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*A.S. Aleksanyan, professor
ashalexanyan@gmail.com
YSU (Yerevan, Armenia)*

FORMATION OF THE SYSTEM OF SOCIAL PARTNERSHIP IN THE EAEU IN THE CONTEXT OF CHANGING POLITICAL REALITY

The formation of the system of social partnership in the Eurasian Economic Union (EAEU) began on January 1, 2015, when the Treaty on the EAEU entered into force, which marked a new level of civilizational integration in the post-Soviet space [5]. The creation of the EAEU opens up new opportunities for overcoming the integration deadlock to the free movement of labor, goods, services, capital, general regulation rules within the framework of integration rules.

Among the main goals of the EAEU, it is envisaged to create conditions for the stable development of the economies of the member states in the interests of improving the living standards of their populations and striving to form a single market for goods, services, capital and labor resources within the EAEU. Achieving these goals will become possible only under the condition of wide-ranging harmonization of social partnership and labor legislation of the EAEU member states, which should cover not only migration legislation, but also social protection, employment, social dialogue, civilizational mechanisms for protecting rights and freedoms in the field of employment and unemployment.

It is important to note that the harmonization of labor legislation of the EAEU member states should be based on standards developed at the international level. International labor standards and international experience in labor regulation are undoubtedly consolidated in the ILO's concept of decent work [2; 3]. It is obvious that the further development and institutionalization of the ILO concept of decent work has had a civilized impact not only on international labor law, but also on the labor legislation of the EAEU countries [4, p. 44-48].

The Eurasian social dialogue with the active participation of trade unions and civil society organizations (CSOs) will contribute to strengthening the partnership between the EAEU and the ILO, the development of labor legislation of the EAEU member state, as well as the deepening and development of integration processes in the post-Soviet space. At the initial stage, the Eurasian social and economic integration became the basis for harmonizing the labor legislation of the EAEU member states, which will subsequently allow achieving the goals set in the Treaty on the EAEU, namely, improving the living standards of the population and forming a single labor market for the EAEU. As a goal and a tool for improving the quality of life of people, social partnership and decent work have a special dualistic essence, which makes it possible to adapt the solution of strategic tasks, taking into account the national characteristics of each EAEU member state. It should be emphasized that social dialogue and partnership are the basis for the emergence of humanistic trends in the legal regulation of labor of the EAEU member states, which are characterized by the following general features: reforming labor legislation, optimizing the legal regulation of labor relations

and other directly related relations, eliminating negative consequences globalization, as well as strengthening the legal mechanisms for the implementation of the strategic objectives of the ILO concept of decent work.

The particular importance of EAEU tripartism and social dialogue, in which the governments of the EAEU member states will be asked to provide the necessary prerequisites for the existence of social dialogue, including observance of the basic principles and rights to freedom of trade unions and to collective bargaining, respect for the role of social partners, ensuring employment and improving social protection. The Eurasian social dialogue should become an important element for the development of a coherent labor policy by the EAEU member states. The introduction of social dialogue at the integration level of the EAEU will contribute to ensuring macroeconomic stability and sustainable economic growth, which will lead to significant civilizational transformations in the social sphere.

The current labor codes of the EAEU member states establish a mechanism for social dialogue and partnership. The Eurasian social partnership should ensure an effective relationship among trade unions, employers' representatives, authorities, aimed at harmonizing and protecting the interests of workers and employers. The labor legislation of the EAEU member states provides that social partnership is carried out in certain forms. These forms are: collective bargaining, mutual consultations and negotiations on social and labor issues, the participation of trade unions and workers, their representatives in the management of the organization and the participation of representatives of workers and employers in the resolution of labor disputes.

The current labor codes of the EAEU member states establish the concept and legal regulation of a collective agreement. The labor legislation of the EAEU member states also provides for the functioning of commissions at all levels of social partnership from representatives of the parties vested with the necessary powers. The commissions ensure the proper regulation of social and labor relations, the preparation of draft collective agreements, agreements and collective bargaining, as well as the conclusion of collective agreements and agreements and organize control over the implementation of socially significant partnership acts. At the moment, the EAEU member states have acts of social partnership and dialogue at the domestic level.

