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РОЛЬ ОБСЕ В РАЗВИТИИ МЕХАНИЗМОВ КОНТРОЛЯ НАД СТРАТЕГИЧЕСКОЙ ТОРГОВЛЕЙ В ЦЕНТРАЛЬНОЙ АЗИИ

Б.Т. Какчекеев

Аннотация. В этой статье отражена роль ОБСЕ в развитии контроля над стратегической торговлей (КСТ) в пяти республиках Центральной Азии: Казахстане, Кыргызстане, Таджикистане, Туркменистане и Узбекистане. В данной статье показано, что контроль над стратегической торговлей и приведение национального законодательства в соответствие с международными нормами – вопросы первостепенной важности в этих странах, особенно в области стратегических товаров, вооружений и ядерных вооружений, технологий, производства, продаж, транзита и обладания. Все это является важным для региона. В Центральной Азии действует ряд соответствующих международных инструментов в области контроля над стратегической торговлей, в том числе Решение СБ 1540 Организации Объединенных Наций, стратегические документы ОБСЕ, ВТО и УНП ООН. В связи с ростом новых рисков при контроле над стратегической торговлей, поскольку распространение новых технологий, таких как кибертехнологии и продукты, нематериальные передачи, БПЛА, ИИ, криптовалюты, новые материалы в регионе Центральной Азии требуют особого внимания.

Ключевые слова: ОБСЕ; контроль над стратегической торговлей; экспортный контроль; Центральная Азия; Кыргызстан; Казахстан; Таджикистан; Узбекистан; Туркменистан.

БОРБОРДУК АЗИЯДАГЫ СТРАТЕГИЯЛЫК СООДАНЫ КӨЗӨМӨЛДӨӨ МЕХАНИЗМДЕРИН ӨНҮКТҮРҮҮДӨ ЕККУнун РОЛУ

Б.Т. Какчекеев

Аннотация. Бул макалада Борбордук Азиянын беш республикасында: Казакстанда, Кыргызстанда, Тажикстанда, Түркмөнстанда жана Өзбекстанда стратегиялык сооданы көзөмөлдөөнү өнүктүрүүдөгү ЕККУнун ролу баса белгиленет. Бул макалада стратегиялык сооданы көзөмөлдөө жана улуттук мыйзамдарды эл аралык ченемдерге шайкеш келтирүү бул өлкөлөрдө өзгөчө стратегиялык товарлар, курал-жарак жана өзөктүк курал, технология, өндүрүш, сатуу, транзит жана ээлик кылуу чөйрөсүндө өзгөчө мааниге ээ болгон маселелер экени көрсөтүлгөн. Мунун баары аймак үчүн маанилүү. Борбордук Азияда стратегиялык сооданы көзөмөлдөө жаатында бир катар тиешелүү эл аралык документтер бар, анын ичинде Бириккен Улуттар Уюмунун Коопсуздук Кеңешинин 1540-чечими, ЕККУнун, ДСУнун жана БУУ БКБнын стратегиялык документтери. Стратегиялык сооданы көзөмөлдөөдө жаңы тобокелдиктер күчөп жатат, анткени кибертехнологиялар жана продукттар, материалдык эмес трансферттер, UAV, AI, криптовалоталар, жаңы материалдар сыяктуу жаңы технологиялардын таралышы Борбордук Азия регионунда өзгөчө көңүл бурууну талап кылат.

Түйүндүү сөздөр: ЕККУ; стратегиялык сооданы көзөмөлдөө; экспорттук көзөмөл; Борбордук Азия; Кыргызстан; Казакстан; Тажикстан; Өзбекстан; Түркмөнстан.

THE ROLE OF OSCE IN DEVELOPMENT OF STRATEGIC TRADE CONTROL MECHANISMS IN THE CENTRAL ASIA

B. T. Kakchekeev

Abstract. The article regards the role of the Organization for Security and Co-operation in Europe (OSCE) in the Strategic Trade Control (STC) development of five Central Asian Republics: Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan. This article demonstrates that the STC and the bringing of national legislation into compliance with international norms are matters of primary concern in these countries. There are a number of relevant international STC instruments in Central Asia, including the

United Nations UNCRS 1540, OSCE, WTO and UNDOC policy documents. Due to rise of new risks for STC as the spread of emerging technologies such as cyber technology and products, intangible transfers, Unmanned Aerial Vehicles (UAV), Artificial Intelligence (A)), crypto currencies, and new materials in the Central Asia region needs a special attention.

