

## CONFERENCE REVIEW NOTES

### THE CONFERENCE OF SOUTHERN COMMON MARKET (MERCOSUR) MEMBER STATES: DISCUSSING A LEGAL INTEGRATION AGENDA

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The Conference of Southern Common Market (MERCOSUR) Member States was held in the framework of the 5<sup>th</sup> St. Petersburg International Legal Forum on May 28, 2015.

MERCOSUR is an important political and economic partner for Russia in the Latin America region. Russia and MERCOSUR countries share approaches to global political and economic issues and key international problems, including spreading the rule of law, crisis management, and answers to new challenges. Economically they have a great potential for development both in mutual trade and investment activities.

The conference covered the following issues:

- evolution of MERCOSUR: establishment of the Southern Cone common market and institutional and legal framework for the whole bloc and for each member country particularly;
- relevant problems and future of integration within MERCOSUR;
- integration processes aimed at harmonization of national legislation within MERCOSUR;
- potential ways for cooperation between Russia and MERCOSUR countries in a global legal framework;

– the future of MERCOSUR foreign affairs regarding the legal context in terms of cooperation with third parties and such integrated alliances as the Eurasian Economic Union, European Union, and the North American Free Trade Area.

The Russian Minister of Justice Alexander Kononov gave welcome remarks on the Conference. He stressed the importance of the 5<sup>th</sup> St. Petersburg International Legal Forum as a bridge between lawyers from different countries. The Minister pointed out the relevant role of integration both within the Latin America and the Eurasian space. He noted a growing importance of cooperation between Russia and South American countries in legal matters.

Professor of the Department of Civil and Labor Law of the People's Friendship University of Russia Ksenia Belikova, who was a moderator of the Conference, pointed out that South American economy-in-transition countries are joining forces in the framework of the MERCOSUR. Despite the fact that they share a common economic space, they do not have common borders. It follows the experience of European integration, which is a catalyst and a model for MERCOSUR.

Markets of developing countries have been sustainably growing for the last 10–15 years, so we can observe a positive context for trade and financial exchange between South American countries. MERCOSUR is not the only, but definitely a promising organization of integration in this region that aggregates strong potential economies and markets and is considered to be an extremely important raw material sector. MERCOSUR includes now five Member States (Argentina, Brazil, Uruguay, Paraguay, and Venezuela). Some other countries of South America have an associated status in this alliance. Participation in the MERCOSUR international project is a foreign policy priority for its Member States. However, the Member States are making efforts not only in economic fields. Creation of a common market demands to integrate legal orders.

The next speaker was the Minister of Justice and Human Rights of Argentina Julio César Alak. He emphasized that the MERCOSUR had arisen within the framework of trade negotiations taking place since the early 1990<sup>5</sup>. Although the present activity of MERCOSUR involves many other aspects, this integration alliance still focuses its objectives mainly on economic issues. The Minister stressed the importance of this economic alliance for the national interests of Argentina. The MERCOSUR has made important steps to strengthen its own institutions and to establish joint interacting principles.

Judge of the Supreme Court of Brazil Mrs. Marina Freire took floor afterwards. She particularly stressed that being the most developed country of the bloc, Brazil was taking the lead to keep the bloc organized and evolving. Given that all the MERCOSUR nations are close neighbors, many of them tend to share the same roots. Brazil understands that it is easier to create a cooperation environment among those who are near and may share common interests. Of course, there's much discussion going and the results are far from ideal, but as the nations develop economically and

socially, all efforts will prove to be rightful. The legal and judicial integration is still very incipient, but Brazil has already started to apply the rule of law principle formulated in the Inter-American Court decision's, especially on the Human Rights issues.

Elena Rafalyuk, a Russian researcher from the Institute of Legislation and Comparative Law under the Government of the Russian Federation, emphasized similarities and differences between integration processes in Latin America and within the former Soviet Union republics. In her opinion, integration in Latin America is a special type of integration. MERCOSUR is a one of the most interesting integration projects of the Southern part of the World. It differs from European integration as well as Eurasian integration. It takes different forms and favors cooperation rather than supranational actions.

To sum up, all participants enjoyed a vibrant atmosphere and challenged the speakers with numerous questions.

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