative. But despite this, the authors believe that the SCO remains an effective platform for cooperation between the states of Eurasia.

Further, the authors note that in the second period of the development of the SCO (since 2015), the member states interpret the strategic development of the organization in different ways. Thus, if China and the countries of Central Asia proceed from the fact that the SCO should form a common position on security issues, then Russia interprets

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<sup>1</sup>Шанхайская организация сотрудничества: взаимодействие во имя развития. М.: Институт Дальнего Востока РАН, 2006. – 246 с.; Шанхайская организация сотрудничества: к новым рубежам развития / Сост.: А.Ф. Клименко. М.: Институт Дальнего Востока, 2008. – 400 с.; Глобализация и интеграционные процессы в Азиатско-Тихоокеанском регионе. Правовое и экономическое исследование: монография / Институт законодательства и сравнительного правоведения при Правительстве РФ; ред. Т.Я. Хабриева. М.: ИНФРА-М, 2017. – 332 с.; Перспективы многостороннего сотрудничества ШОС с международными структурами в интересах развития стратегии Организации. М.: Институт Дальнего Востока РАН, 2019. – 344 с.; Сотрудничество России и Китая в интересах обеспечения безопасности геополитического пространства ШОС: проблемы и перспективы / Отв. ред.- составитель Ю.В. Кулинцев. М.: Институт Дальнего Востока РАН, 2021. – 176 с.

strategic development according to the «NATO» model (p. 47). In this regard, Russia promoted the merger of the SCO and the CSTO, but this vision did not receive support from China and the Central Asian states. In connection with this, the authors believe that the SCO will develop within the framework of consensus and forum formats. Nevertheless, it would be useful for researchers to get the authors' perspective on the possible positive and negative aspects of both of the above models of the SCO development.

According to the authors, there are also different approaches to interpreting the concept of countering extremism. This, in turn, manifests itself in various violations of human rights and freedoms. However, the authors do not detail what human rights violations they are talking about, and do not disclose the relationship between the protection of human rights and the fight against extremism. The authors also note that the provision exacerbates the imperfection of national legislation in terms of defining the concepts of «terrorism», «extremism» and «violent extremism». In this regard, the authors recommend finalizing the key provisions of the SCO concept, including through the development of a new convention on countering extremism.

The part of this book is called «Building a Basis: Roots and Grounds» which «offers an overview and characteristics of the initial foundations in building the Organization, although these foundations are also considered by the authors from the point of view of development and possible prospects» (p. 5).

The second chapter is devoted to the issues of convergence of Western and Asian legal values in the perspective of the SCO, humanitarian cooperation, convergence of labor legislation, and interaction between the SCO and the EAEU.

The authors note that «Western civilization dominates the developing countries of the SCO region. Asian countries usually perceive this as political pressure and a desire to subjugate». However, such a conclusion would be more justified if it were supplemented with alternative statistical data and the results of sociological research. As a response step of «Western civilization», the authors propose to adopt the «Eurasian Declaration of Human and Peoples' Rights within the framework of the SCO in order to reflect their specificity». At the same time, it would be relevant to determine the conceptual difference in approaches to fundamental human rights inherent in the SCO countries, in the light of the fact that all SCO member states are parties to the ICCPR (except China, which has signed the ICCPR but not ratified). Moreover, this skepticism is confirmed in subsection 7 of section 2, where the authors note that the SCO countries are characterized by «civilizational diversity and the absence of common unifying values» and the SCO «has failed to develop its own identity and create common values».

One should agree with the opinion of the authors, according to which «not all announced projects in the humanitarian sphere have reached the stage of implementation» and «coordination between countries remains insufficiently developed, and governance structures are either absent or too weak». In addition, plans to create a unified Shanghai Higher Education Area have also not materialized. In this regard, we should also agree that ratification of the most important ILO conventions, improvement of living conditions, improvement of working conditions, expansion of labor rights and guarantees could become recommended measures.

Finally, the third chapter is devoted to the prospects and new horizons of the SCO. The authors rightly noted the low volume of trade between some SCO member countries, and not all countries are able to expand mutual trade. In this regard, according to the authors, such an objective reason leads to the fact that cooperation in the economic sphere «in the near future will continue to be carried out on a bilateral basis, and the

SCO has a long way to go to implement multilateral cooperation». We should agree that building new approaches to providing an efficient logistics infrastructure in the interests of all SCO member states is an important issue.

