

## Written Interview with EEGA Postdoc Fellow Liudmila Tsarova

Minsk, 1<sup>st</sup> of March 2021

### Please present yourself and your research project

I am a lecturer at the Law Faculty of the Belarusian State University. At the university this year I am giving lectures on "Private International Law" for Bachelor's students, as well as "Private Law in the Conditions of Integration Processes" and "International Contract Law" for Master's students.

The focal points of my academic interests are related to cross-border economic law relations: the law of free trade zones, international corporate law and integration law. Another aspect that fascinates me is comparative law.

My research in the Leibniz ScienceCampus under the topic "Foreign Direct Investment in Belarus: Mode for Survival or Threat to National Security?" combines these two aspects.

The research focuses on the legal regulation of foreign direct investment (hereafter: FDI) under national, regional and global conditions. Although the topic is formulated specifically for Belarus, methods of comparative law, the approaches of Eastern and Western European countries to FDI supervision, and the legal frameworks of FDI control in the EU are comprehensively examined and considered.

The Belarusian specificity is a direct and indirect FDI dependence on one country. FDI of Russian origin is by far the most important source of investment, constituting almost 45% of all foreign investment<sup>1</sup>. In addition, FDI from the UK (second position) and Cyprus (third position) are also very likely to be of Russian origin<sup>2</sup>.

The People's Republic of China is steadily expanding its presence in Belarus, occupying an ever higher position in the investor structure every year.

The danger of growing economic dependence on investments from the aforementioned countries has been noted in economic policy circles, but the legal problem of FDI control in the context of protecting national interests has stimulated practically no discussion in Belarusian legal literature.

FDI control is increasingly seen worldwide as a useful tool for the protection of domestic critical infrastructure, key technologies and other strategic national interests of the state. In recent years, a global trend towards tighter FDI control can be observed.

Therefore, my research aims at systematising and analysing in detail the legal regulations on state FDI supervision in Belarus. International economic law, integration law and national law are used for a closer examination.

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<sup>1</sup> Belstat. Mode of access: <https://www.belstat.gov.by/ofitsialnaya-statistika/realny-sektor-ekonomiki/inostrannye-investitsii/graficheskiy-material-grafiki-diagrammy/struktura-investitsiy-ot-inostrannykh-investorov-v-realnyy-sektor-ekonomiki-v-2018-godu-po-stranam/>

<sup>2</sup> A quote from the former British Ambassador to Belarus Fiona Gibb URL: <https://thinktanks.by/publication/2018/05/04/bolshinstvo-britanskih-investitsiy-v-belarus-rossiyskie.html>); Havlik, P., Hunya, G., Zaitsev. Y. Research Report 428. Foreign Direct Investments: A Comparison of EAEU, DCFTA and selected EU-CEE-Countries. 2018. WIIW. P. 15

### **How did you come up with your research project?**

During the EEGA fellowship (11.01. - 20.02. 2021), I worked in Cooperation with Jun.-Prof. Dr. Azar Aliyev at the Chair of International Business Law and Comparative Law of the Faculty of Law at Martin Luther University Halle-Wittenberg. During my stay, I realised the following projects:

1. Two publications in Russian:

Control of foreign direct investment as a trend in legal regulation (The article has been submitted for publication in the Russian-language Journal of Foreign Legislation and Comparative Law<sup>3</sup>; approved);

- Foreign Direct Investment Restrictions: Legal Aspects in the Context of Eurasian Integration (The article has been submitted for peer review to the journal "Eurasian Integration: economics, law, politics". Published<sup>4</sup>);

2. Development of a detailed research design for a joint publication Jun. Prof. Dr. Azar Aliyev in German with the preliminary title "Zu rechtlicher Problematik staatlicher Aufsicht von FDI-Zulassung in Belarus" (to be published in 2021);

3. Presentation of the researched problem at the EEGA colloquium on 04.02.2021.

Very enriching was for me the access to the materials and literature of the University and State Library of Saxony-Anhalt of the Martin Luther University of Halle-Wittenberg, which will be very helpful for the academic analysis of the regulations and legal practice on FDI supervision in Germany, Austria and other EU countries for further research.

In addition to my own research, I enjoyed exchanging views with colleagues and participated in a number of online events organised by my host organisations, EEGA and Martin Luther University Halle.

The restrictions caused by the Corona pandemic posed challenges to my stay from time to time. Nevertheless, the stay at the Leibniz ScienceCampus in Halle was an extremely positive experience.

### **How did you get to know EEGA ScienceCampus?**

A colleague of mine drew my attention to the call "Postdoc Grants for Scholars from Belarus". I received additional information via the EEGA website.

### **What are the links between your research project and EEGA ScienceCampus?**

The current FDI problem in Belarus complements well with the orientation of the Leibniz ScienceCampus EEGA, more specifically with Research Area 3 "Economic and Regional Development under the Global Condition".

My research contributes to addressing the lack of information on the state and legislation of FDI in Belarus. The specific of FDI attraction and control in Belarus is accomplished through a legal comparison with approaches of other Eastern European countries. This will also raise academic and public awareness of the role of Eastern Europe in global processes, as otherwise comparative scholarship focuses predominantly on US and Western European approaches.

The FDI field involves an interdisciplinary approach to research, which is also the research focus of the EEGA Leibniz ScienceCampus.

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<sup>3</sup> <https://jzsp.ru/?l=en>

<sup>4</sup> Tsarova L.V. Foreign Direct Investment Restrictions: Legal Aspects in the Context of Eurasian Integration. EURASIAN INTEGRATION: economics, law, politics. 2021;14(1):44-54. (In Russ.) URL: <https://www.ejournal.ru/jour/article/view/880>

Thus, my research results should coherently complement experiences of the economic and regional development of Eastern Europe on a scientific level.

**What is the EEGA ScienceCampus for you?**

For me, the EEGA ScienceCampus is a discovery of new opportunities and perspectives, a professionally interesting community, the possibility of meetings with professionally related stimulating people, motivation for joint projects and science activities.

**The benefit of EEGA ScienceCampus to me is ...**

The EEGA scholarship and the research at the University of Halle-Wittenberg have enriched my scientific activities in many ways (research, training, knowledge transfer). Above all, the formal and informal exchange with colleagues, access to subject-specific literature, participation in events and a change of perspective have been very helpful. Many thanks!