

Peculiarities of International Agreements in the Economic Sphere Regulating Cooperation Between Uzbekistan and Türkiye

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Abstract: In this article, the author systematically studied the essence of the economic contracts between the Republics of Uzbekistan and Türkiye and the specific features of this type of contracts. Legal nature of economic transactions and scientific approaches to economic transactions are studied. More than 100 international agreements related to the economic sphere between the Republics of Uzbekistan and Türkiye were analyzed using special, logical, political, theological, systematic, normative interpretation methods. Issues of cooperation in the economic sphere, as well as the importance and relevance of economic cooperation between the two countries today between countries and peoples, were covered.

Keywords: international agreements, cooperation, economic agreements between the Republics of Uzbekistan and Türkiye, international agreements of a trade-economic and financial-investment nature, for example, agreements regulating trade-economic and scientific-technical cooperation.

Agreements on economic cooperation - international agreements of a trade-economic and financial-investment nature, for example, agreements regulating trade-economic and scientific-technical cooperation, investment protection, avoidance of double taxation, transport and many other agreements, as well as Contracts in the field of meteorology. (over 100 key documents).

The development of trade, economic and transport cooperation between the Republics of Uzbekistan and Türkiye is based on the fact that each country freely chooses the forms of organizing its foreign economic relations, the forms of concluding international agreements that meet the needs of international obligations and international economic cooperation.

As the President of the Republic of Uzbekistan Sh.M. Mirziyoev noted, “It is more important to deepen further expansion of mutual cooperation in trade and economy, investments, transport, textiles, energy, agriculture, health care, cultural and humanitarian spheres, science, education, art, cinema, tourism and information spheres”¹.

In the last year alone, 5 large energy projects, which are very important for the rapidly developing economy of Uzbekistan, have been implemented together with Turkish companies. In particular, the total capacity of these stations, including today's projects, will reach 1.4 thousand megawatts. Such results are a vivid expression of the results of economic cooperation between Uzbekistan and Türkiye. In addition, documents aimed at further expansion of multifaceted Uzbekistan- Türkiye cooperation were signed at the level of governments, ministries and agencies of the two countries. Including: Agreement on Preferential Trade (2022), Protocol on Advance Information Exchange on Cross-Border Movement of Goods and Vehicles (2022), Memorandum of Understanding in the Construction Sector (2022), Agreement on Cooperation in the Field of Scientific Potential, Engineering Developments and High Technologies (2024), agreement on strengthening cooperation in the field of regional development (2024), memorandum of understanding on cooperation in the field of peaceful use of

¹ “Ўзбекистон ва Туркия ҳамкорлиги ривожда янги давр бошланмоқда” 30.03.2022. <https://uzlidep.uz/news-of-uzbekistan/11761>

space, space sciences, technologies and research (2024), agreement on cooperation in the field of energy transition (2024), development of the energy market of the Republic of Uzbekistan and the agreement between the regulatory agency and the Energy Market Regulatory Authority of the Republic of Türkiye on the development and regulation of the energy market (2024), Memorandum of Agreement between the Ministry of Investments, Industry and Trade of the Republic of Uzbekistan and the Ministry of Commerce of the Republic of Türkiye on the implementation of the provisions of the Preferential Trade Agreement (2024), Memorandum of Agreement between the Ministry of Agriculture of the Republic of Uzbekistan and the Ministry of Agriculture and Forestry of the Republic of Türkiye on cooperation in the field of agriculture and publishing (2024), Action plan for expanding cooperation in the field of agriculture between the Ministry of Agriculture of the Republic of Uzbekistan and the Ministry of Agriculture and Forestry of the Republic of Türkiye (2024), product between the Technical Regulatory Agency of Uzbekistan under the Cabinet of Ministers of the Republic of Uzbekistan and the Ministry of Trade of the Republic of T Türkiye Protocol on cooperation in the field of safety and quality infrastructure (2024), Cooperation Agreement between the Technical Regulatory Agency of Uzbekistan under the Cabinet of Ministers of the Republic of Uzbekistan and the Turkish Standards Institute under the Ministry of Industry and Technology of the Republic of Türkiye (2024).

The trade and economic agreements signed between the two countries envisage the deepening of trade and economic relations, activation of foreign economic activities, increase in the level of investment cooperation, mutual assistance in customs affairs, and directing the efforts of the parties in the fields of communication and information.