Keywords: OSCE; Strategic Trade Control; STC; export control; Central Asia; Kyrgyzstan; Kazakhstan; Tajikistan; Uzbekistan; Turkmenistan.

Introduction. Since the establishment of the OSCE in 1995, its member country achievements in STC have been a driving factor for a way of better life, prosperity, and security within the OSCE region. STC faces growing challenges from various actors, who recognize the benefits of obtaining military and dual use technology and materials and are organizing massive human and capital resources on a national scale to take the lead in areas with long-term consequences. Development and maintenance of an effective STC system is extremely important and a cornerstone element in the context of international efforts for nonproliferation weapons of mass destruction. It is important on a practical level because of its efforts to regulate the proliferation and use of goods and technologies that can contribute to Weapons of Mass Destruction (WMD) programs around the world. Another role of STC is control of conventional arms [1].

The implementation of effective national STC regimes is a multifaceted and multicomponent process and is not an easy task. In addition, it plays a significant role in achieving international goals for keeping WMD-sensitive goods and technologies out of the hands of dangerous actors and limiting uncontrolled spread of conventional arms. An effective national STC system usually takes the form of a licensing regime applicable to the export, re-export, transit and transshipment of single and dual use WMD items and conventional arms. Licensing systems usually include both the processes of identifying goods for export-import transactions; end-user verification, granting a license for listed goods during export, re-export, transit or transshipment; application of sanctions and other restrictions for violations of the STC in the process of export-import operations in accordance with the relevant laws and regulations. It includes control of shipments as national borders and prevention of illicit export-import operations with controlled under STC items including intangible transfers. Catch all regimes and international cooperation.

The purpose of the STC is to regulate and restrict the export from supplier countries of sensitive technologies including transit, transshipment and re-export through other countries in order to prevent the acquisition of these materials by end users of WMD concerns. Along with the safeguards regimes applied in the nuclear and chemical fields at associated facilities, STCs constitute an important element of the provisions of each treaty regime aimed at fulfilling their core non-proliferation obligations. STCs are also instrumental for supporting International Policy by enforcing multiple international regimes.

Strategic Trade Control and Stability in the OSCE Area. To explain the OSCE's role in multiple forms of STCs, we have to look at the mandate of the organization in STC and arms control in general. The OSCE mandate in arms control is one part within the STC. It originated from the Helsinki Final Act on Confidence-Building Measures among CSCE Participating States in the Military Sphere that includes provisions on Security and Disarmament Strengthening efforts. The OSCE's arms control agenda reflected in a number of documents portraying different types of weapons and dangerous technologies: on the control of small arms and light weapons (2000), a ban on landmines, a ban on the export of portable anti-aircraft missile systems (MANPADS) (2004), the agreement on principles governing the transfer of conventional weapons to other countries (2004) and a number of other fundamental decisions. The OSCE had approved a document on measures to complement the Ottawa Convention on the Banning of Anti-Personnel Mines. In 2004, OSCE participating States also collectively acceded to the Wassenaar Accords on the Control of the Export of Arms, Dual-Use Goods and Technologies. This in turn gave the OSCE a practical ability and the mandate to request or provide assistance ensuring the security or destruction of stockpiles of these weapons and dual use technology items [2].

In 2000s the mandate had been broadened due to the growing terrorist threat around the globe and OSCE region. In 2002, the OSCE had established the Anti-Terrorism Unit (ATU), which concentrated on combating and countering terrorism. Later, it built close cooperation with the UN Counter-Terrorism Committee, the United Nations Office on Drugs and Crime (UNODC), World Customs Organization (WCO), the Financial Action Task Force's (FATF) and other international organizations. ATU facilitated the ratification and implementation among OSCE countries of 12 UN international legal instruments against terrorism, arms control, trafficking in human beings and others.

In 2005, the OSCE became one of the first organizations to endorse the WCO Framework of Standards to Secure and Facilitate Global Trade (SAFE). This was a global program of WCO that sets standards (SAFE) for advance electronic cargo information, risk management, non-intrusive container inspection and possible benefits for complying businesses. Endorsed (2005) OSCE "Border Security and Management" Concept Framework for Co-operation by the OSCE Participating States reaffirming arms non-proliferation principles.