On the SCO's agenda is the question of the possibilities of convergence of the labor legislation of the member states of this international organization: this would allow the exchange of labor, would positively contribute to the solution of labor migration issues. The authors raised the question of the possibilities of implementing international legal forms of interaction between the SCO and the EAEU. Today, with geopolitical complications, the importance of economic cooperation within the SCO is increasing. The SCO's transport and logistics assistance to the states of the Central Asian region would be another means of strengthening economic cooperation within the SCO. All this implies the improvement of the legal mechanism of SCO energy cooperation. Environmental protection is a challenge for the SCO: it seems that the early introduction of electric and hydrogen vehicles on the roads of the SCO member states could significantly ensure the cleanliness of the environment.

Of particular note and support is the position that the SCO should be reformed by moving from focusing exclusively on security to an agenda that will focus on economic development and trade.

The SCO's organizational and legal mechanism and the ability of 2 large SCO member states, Russia and China, make it possible to optimally regulate the relationship between India and Pakistan: «The predominance of this or that vector in many ways will depend on the tactics adopted by the leading actors in the Organization (China and Russia), as well as on the behavior of other members» (p. 20).

In continuation of the analysis of this situation, it should be said that the potential of the SCO has shown that Russia and China can, within the framework of this international organization, settle the difficult relations between India and Pakistan that have entered as members of SCO: «The accession of India and Pakistan as full members gave the SCO “a pronounced transcontinental character and strengthened its position in the international arena”. 19 territorial and other differences between India with both China and Pakistan (Abbasi, 2015; Mohd and Zulafqa, 2020) should not create barriers to dialogue within the SCO. The experience of Russia and China being in the SCO is becoming an example of how it is possible and necessary to regulate existing differences, which allows to enter a strategic partnership. Russia and China saw the future of the SCO differently: China advocated the regional development of the Organization; Russia supported a more global vision. This meant that Russia considered it necessary to expand the SCO membership. The CA states have shown interest in both regionalization and globalization» (p. 30).

We draw the reader's attention to what Iran represents for the SCO and the SCO member countries of Central Asia: Iran is «a key player in the global energy sector, and a bridge for the landlocked CA states is interesting and useful for the SCO». «Therefore, the task is to obtain the status of an SCO member by Iran, which is still in the status of an observer state» (p. 32). But now from September 2021 Iran is a permanent member of the SCO.

Multilateral energy cooperation is of great importance for States: this would provide tangible assistance to the state, which, for various reasons, was left without electricity. This is what was meant when the authors of this book analyzed this issue: «Although member states have signed several multilateral or bilateral agreements on energy cooperation and development, a comprehensive legal mechanism for energy cooperation is

far from being instituted. Given the absence of such an effective legal mechanism safeguarding energy cooperation and the divergent energy interests among SCO members, energy cooperation within the framework of the SCO would continue to be carried out bilaterally soon and there is a long way for the SCO to realize multilateral energy cooperation» (p. 177).

Careful reading of the monograph allows the reader to take a critical look at the SCO from the inside and to know its potential. The book is addressed to researchers and practitioners – lawyers, economists, political scientists, sociologists, all those who are interested in issues of regional integration and the SCO.

**А. Абылайұлы, PhD, assistant professor, М.С. Нәрікбаев атындағы КАЗГЮУ Университетінің халықаралық құқық бағдарламаның директоры (Нұр-Сұлтан, Қазақстан): Кітапқа шолу: Шанхай ынтымақтастық ұйымы. Жаңа көкжиектерді зерттеу / жауапты редакторлар Марочкин С., Безбородов Ю. Лондон: Routledge Taylor & Francis, 2022. – 262 бет.**

