ECONOMIC INTEGRATION OF SOCIALIST COUNTRIES AND INTERNATIONAL UNIFICATION OF THEIR LAWS

JERZY RAJSKI
Professor at the Faculty of Law, Warsaw University, Poland

The development of trends towards international economic integration of groups of states is a characteristic feature of the contemporary world. These trends are, however, limited to certain regions, embracing states of similar socio-economic systems. These states promote international economic integration in order to solve problems within a given socio-political structure and geographical region. They create appropriate structures generally in the form of an international organization in order to achieve these goals. The character of such organizations differs according to their purposes, which reflect certain economic and political needs.

It is worth mentioning that the notion of international economic integration is variously understood as denoting different economic processes.

The term "economic integration" appeared in the official documents of the Council of Mutual Economic Assistance (CMEA)1 in 1969 - twenty years after its creation. Two years later, in 1971, the Council adopted an important document entitled "Comprehensive Program for the Intensification and Improvement of Cooperation and the Development of Socialist Economic Integration of the CMEA Member States",2 which envisaged the achievement of a greater degree of cooperation, described as socialist economic integration. This integration, as has been expressly stressed in the Comprehensive Program, "proceeds on an entirely voluntary basis and is not accompanied by the creation of supranational organs". This feature shows that integration here acquires a meaning different to that of the EEC. In contrast to the member states of the latter organization, the CMEA member states have not transferred any of their sovereign powers to the CMEA. All CMEA organs are of a representative nature, each of them consisting of all member states (each state has one vote only).3 Acts by the CMEA can be undertaken only with the consent of the interested member states.4 The CMEA was not given any possibility of law-making that would be directly applicable in the member states.
The differences between the structure and competences of both international organizations reflect the differences in the character and depth of the integration processes pursued in the framework of their activities.

Law is an important factor in every process of international economic integration. It can have a positive or a negative impact on the development of such integration. In each case the law should be more or less adapted to the changed economic environment which, through the integration processes, gains a new international dimension. International economic integration, therefore, favors harmonization and unification of the law of the participating states. This is also the case in the international economic integration developed in the framework of the CMEA. The development of uniform, or at least harmonized, rules of law of the member states has appeared to be indispensable in the creation of favorable conditions for the intensification and improvement of their economic, technical, and scientific cooperation. The development of a community law of the member states in that domain has been recognized as one of the important tasks of the CMEA. This has been particularly stressed in the Comprehensive Program of 1971, which contains a special section (Section 15) devoted to these problems. This section opens with a statement that

"CMEA member states proceed from the fact that the further deepening and improvement of economic, scientific, and technical cooperation, and the development of socialist economic integration condition the necessity of improving the legal bases of this cooperation".

One of the principle CMEA tasks in that domain is, according to the program, to promote the development of a common legal regime of the member states, ensuring the legal conditions most favorable to the deepening and improvement of cooperation and to the development of socialist economic integration. The Program has also indicated the main directions and areas in which the appropriate works should be undertaken.

A special permanent CMEA organ has been created in order to facilitate this achievement and to promote these aims — the so-called Meeting of the Representatives of Member States of the CMEA on Legal Questions. The successful work of this organ has greatly contributed to the development of the unification and harmonization of the law of the member states in recent years.

The purpose of this contribution is limited to the review of the results so far achieved, as well as of the forms and objectives of the unification and harmonization of the law of the member states achieved in the framework of CMEA activities.

II

Mutual trade has been very important from the very outset of the economic relations between the European socialist states. The centrally planned character of their economic cooperation has influenced its legal regulation both on international and national levels. Although the mutual trade between these