The OSCE's role in the field of sustainability of STC knowledge and trainings contributed to know-how development by establishment and financing of the OSCE sponsored Central Asian regional academies preparing specialists in international security, border protection. This assistance provided programs of capacity building for the Border Service Academy of Kazakhstan to serve as a regional knowledge base. Also, for the Kyrgyz Customs Training Academy, the OSCE developed curriculum and constructed new a building for Customs training Centre in Bishkek (2013) and built training ground with checkpoints and sample vehicles, planes etc. Others were established in Dushanbe (2009), OSCE Border Management Staff College (BMSC), in Bishkek, OSCE Academy (2002). OSCE developed the know-how exchange cooperation with the Vienna Centre for Disarmament and Non-Proliferation (VCDNP), the Russian Center for Policy Research (PIR Center) in Moscow, the American Institutions as Monterey

Institute for International Studies, the University of Georgia, and others.

To assist in further development of disarmament and non-proliferation compliance, OSCE started in 2012 in response to the UN Security Council call to regional organizations for providing states with customized assistance for an effective implementation of UNSCR 1540. This would provide capacity-building and assistance to OSCE participating States, and organize country-specific and regional events [3]. In 2015, the Forum for Security Co-operation adopted a decision on the "OSCE's role in UNSCR 1540" and henceforth States have further strengthened the OSCE's support to implement UNSCR 1540, thus building OSCE's practical role in the STC process.

The OSCE played the role of rapport with other involved organization in order to coordinate and attain better results. The OSCE Conflict Prevention Centre (CPC) closely co-operates with the 1540 Committee, United Nations Office for Disarmament Affairs (UNODA), the UN Regional Centre for Peace and Disarmament in Asia and the Pacific (UNRCPD), the International Atomic Energy Agency (IAEA) and the Organisation for the Prohibition of Chemical Weapons (OPCW). The organization supported Kyrgyzstan, Tajikistan, Uzbekistan and Turkmenistan with the development of UNSCR 1540 National Action Plans. It continued to support UNSCR 1540 National Action Plans to report and set priorities for the implementation of the resolution. It provides assistance on building capacity in STC development, export and border controls [4].

The OSCE is working on STC aspects having relations potential attempts to breach the STC, arms controls and non-proliferations efforts. It helps governments of the region in preparing their structure to prevent potential financing of illicit transactions having relations in violation of STC, arms controls and none-proliferations policies and regimes. The OSCE has ongoing projects focused on the Eurasian group's (EAG) country evaluation of compliance to the Financial Action Task Force's (FATF) standards on anti-money laundering and countering financing of terrorism (AML/CFT) in Turkmenistan 2021, Kyrgyzstan 2014, and Uzbekistan 2021.

The OSCE member States' direct contributions to development of STC in the Central Asia. The development of STC in Central Asia initially was conducted by a number of Group of 8 (G-8) countries and non G-8 countries. The primary role in the development of the national STC systems in the region of the Central Asia belonged to the U.S.A. The Russian Federation, E.U., Kazakhstan and other countries had extended their assistance on continued base as well but in smaller scale, and countries like the U.S.A. contributed to knowledge transfer and legislation after the dissolution of the Soviet Union. However, at first the prime attention in development of STC had been given to the Russian Federation, Republic of Kazakhstan and Republic of Ukraine since they had nuclear potential at that time.

The U.S. assistance. Programs such as the STC and Nuclear Threat reduction as Hann-Lugar Program (1992-2013 for Russia) [5], known as the Cooperative Threat Reduction (CTR) Program, Expanded Threat Reduction Initiative (ETRI), Nuclear Smuggling Detection and Deterrence (NSDD) programs and other programs had been steadily extended to the countries of Central Asia with minor exception to Kazakhstan as mentioned above. Kazakhstan had been participating in the U.S. Department of Energy (DOE) Material Protection Control and Accounting Program (MPC&A) since 1994 and other programs in which other Central Asian States were not initially included.