Мақалада халықаралық авторлар ұжымының з.ғ.д., профессор Марочкин С.Ю. және з.ғ.д., профессор Безбородов Ю.С. редакциясымен жазған монографиясы «Шанхай Ынтымақтастық Ұйымы. Жаңа көкжиектерді зерттеу» атымен рецензияланады. Бұл халықаралық ұжымның құрамына 32 ғалым кіреді: Үндістаннан 2 зерттеуші (А. Бава, К. Дживеди), Қазақстаннан 7 ғалым (Ж. Бұсырманов, Ж. Ысқақова, Ж. Құлжабаева, А. Ойнарова, А. Оспанова, М. Сәрсембаев, А. Хамзин), Қытайдан 3 аналитик (К. Менг, Г. Нан, К. Тяньбао), Қырғызстаннан 2 сарапшы (А. Орозобекова, К. Раманқұлов), Ресейден 16 ғалым (А. Абашидзе, О. Архипова, Ю. Безбородов, О. Богатырева, А. Чукреев, Е. Гладун, М. Лагутина, Т. Лузина, С. Марочкин, К. Лябах, Е. Михайленко, О. Поршнева, С. Разинков, А. Солнцев, О. Винниченко, Л. Зайцева), Өзбекстанның 2 зерттеуші-өкілі (А. Мұхамеджанов, М. Рахимов). Бұл кітап Шанхай ынтымақтастық ұйымы қызметінің тарихи, құқықтық, экономикалық және саяси мәселелеріне арналған. ШЫҰ мен ЕАЭО әлеуетін біріктіру мүмкіндігінің негіздемесі оған ерекше кітап мәртебесін береді. Лондонның әйгілі баспасы шығарған, ол батыстық оқырманға көп көңіл бөледі: сондықтан авторлар шығыс және батыс саяси көзқарастарының бір-біріне қосылу мүмкіндігін көрсетуге тырысты, бұл кітапты ұқсас кітаптардың жалпы қатарынан ерекшелейді. Кітаптың мазмұны аймақтық ынтымақтастық арқылы Еуразиялық кеңістіктің дамуын талдау мен жаңа жолдарды іздеумен, атап айтқанда, жүзеге асырылуы арқасында ашылады. Авторлар ШЫҰ-ның құрылуы мен негізін мұқият зерттеген. Кітаптың мазмұнын ашуға ШЫҰ-ның қалыптасуы мен институционалдық дамуын, халықаралық құқықтық базаны және ШЫҰ-ға мүше мемлекеттердің өзара іс-қимыл аспектілерін аналитикалық зерттеу ықпал етеді. Кітапта ШЫҰ қауіпсіздігі саласындағы ынтымақтастық мәселелеріне көп көңіл бөлінеді. ШЫҰ-ға мүше мемлекеттер шекаралық қақтығыстарды реттеу мен экстремизмге қарсы іс-қимылды өз ұйымдарының маңызды міндеттері деп санайды, бұл рецензияланған монография беттерінде өзінің нақты көрінісін тапты. Зерттеудің қызықты қырларының бірі ШЫҰ қызметінің перспективасындағы батыс және азиялық құқықтық құндылықтарды жақындастыруға ұмтылыс болып табылады. Монография авторлары олардың арасында тығыз іскерлік және достық қарым-қатынас орнату мақсатында Қытай мен Үндістанның ұстанымдарын жақындастырудың ұтымды идеяларын ұсынады. ШЫҰ өзінің одан әрі дамуы мен жетілуіне қарай Азия, Еуразия кеңістігіндегі елдер арасындағы сауда-экономикалық ынтымақтастықты тереңдетуге жәрдемдесетін,

осы кеңістіктегі терроризмге неғұрлым кәсіби түрде қарсы тұра алатын бірегей халықаралық ұйым.

Оқырманға монография ШЫҰ-ға ішкі жағынан сыни көзқараспен қарауға және оның әлеуетін білуге мүмкіндік береді. Кітап ғылыми қызметкерлер мен заңгерлерге, экономистерге, саясаттанушыларға, әлеуметтанушыларға, өңірлік интеграция және ШЫҰ мәселелеріне қызығушылық танытқандарға арналады.

*Тірек сөздер: Шанхай Ынтымақтастық Ұйымы, қауіпсіздік, экстремизмге қарсы іс-қимыл, гуманитарлық ынтымақтастық, адам құқықтары, өзара сауда, ШЫҰ платформасы, терроризмге қарсы күрес, заңнама, өзара іс-қимыл.*

**А. Абылайұлы, PhD, assistant professor, директор программы международного права Университета КАЗГЮУ им. М.С. Нарикбаева (Нур-Султан, Казахстан): Рецензия на книгу: Шанхайская организация сотрудничества. Исследование новых горизонтов / отв. ред. Марочкин С., Безбородов Ю. Лондон: Routledge Taylor & Francis, 2022. – 262 с.**