On April 13, 1998, the Agreement “On Trade and Economic Cooperation”² was signed between the Republics of Uzbekistan and Türkiye. Within the framework of this agreement, in order to promote and diversify their mutually beneficial economic and commercial relations on a stable and balanced basis, to further strengthen their economic and commercial relations within the framework of the principles of international law, equality, common benefit and mutual respect, non-commercial samples imported into the country and temporarily imported for exhibitions and fairs have created a legal basis for the development of cooperation in industry, energy, transportation, agriculture, mining, technology, contracting services and other areas of mutual interest³.

Trade and economic agreements are an important part of the system of international trade and economic agreements of the republic, because the largest set of documents of the two countries refers to the trade and economic relations between the Republics of Uzbekistan and Türkiye based on the principles of international relations.

Factors based on certain principles affect the qualitative aspects of the process of forming the contractual and legal basis of trade and economic cooperation between the Republics of Uzbekistan and Türkiye. *These include, in our opinion, the freedom to choose the form of organization of foreign economic relations; sovereignty of states over natural resources and all economic activities; fair economic cooperation; development of international economic, scientific and technical relations between countries; development of international cooperation and access to the sea and free use of the sea.*

Bilateral economic agreements are often carried out together with scientific and technical issues, taking into account the specific features of economic processes, the legal regulation of international investment cooperation between two countries is of particular interest, which affects the economy,

² 1998 йил 13 апрелда Ўзбекистон Республикаси Ҳукумати ва Туркия Жумҳурияси Ҳукумати ўртасида “Савдо ва иқтисодий ҳамкорлик тўғрисида”ги Битим <https://lex.uz/docs/2174796>

³ 1998 йил 13 апрелда Ўзбекистон Республикаси Ҳукумати ва Туркия Жумҳурияси Ҳукумати ўртасида “Савдо ва иқтисодий ҳамкорлик тўғрисида”ги Битим <https://lex.uz/docs/2174796>

including transport communications, both at the national and international levels. The legal framework regulating the trade and economic relations between the two countries clearly shows the interpenetration of international and domestic law, the increasing influence of international financial law on the national systems of financial relations regulation, and the trend of convergence and unification of financial systems. Legal regulation of financial cooperation in 2017, the cooperation between the Ministry of Finance of the Republic of Uzbekistan and the Agricultural Bank of the Republic of Türkiye is implemented in a number of directions.

In recent years, the volume of mutual trade has increased by 1.5 times, the number of joint ventures by 2 times, the volume of Turkish investments into the economy of Uzbekistan by 2.5 times⁴. There are 90 flights a week between the major cities of the two countries, the flow of tourists from Türkiye has tripled. Today, more than 100 projects are successfully implemented in Uzbekistan by leading Turkish companies such as “Cengiz Holding”, “Aksa Energy”, “Çalık Holding”, “Akay İnşaat”, “Anadolu Group”, “Özgüven”, “Eczacıbaşı Holding”. During this visit, a portfolio of new investment projects worth 10 billion dollars was formed⁵.

Revealing the features of the international trade and economic agreements between the Republics of Uzbekistan and Türkiye, we note that they are agreements that regulate the determination, change or termination of their mutual rights and obligations in the field of bilateral trade and economic relations. Such agreements also have their own characteristics that allow them to be distinguished from the variety of existing international agreements. *These are, first of all, contracts concluded in written form, in the structure of which a special role is played by the preamble, which contains the goals, intentions and aspirations of the parties.* These agreements correspond to the main principles and norms of international law and special principles of international economic law and constitute a single and integrated system of legal norms, have the object, subject and purpose of legal regulation and are aimed at regulating international economic relations.

The subjects of such international agreements are the states of Uzbekistan and the Republic of Türkiye, which have the right to conclude international agreements, including agreements in the field of economic and transport relations. Regarding the international trade and economic agreement, its object is the presence of states in foreign trade relations from the point of view of international law.

In our opinion, trade and economic relations should be grouped as follows: agreements defining the international legal regime of economic relations, among which trade agreements occupy the most important place; Agreements regulating the movement of goods and services across state borders, which in turn are trade agreements on the circulation of goods, technical service, technical assistance and equipment supply for the construction of industrial, transport and other public economy projects, mutual supply of goods and quotas of goods other agreements on and mutual trade are divided into types such as exchange quotas.

When classifying international trade and economic agreements between Uzbekistan and Türkiye, it should be taken into account that the main purpose of concluding such agreements is the successful implementation of a single economic order based on justice, sovereign equality, interdependence, community of interests, cooperation between all countries, regardless of the economic and political system. Taking into account the essence of the trade and economic agreements concluded between Uzbekistan and the Republic of Türkiye, they can be divided into segments such as the main agreements of a trade-economic, organizational-legal nature and agreements in some areas of international economic relations.