Another example is the CTR Cooperative Threat Reduction (CTR or "Nunn-Lugar") Program by the U.S. on Defense Threat Reduction Agency (DTRA) funded development and assisted in the adoption and promotion of the Model Law on export controls in the Central Asian States in early 2000s. The basis of the bill had been developed by DTRA's experts in early 1990s (1995) for Russia, and adopted with minor modifications by the Parliamentary Assembly of the CIS as a model legislation. This law had been adopted in all states (Kyrgyzstan 2003, Kazakhstan 2007, Tajikistan 2014, Uzbekistan 2004, with minor changes with the exception of Kazakhstan, which had more sophisticated legislation. This law became the first legal ground to establish STC in the region. Prior to this law the states used interim provisions

developed with the assistance of the Russian Federation. This assistance was in accordance with the agreement between the Government of the Russian Federation and the Governments of Central Asia (with exception to Kazakhstan) on cooperation and mutual assistance in the field of currency and export control, signed with Kyrgyzstan in 1996, Tajikistan in 1997, and Uzbekistan in 1996.

In 1998 the U.S. Department of Energy National Nuclear Safety Administration (NNSA) initiated the radiation sources control at the borders program. The "Second Line of Defense" (SLD) program's goal was to reduce the possibility of proliferation of nuclear materials, to strengthen STC and export controls, and to prevent the smuggling of weapons of mass destruction. The program established a system of Radiation portal monitors (RPM) at border crossings. Extended operator trainings of RPMs and nuclear smuggling prevention, were carried out by employees of the US Department of Energy. The program reached Uzbekistan in 2003, Kyrgyzstan in 2008, Kazakhstan in 2006, and Tajikistan in 2014.

In 2000, the U.S. Government increased its security-related assistance to the Newly Independent States (NIS) under the Expanded Threat Reduction Initiative (ETRI). This was developed to address increased risks of weapons proliferation and regional instability resulting from the 1998-99 economic crisis in Russia, Ukraine and the other NIS. The ETRI built upon the U.S. Defense Department's (DoD) ongoing Cooperative Threat Reduction (CTR or "Nunn-Lugar") Program. In 2000, DoD made significant progress in the NIS countries that were certified as eligible to receive CTR assistance: Russia, Ukraine, Kazakhstan, Armenia, Azerbaijan, Georgia, Kyrgyzstan, Moldova and Uzbekistan [6].

In the 2000s the U.S. DTRA, and a number of U.S. State Agencies were actively working overseas to reduce the WMD threat and develop systems of Strategic Trade Control. Among them the above mentioned National Nuclear Security Agency of the U.S. Department of Energy, which, in coordination with the U.S. Department of Defense and the U.S. State Department, carried out its activities in the Central Asian states. Among the programs of the most interest were: the "Second Line of Defense",

“Global Threat Reduction Program-GTRI “Defense Nuclear Non-proliferation and Radiological Security- DNN-RS” – former (until 2015) the Global Threat Reduction Initiative Program (GTRI), “Partnership in source control Radiation”, “Nuclear Smuggling Detection and Deterrence program”, “Radiation Sources Regulatory Partnership” (RSRP). Besides these programs there are a number of U.S. programs managed or coordinated by the U.S. State Department, U.S. Department of Defense and other agencies and their private contractors.

Since 1999, the U.S. Department of State’s Export Control and Related Border Security (EXBS) Program had built capabilities of Central Asian States to prevent, deter and detect potential weapons proliferation by providing annually commodity determination, export control, licensing and WMD trainings. They supported with grants organizations such as OSCE, WCO, IAEA, UNODC, FATF, IOM, NGOs and academia that work in the field of STC and non-proliferation. The U.S. financial and grant support of the STC development in the region was and remains the largest. Many organizations including OSCE received extra budgetary financial support (not included in annual core budget) from U.S. For example: *WCO/UNODC CCP – Central Asia*. The Container Security initiative was one of the components of U.S. Customs and Border Protection’s (CBP) multi-layered cargo enforcement strategy. Besides the Container Security Initiative (CSI), there is also Air Cargo Advance Screening (ACAS) Program, and Customs Trade Partnership Against Terrorism (CTPAT) programs. These were the core nationwide programs in CONUS. In addition to these as mentioned earlier there are a number of STC aimed programs that are funded by the U.S. Government to prevent WMD, drugs, counterfeit money and others operating through U.S. Embassies in different regions. Since 1995 the U.S. Government, through U.S. Department of Homeland Security (U.S. DHS, prior U.S. Customs) had invested significant amount of work and federal funding in building the system of control that would be less dependent on servicemen (individuals) and bringing less “harm” to the trade. The original plan was to process 85 percent of all containers headed for the United States through Container

Security Initiative (CSI) ports by 2007, according to Commissioner W. Ralph Basham [7].