Рецензируется монография под названием «Шанхайская организация сотрудничества. Исследуя новые горизонты», написанная международным коллективом авторов под редакцией д.ю.н., профессора Марочкина С.Ю. и д.ю.н., профессора Безбородова Ю.С.. В состав этого международного коллектива входят 32 ученых: 2 исследователя из Индии (А. Бава, К. Дживеди), 7 ученых из Казахстана (Ж. Бурсурманов, Ж. Искакова, Ж. Кулжабаева, А. Ойнарова, А. Оспанова, М. Сарсембаев, А. Хамзин), 3 аналитика из Китая (К. Менг, Г. Нан, К. Тяньбао), 2 эксперта из Кыргызстана (А. Орозобекова, К. Раманкулов), 16 ученых от России (А. Абашидзе, О. Архипова, Ю. Безбородов, О. Богатырева, А. Чукреев, Е. Гладун, М. Лагутина, Т. Лузина, С. Марочкин, К. Лябах, Е. Михайленко, О. Поршнева, С. Разинков, А. Солнцев, О. Винниченко, Л. Зайцева), 2 исследователя – представителя Узбекистана (А. Мухамеджанов, М. Рахимов). Книга посвящена историческим, правовым, экономическим и политическим вопросам функционирования Шанхайской организации сотрудничества (ШОС). Обоснование авторами возможности объединения потенциалов ШОС и ЕАЭС придает ей статус особенной книги. Изданная известным лондонским издательством, она в значительной мере обращена к западному читателю: поэтому авторы стремились показать возможность соединения тех или иных восточных и западных политических взглядов, что выделяет книгу из общего ряда подобных книг. Содержание книги раскрывается, в частности, благодаря анализу развития евразийского пространства через региональное сотрудничество, которое может быть осуществлено поиском новых путей. Авторы достаточно скрупулезно исследуют корни и основания ШОС. Раскрытию содержания книги содействует аналитическая проработка формирования и институционального развития ШОС, международно-правовых основ и аспектов взаимодействия государств-членов ШОС. В книге уделяется значительное внимание вопросам сотрудничества в области безопасности ШОС. Государства-члены ШОС считают важными задачами своей организации урегулирование пограничных конфликтов и противодействие экстремизму, что нашло свое четкое отражение на страницах рецензируемой монографии. Одной из интересных граней исследования является стремление сблизить западные и азиатские правовые ценности в перспективе деятельности ШОС. Авторы монографии предлагают рациональные идеи сближения позиций Китая и Индии в целях установления более тесных деловых и дружественных отношений между ними. ШОС по-своему – уникальная международная организация, которая по мере своего даль-

нейшего развития и совершенствования могла бы содействовать углублению торгово-экономического сотрудничества между странами на азиатском, евразийском пространстве, могла бы более профессионально противостоять терроризму на данном пространстве.

Внимательное чтение монографии позволяет читателю критически взглянуть на ШОС изнутри и лучше познать ее потенциал. Книга адресуется научным работникам и практикам – юристам, экономистам, политологам, социологам, всем тем, кто интересуется вопросами региональной интеграции и ШОС.

*Ключевые слова: Шанхайская организация сотрудничества, безопасность, противодействие экстремизму, гуманитарное сотрудничество, права человека, взаимная торговля, платформа ШОС, борьба с терроризмом, законодательство, взаимодействие.*

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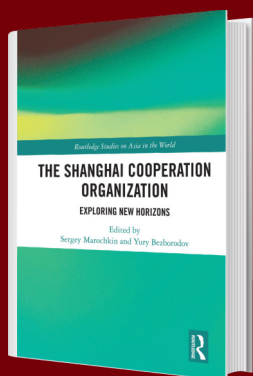
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### НОВЫЕ КНИГИ

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The Shanghai Cooperation Organization (SCO) is one of the most rapidly developing centres of the multipolar world, covering an enormous landmass including China, India, Russia and its southern Eurasian neighbours. With both its eight member states, and a growing group of observer states, the SCO's activities have expanded beyond its initial focus on security and stability to broader cooperation with the UN and other groupings such as the G20, BRICS, NATO and ASEAN. Bringing together large and disparate nation-states with often rival geo-strategic agendas means that it faces substantial structural challenges but also has great potential. The contributors to this volume, representing a range of the states within the SCO, evaluate the possibilities for the Organization, and the challenges it faces in achieving them through a prism of legal regulation. They evaluate the bloc's prospects for economic, humanitarian, legal, trade, labour, migration, and environmental cooperation, as well as its more traditional concerns with security and defence. The authors, analyzing the quality of cooperation between states within the SCO, note the controversial character of this process: it demonstrates both efficiency and declarative and decorative nature of the SCO. A valuable read for scholars and policy-makers with a focus on Eurasian cooperation, and processes of regionalism and universalism in international relationships.