⁴ Ўзбекистон ва Туркия ўртасида ўзаро ишонч асосидаги дўстона муносабатлар стратегик ҳамкорликни янада мустаҳкамлашнинг олий ифодасидир //Янги Ўзбекистон газетаси 2024 йил 7 июнь, 112-сон // URL: <https://yuz.uz/file/newspaper/808b4c116539c8b3c6942c8b52fffc42.pdf>

⁵ <https://adolat24.uz/?p=27272>

1 <http://journals.academiczone.net/index.php/jiphr>

It is known that the purpose of any trade agreement is to create favorable conditions at the state level for the implementation and development of export-import operations between the legal entities and individuals of the two countries that have signed the agreement on the basis of relevant legal norms. Here we refer to the legislative framework regulating the procedure for concluding and conducting foreign economic transactions, the general provisions enshrined in Articles 101, 128, 234, 352 of the Civil Code of Uzbekistan, as well as “On Foreign Economic Activities”, “On Foreign Investments” according to the opinions of A. Toraev is regulated on the basis of the laws “On the legal basis of the activity of economic entities”.⁶

It can be seen that in addition to the 1996 “Agreement on Eternal Friendship and Cooperation” between the Republics of Uzbekistan and Türkiye, the 1998 “Agreement on Trade and Economic Cooperation”, the 1996 “Agreement on Avoiding Double Taxation of Income”, the “Scientific and Technical agreement on cooperation”, 2018 agreement on cooperation in the field of meteorology, 1997 agreement on mutual assistance of their customs authorities, 2017 agreement on international mixed transport of goods, 2017 agreement on international transport of passengers and goods by road structure shows the expansion of the interstate contractual-legal framework.

The trade agreements between the Republics of Uzbekistan and Türkiye specify the ways of resolving disputes that may arise in mutual trade, the composition of interstate bodies that control the implementation of trade agreements, and other issues related to the specific features of bilateral trade and economic cooperation. It should also be noted that I.I.Lukashuk and A.Kh.Saidov comment on the issue of foreign economic activity as follows: “Activities aimed at establishing and developing mutually beneficial economic relations between legal entities and individuals of the Republic of Uzbekistan with legal entities and individuals of foreign countries, as well as international organizations”⁷. The diversity of foreign economic agreements, which are an important component of the international economic cooperation between the Republics of Uzbekistan and Türkiye, has given rise to special rules regarding the form of such agreements and the current legislation regarding this form of law. “According to Article 1181 of the Civil Code of Uzbekistan, “The form of the agreement is subject to the law of the place where it is concluded. However, an agreement concluded abroad, if the requirements of the law of the Republic of Uzbekistan are observed, cannot be considered invalid due to non-observance of the form”⁸.

We can see that the provisions of trade and economic agreements between Uzbekistan and Türkiye are often combined with directions of international cooperation in transport, scientific and technical fields, etc., and regulate this field. Speaking about the cooperation between Uzbekistan and Türkiye in the field of transport, it should be noted that the participation of our country in a number of international programs for the integration of transport communications is important as this process serves to develop both the internal transport system and international transport routes.

International agreements regulating the development of transport communications between the Republics of Uzbekistan and Türkiye should be entered into, taking into account the priority and prospects of the development of the two countries in this area (3 main agreements). Agreement between the Government of the Republic of Uzbekistan and the Government of the Republic of Türkiye “On International Mixed Transportation of Cargoes” (25.10.2017), Agreement between the Government of the Republic of Uzbekistan and the Government of the Republic of Türkiye “On International Transportation of Passengers and Cargo by Car” (25.10.2017), the Government of the Republic of Uzbekistan and Agreement between the Government of the Republic of Türkiye “On mutual assistance of their customs authorities” (November 18, 1997)

⁶ Тураев А. Ташки иктисодий фаолият шартномалари//Хаёт ва Конун.-Тошкент, 2003,- №1.- 45-47 б.

⁷ Лукашук И.Л. Саидов А.Х. Ҳозирги замон халқаро ҳуқуқи назарий асослари. Дарслик. –Т.: Адолат, 2006. Б 272.