The further expansion of the U.S. Government’s technical approach to a safer trade for U.S. was sponsored by U.S. Department of State through the World Customs Organization (WCO) in 2001-2002 [8]. The Container Control Programme (CCP) by the World Customs Organization (WCO) and UNODC launched in 2003, in the Central Asia Component started in 2008.

The Russian Federation assistance to Central Asia concentrated around the creation of STC legislation and scientific and technology expertise, and cooperation in export and currency control with all Central Asian States. As a result, the republics received assistance in drafting of provisions and regulations on arms, dual use and WMD related deals and currency control. Assisted in drafting of Tajik Law “On State control over arms export, military equipment and dual use commodities” 1997, Kazakh Law “On Export control” 1996. The Kyrgyz Government Provisions “On State control over arms export, military equipment and dual use commodities” and others. The assistance extended to trainings on bilateral level and multilateral levels. The Russian Government funded think tank PIR Centre conducted numerous courses on arms control, non-proliferation at OSCE institutions, as OSCE academy. Russia assisted in commodity verification, end user verification and expertise in the region. The Russian Border Service advisors provided *in-situ* advice and trainings on commodities and other border violation matters and established border training Centre for Kyrgyz border services.

Kazakhstan’s role as a leading country in the region of Central Asia is unique and undoubtful. This country went from being an aid recipient to an aid provider, though there are still fields where the country is dependent on knowledge transfers. Kazakhstan’s assistance to other Central Asian states concentrated on training and expertise and served as an “in-region” source of knowledge and expertise. The Turkmen, Tajik, Uzbek, and Kyrgyz specialists had been trained in Kazakhstan to STC elements on export control and commodity expertise, specific border procedures/investigations, and relates topics. The cooperation among the Government

of Kazakhstan, Centre on export control and the International Science and Technology Centre (ISTC) in Astana serves as a model. This cooperation extended to other countries of the region in border, police and customs trainings in Kazakh academies.

The role of the *European Union (E.U.)* was complementary to U.S Government sponsored programs. The regional multileveled multiyear *E.U. Border Management in Central Asia program (BOMCA)* had been addressing weaknesses of border and customs controls in the region and helped to build capacities in administrating people and commodities at border according to a modern standard [9]. It provided infrastructure development, training, and equipment to border services in Central Asia. Aimed at the establishment of modern and inclusive technologies of border proceedings (*Integrated Border Management (IBM)*), development of trans-border cooperation and information exchange, and other support that aimed to enforce and build up countries' capacities in administering border including STC element, preventing illicit arms and munitions, dual-use materials and technologies. This was a major and long lasting contribution of the E.U. that started in 2003, is still active, and involves all five states of Central Asia. It should be noted that because of the increasing number of border issues in Central Asia, the program in recent years has become formal, non functioning and bringing little effect to the Central Asian states. It provides mostly a symbolic presence for the E.U.

The Development and Prospects of STC in Central Asia. In *Kyrgyzstan*, the STC's cornerstone Export control law was adopted in 2003. Prior to this, in *Kyrgyzstan* temporary provisions of 1996 "On Arms deals, military equipment and dual-use materials", "On issues of export control of raw materials, equipment, technology and services, custom to create weapons of mass destruction and missile delivery vehicles" (March 19, 1993, N 121) and "about the procedure for export and import of goods (works and services) in the territory of the *Kyrgyz Republic*" (February 6, 1996, N 56) were in force [10]. The Government provision #330 of May 4, 2004 operationalized the Export control law. The body that coordinates STC procedures is Government Commission on Export controls

and Military Technical Cooperation. Financial monitoring of transitions is conducted on the basis of laws and regulations on National Bank and law "On Countering the Financing of Terrorist Activities and Legalization (Laundering) of Crime Proceeds" (2018). The National Control List firstly adopted in 2009 and being updated. For example, the law «On the licensing and permissive system in the *Kyrgyz Republic*» of 2013 replaced earlier active law «On licensing certain types of activities in the *Kyrgyz Republic*». Eurasian Economic Community's Customs Code (2017) operates together with *Kyrgyz Customs Code* (2004). Here the OSCE actively support UNSCR1540 process, Border and Customs projects aimed at trainings in contraband prevention and detection, commodity verification and risk analysis, project aimed at prevention of illegal financial transaction including illicit operations with STC items for example - utilization of expired rocket fuels.