Social security and protection is an extremely important factor in industrial development. Unconditional adherence to the main goals of social protection, namely: the formation of decent working conditions with stable wages, productive organization of working hours and rest time, as well as effective labor protection and health of workers is a solid foundation for the development of the economy, industry and social sphere of the EAEU member states [1]. On this basis, it seems possible to significantly deepen the Eurasian integration processes and build up the potential of the EAEU in the international arena. In this context, it is necessary to analyze labor legislation on social security, thereby providing and protecting the labor force of the EAEU member states with decent work in order to identify aspects of modifying the mechanisms of legal regulation of social guarantees. In general, the labor legislation of the EAEU member states, before the adoption of the concept of decent work by the ILO, had sufficient regulation of working hours and rest time, wages and labor protection.

Nevertheless, there were some peculiarities [6].

Thus, based on the analysis of the labor legislation of the EAEU member states, regulating social partnership and dialogue, issues of working time and rest time, wages and labor protection, it is possible to draw the following conclusions: 1) Comparative analysis of the current labor legislation on social dialogue of the EAEU member states, it seems possible to draw a conclusion about the significant impact of the ILO concept of decent work and the improvement of the mechanisms of legal regulation of collective contractual relations of the EAEU member states. Trends in the development of labor legislation of the EAEU countries on social dialogue under the influence of the ILO concept of decent work show that the provisions on social dialogue have been embodied in the institutions of social partnership of the labor legislation of the EAEU member states. Also, the concept of social partnership, levels and forms of social partnership, including the functioning of domestic tripartite commissions and the operation of general tripartite agreements, has been legislatively fixed; 2) The current labor legislation on social protection of the EAEU member states after the adoption of the ILO concept of decent work can be analyzed from the standpoint of the general and the particular. Thus, a common feature of the labor legislation on social protection of the EAEU member states is detailed regulation of the provisions on working hours and rest time, wages and labor protection. Nevertheless, there are also peculiarities in the legal regulation of social protection, which are inherent in each individual country. The labor legislation of the EAEU member states establishes the concepts of working time and rest time, wages and labor protection, safety and health of workers; 3) One of the trends in the development of labor legislation of the EAEU member states may be the creation of another level of social partnership, that is, supranational on the basis of the Eurasian trilateral agreement. The subject of this agreement could be the most pressing issues of improving and developing the social and labor legislation of the EAEU and the EAEU member states in particular; 4) It is formulated that a general recommendation for the EAEU member states can be the design and adoption of a number of supranational agreements concerning the legal regulation of working hours and rest time, remuneration, and labor protection. These components of social protection play a decisive role both in the creation of decent and safe working conditions and in joint economic projects.

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*В.А. Божанов, профессор
bochanov@tut.by
БНТУ (Минск, Беларусь)*

СИЛЬНОЕ ГОСУДАРСТВО

С недавних пор интерес политологов переместился от формальных признаков государства к его качественным показателям. Проблемы воспроизводства насилия исключительно со стороны государства вызывают коррекцию определения Вебера с акцентом не на «исключительную монополию» государства на насилие, а на «более-менее успешном» или «относительном преимуществе» в силе. С 80-х гг. XX в. сообщество проявляло огромное стремление к децентрализации политической власти [10, с. 122]. Чем меньше насилия, тем более легитимна власть. Однако сила как потенциальная или реальная способность остается лейтмотивом государственной деятельности и в диктатурах, и в демократиях.

Государственной власти в организации общественных дел оппонирует местная самоорганизация в лице семейных, церковных, клановых и прочих центров влияния, которые нередко выглядят в глазах населения более значимо и ценно, чем государство. Более того, и у каждой ветви власти складываются свои центры влияния. Например, полицейские аппараты Франции располагают большой самостоятельностью по отношению к властным структурам и большой способностью сопротивления государственной политике, которая пытается их изменять [8, р. 1236]. Полиция в состоянии создавать непроницаемость мест своих действий (полицейский автомобиль, комиссариат), территориальные полицейские ускользают от контроля со стороны своего командования и даже могут по своему усмотрению осуществлять противостояние власти. Годами существуют центры сильной концентрации преступности.

Благодаря развитию Всемирной паутины создаются новые условия для взаимодействия органов власти между собой, с населением, бизнесом и институтами гражданского общества, а также для повышения эффективности и прозрачности государственного управления [2, с. 203]. В результате таких