⁸ Ўзбекистон Республикасининг Фуқаролик кодекси иккинчи қисм. <https://lex.uz/docs/180552>

The President of Uzbekistan Sh.M. Mirziyoyev in his speech at the 7th summit of the Cooperation Council of Turkic-Speaking Countries (Turkish Council) held in Baku emphasized the need to effectively use the potential of the new Baku-Tbilisi-Kars (BTK) railway. This project in the South Caucasus was presented as “the third project of the century”⁹. It is interested in using the Navoi-Turkmanbashi-Baku-Tbilisi-Kars railway transport corridor, which connects the railways of Uzbekistan, Turkmenistan, Azerbaijan and Georgia with the transport network of Türkiye. This railway allows Uzbekistan to access the Mediterranean Sea through the Turkish port of Mersin¹⁰. Decision No. PQ-3422 of the President of the Republic of Uzbekistan “On measures to improve transport infrastructure and diversify foreign trade routes in 2018-2022” was adopted. In order to increase the efficiency of the transport corridors connecting Uzbekistan and Türkiye, the Protocol (2020) on providing discounts for transit transportation of goods along the “Baku-Tbilisi-Kars” corridor has been added.

Cooperation in the field of transport First, Uzbekistan has a sufficiently strong transport infrastructure, including railway systems. As a result of cooperation in the field of automobile, aviation, pipeline and river transport, the contractual and legal framework is expanding.

Secondly, the level of development of international transport cooperation and its legal regulation is important from the point of view of the long-term and goals of all five countries of the region, including Uzbekistan, which borders Afghanistan. The strategic importance of transport cooperation is increasing due to the fact that the region does not geographically have direct access to the world's largest sea and ocean ports, besides, the development of transport communications is important now.

Agreements regulating bilateral transport cooperation are based on rules established in transport legislation, which affect public relations related to transport and other transport activities during the performance of their duties, and regulate certain actions and actions of transport entities.

The object of transport contracts and the subject of their regulation is that transport, as a connecting link, is the main factor in the formation of unique complex social relations and provides the necessary communication between producers and consumers of products, goods, services. This is the basis for the formation and development of new complex legal fields covering the transport law in legal science.

The favorable geographical location of Uzbekistan also opens wide opportunities for the active development of the legal base in the field of designing new air routes passing through the territory of the republic. In this area, the General Directorate of Civil Aviation of Türkiye signed a memorandum of understanding on the revision of the bilateral aviation agreement with Uzbekistan (2023)¹¹. As part of the memorandum, it was agreed to increase the number of flights between Tashkent and Istanbul from 38 to 50 per week in 2023-2024, and to launch new flights to Istanbul from the cities of Karshi, Termiz, Nukus, Namangan, Andijan, and a corresponding document was signed¹².

On the other hand, cooperation in the field of energy, which is a new direction of development within the framework of bilateral economic cooperation, brought a new type of transport relations - international pipeline transport to the first place for the countries of Central Asia. Under such conditions, concrete steps to form the contractual and legal basis of transport and communication cooperation between Uzbekistan and Türkiye, and the conclusion of international agreements that help to increase the transport and transit potential of the Republic of Uzbekistan, are of particular importance. This, in turn, serves to strengthen the role of the republic in the system of international

⁹ <https://vestikavkaza.ru/analytics/Uzbekistan-pridast-uskorenie-proektu-Baku-Tbilisi-Kars.html>

¹⁰ <https://az.sputniknews.ru/economy/20180616/415815708/uzbekistan-navoi-baku-tbilisi-kart.html>

¹¹ <https://adolat24.uz/?p=27272>

¹² <https://daryo.uz/k/2023/06/18/ozbekistonning-5-ta-shahridan-turkiyaga-aviaqatnovlar-yolga-qoyiladi>

1 <http://journals.academiczone.net/index.php/jiphr>

cargo transportation and energy resources transportation, to increase the potential of transport communications, and to further develop and implement interstate projects in this regard.

Improving the legal basis of cooperation in the field of transport between Uzbekistan and Türkiye involves the development of international documents that cover the urgent issues of containerization of transportation along international transport corridors, harmonization of the regulatory legal framework, simplification of customs procedures, and reduction of transportation time. Achieving these goals by creating a reliable mechanism of legal regulation of cooperation in the field of transport will allow more complete and effective satisfaction of the economy's needs for transport services, as well as the expansion of transit potential, foreign trade relations, and the volume of cargo transportation.

The established legal mechanism for regulating the international legal aspects of the trade-economic and transport cooperation between the Republics of Uzbekistan and Türkiye indicates that the role of their international agreements in these areas will further increase. This process requires the improvement of the current contents of international agreements and the creation of new uniform norms of contents, which should become the optimal and adequate method of regulating trade-economic and transport relations in order to continuously increase the economic, transport and transit potential of countries.

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