The Kazakhstani STC systems consist of new Export control law (2007) replacing Law «On export control» of 1996 [11]. Financial monitoring of transitions is conducted on the basis of laws and regulations on National Bank and the law "On Countering the Financing of Terrorist Activities and Legalization (Laundering) of Crime Proceeds" (2009). Licensing is conducted under the law «On permissions and notifications» of 2007, shipments, transit, transshipment under «On customs regulation in the Republic of Kazakhstan» Code of the Republic of Kazakhstan of 2017. Financial oversight of contracts under «On currency regulation and currency control» 2018 replacing similar law of 2005 and other laws.

It is worth mentioning that Eurasian Economic Community's Customs Code (2017) operates together with *Kazakh Customs Code*. There are a number of STC related agreements are being developed within Eurasian Economic Community. Such as Agreement «On unified export control procedures among the Customs Union member states»; Agreement «On the unified procedures for the movement of military goods between the Customs Union member states and across the customs border of the Customs Union»; «Common control lists, Common rules of procedures» etc. These future agreements would be effective

also for Kyrgyzstan, also a member of Eurasian Economic Community.

In *Tajikistan*, the SCT system grounds on Law «On export control» (2014), which replaced old law of 1996 [12], prevention of illicit financial operations conducted under «On currency regulation and currency control» law of 2013, The Decree of the Government of the Republic of Tajikistan «On measures to improve foreign economic activity in the Republic of Tajikistan», July 16, 2012, N 367, «On countering the legalization (laundering) of income received from criminal, terrorist financing and financing of proliferation of weapons of mass destruction» (2017). The licensing of SCT related items is under the law «On licensing certain types of activities» (2004), shipments, transit, transshipment under Tajik Customs Code (2004).

Although the Tajikistan has adopted Export control law, there are older Government decrees and provisions in force, such as: «On approval of the Regulation on the procedure for control over the export of chemicals, equipment and technology from the Republic of Tajikistan, which have a peaceful purpose, but can be used in the creation of chemical weapons» (1996) replacing in part the National Control lists. OSCE actively supports UNSCR1540 process, Border and Customs projects aimed at trainings in contraband prevention and detection, commodity verification and risk analysis, and projects aimed at prevention of illegal financial transaction including illicit operations with SCT.

In *Uzbekistan* the SCT system consists of the Law, «On export control» adopted in 2004, financial monitoring of transitions based on law «About currency regulation» (1993), «On countering the legalization (laundering) of income received from criminal, terrorist financing and financing of proliferation of weapons of mass destruction» (2004). SCT licensing conducted under «On licensing, permit and notification procedures» law (2021), shipments, transit, transshipment under new Customs Code adopted in 2016. The national control lists are updated.

In *Turkmenistan*, a country with low level of external and OSCE intervention, the SCT is constructed around, «About foreign economic activity» Law of 2014 replacing similar law of 1992 [13]. The licensing procedure regulated by

«On licensing certain types of activities» (2008) law. Financial monitoring of SCT transitions is conducted on the basis of laws and regulations on National Bank and law «On countering the legalization (laundering) of income received from criminal, terrorist financing and financing of proliferation of weapons of mass destruction» (2015). The SCT provisions and ad hoc enactments (such as control lists) are under the Government of Turkmenistan. The current layout of the SCT system reflects the country's neutral status proclaimed in its constitution. OSCE actively supports the UNSCR1540 process and Border and Customs projects aimed at trainings in contraband prevention and detection, commodity verification and risk analysis, and projects aimed at prevention of illegal financial transaction including illicit operations with SCT.

All the counties of Central Asia are signatories of major anti-terrorist international agreements and policy documents under UN, FAFT and OSCE such, as Proliferation Security Initiative (PSI), UNSCR 1540 etc.

The SCT in Emerging technologies. The development of SCT in the Central Asia region is a collective effort that had been achieved by common interest and multiparty support. The SCT has reached certainly in different degrees. At the same time, we may not bypass the issue of the technological progress and ways to address it. The new technology is something not new to SCT. The new technologies had been included to the SCT in the past, At the same time, the modern emerging technologies have new specifics such as cyber dimension, Artificial intellect, Unmanned Aerial (sea, land) vehicles, 3D printing, and others.

We should keep in mind that 'emerging' technology is technology or products with 'radical' novelty, relatively fast growing, coherent, with prominent impact and have uncertainty and ambiguity [14]. The introduction of the new items to the National Control lists is bureaucratic process in many countries that require multi agency vetting procedures.

The *catch-all* control is a good practice if based on proven information from government sources or a result of international cooperation. Countries of the region would require assistance in addressing

STC related emerging technology controls and in modification or national control lists, information exchange and international cooperation, that in its term would demand new trainings and possibly equipment for verification.

The OSCE's role in this theme should be deepened since the Central Asian states were not sources of emerging technologies and need further assistance in this theme. In recent years, military technology transfers to the countries of Central Asia are becoming a potential source of emerging technologies.

Conclusion. The process of development of STC systems in the region of Central Asia is evident. By now the states have primary and secondary legislative bases, control lists, developed procedures, trained personnel, reference and expertise sources, equipped licensing and Customs and border port locations. The region has made a great pace towards a more safe future thanks to a number of organizations including OSCE.

Progress in cooperation on the issue of STC is visible and supported by a number of political documents between the parties. However, the implementation of programs by implementing partners is traditionally slower and smaller than expected. It seems that a bureaucratic flaw of all international organizations and does not strongly affect OSCE's operations as at least for development and sustaining STC in the region of Central Asia. The results achieved by OSCE are somewhat unique as they involve all Central Asian OSCE members and are complementary to the U.S. Russia, E.U. and other countries' non-proliferation, border security and anti-terrorism activities.

Although the OSCE and other players address issues in the field of STC, it is evident that risk of spread of non-classical type of STC threats related to WMD, dual-use materials and technologies is growing with traditional proliferation threats remaining. The emerging technologies of 3D printers, AI, cryptocurrencies, UAV, bio threats as highly contagious as COVID-19 agents, and chemical threats pose a challenge for the region in coming years. It is important to mention that national STC systems of Central Asian States are at different levels of development, are not

sophisticated, and require further development, with the possible exception of Kazakhstan.

The region is a highly intense transit territory with great number of routes through the countries of Central Asia and would need in future outside expertise and help to further enhance their STC capabilities in licensing of emerging technologies and systems, industry internal compliance controls and interdiction methods including cyber dimension and enforcement infrastructure. The need for equipment and training to the agencies involved in STC in emerging technologies commodities identification and licensing, enforcement and border control activities will remain, as well as keeping 'traditional' STC items covered. This is the field where the OSCE is already working effectively and should keep building local knowledge and expertise.

The existing tensions among the big powers within the OSCE and the region makes OSCE the better and potentially the only organization for activities in STC development field within the OSCE's Central Asia region. Existing good working relations with major players and status of regional organization with broader mandate in economy, ecology and security makes the OSCE the only potential organization for future development of STC in the Central Asia.

The development of STC related programs and their effectiveness should be considered after 20 years of capacity building and training programs. As of now, it seems that training local expertise remains weak as OSCE has to buy consultants to help governments write the 1540 national reports and annually help to revise the normative acts such as national control lists updates. Despite the tremendous number of border operations, interdiction and anti-corruption trainings since 2001, the scandals with violations related to commodity import, export, transit only becomes larger in dollar value from year to year. Although it is difficult to assess the degree to which the region has a problem with regard to misconduct for STC, the lack of compliance to appropriate policies and practices has been identified as a relevant issue. These aspects of OSCE programs results remain unanswered.

OSCE's investments in know-how development by establishment and financing of

the OSCE regional academies, training facilities and preparing specialists in international security, border protection, customs affairs and serving as knowledge bases was quite unique, tangible, structured and long-lasting contribution not only for STC but to all aspects of regional free trade facilitation and prevention of transborder illicit activities.

The importance of the role of OSCE in continued “serve a-bridge” approach in STC, disarmament and non-proliferation among G7, U.S, Russian Federation, E.U., states out of OSCE is irreplaceable at the moment. Same as OSCE’s role in the regional approach in relations with neighboring Central Asia states due to growing economic ties with Eurasian Economic Community, Chinese ‘Road and Belt Initiative’, E.U. and U.S. trade preference agreements and others. The OSCE had started this type of engagement with a number of countries. For instance, with Afghanistan in 2003 and a reaffirmation in 2007. OSCE’s Programs of training of Afghan Customs and Border official in OSCE Border Academy in Dushanbe Border Academy and Kyrgyz Customs Training Center had been active until the recent political changes in the country. Afghanistan remains crucial for STC in Central Asia, especially in shipment controls. When Central Asia opens its trade through this country and becomes more and more the region of critical technology. The STC intra–regional cooperation should be given a new life and moved into regional agreements in the future under the OSCE and Eurasian Economic Community efforts. This would help attain political agreement among Central Asian States on STC effective cooperation.

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Bibliography

1. In 1992, in response to the armed conflict between Armenian and Azerbaijan over the area of Nagorno-Karabakh the OSCE requested its participating States to impose an embargo on arms deliveries forces engaged in combat in the Nagorno-Karabakh area. URL: http://www.sipri.org/databases/embargoes/eu_arms_embargoes/azerbaijan (date of access: 16.06.2022).
2. Arms control. OSCE. URL: <https://www.osce.org/arms-control> (date of access: 16.06.2022).
3. OSCE supports states to stop proliferation of weapons of mass destruction. 4 July 2012. URL: <https://www.osce.org/fsc/91950> (date of access: 16.06.2022).
4. Preventing the proliferation of weapons of mass destruction – the role of the OSCE in support of UNSCR 1540. 7 February 2020. URL: <https://www.osce.org/secretariat/444844> (date of access: 16.06.2022).
5. H. R. 3807. Soviet Nuclear Threat Reduction Act of 1991. Library of US Congress URL: <http://www.gpo.gov/fdsys/pkg/STATUTE-105/pdf/STATUTE-105-Pg1691.pdf> (date of access: 16.06.2022).
6. U. S. Government Assistance to and Cooperative Activities with the New Independent States of the Former Soviet Union FY 2000. Annual Report. URL: <https://2009-2017.state.gov/documents/organization/2377.pdf> (date of access: 16.06.2022).
7. CSI: 2006–2011 Strategic Plan. U. S. DHS. Report. 29 September 2006. Published by U.S. Customs and Border Protection Washington, DC 20229 www.cbp.gov Publication #: 0000-0703. URL: <https://epic.org/wp-content/uploads/privacy/surveillance/spotlight/1006/csiplan.pdf> (date of access: 16.06.2022).
8. *Dahlman O.* Container Security A Proposal for a Comprehensive Code of Conduct / O. Dahlman, J. Mackby, B. Sitt, A. Poucet, A. Meerburg, B. Massinon, E. Ifft, M. Asada, R. Alewine. January 2005 // Defense & Technology Papers. National Defense University Center for Technology and National Security Policy. Fort Lesley J. McNair, Washington, DC. URL: <http://www.ndu.edu/ctnsp/publications.html> (date of access: 16.06.2022).
9. Program overview. BOMCA. URL: <https://www.bomca-eu.org/en/programme/overview> (date of access: 16.06.2022).
10. The Decree of the Government of the Republic of Kyrgyzstan «On issues of export control of raw materials, equipment, technology and services, custom to create weapons of mass destruction and missile delivery vehicles» (March 19. 1993. № 121). URL: <http://cbd.minjust.gov.kg/act/view/ru-ru/37901?ckwds=%2B%25e2%2584%2596%2B121> (date of access: 2116t of the Republic of Kyrgyzstan «About the procedure for export and import of goods (works and services) in the territory of the Kyrgyz Republic» (February 6. 1996. № 56). URL: <http://cbd.minjust.gov.kg/act/view/>

- ru-ru/35064?ckwds=%25e2%2584%2596%2B56 (date of access: 16.06.2022).
11. The Law the Republic of Kazakhstan on Export control. June 21. 2007. № 300. URL: https://adilet.zan.kz/rus/docs/Z070000300_ (date of access: 16.06.2022).
 12. The Law of the Republic of Tajikistan «On state control over the export of arms, military equipment and dual-use». December 13. 1997. № 521. URL: http://adlia.tj/show_doc.fwx?Rgn=497 (date of access: 16.06.2022). This Law was superseded by the Law of the Republic of Tajikistan, December 31. 2014. № 1168 with amendments of February 24. 2017. № 1392. URL: http://adlia.tj/show_doc.fwx?rgn=123082 (date of access: 16.06.2022).
 13. The Law of the Republic of Turkmenistan on Foreign Economic Activity. August 16. 2014. № 103-V. URL: <https://wipolex-res.wipo.int/edocs/lexdocs/laws/ru/tm/tm049ru.pdf> (date of access: 16.06.2022).
 14. *Rotolo D.* What is emerging technology? / D. Rotolo, D. Hicks, B. Martin // Research Policy. December 15, 2015.