



Journal Website:
<https://theusajournals.com/index.php/ijlc>

Copyright: Original content from this work may be used under the terms of the creative commons attributes 4.0 licence.

THE COSTITUTION IN A NEW EDITION: ISSUES OF DEVELOPMENT OF INTERSTATE REGIONAL COOPERATION

Submission Date: January 20, 2024, **Accepted Date:** January 25, 2024,

Published Date: January 30, 2024

Crossref doi: <https://doi.org/10.37547/ijlc/Volume04Issue01-19>

Rakhimova Muattara

Professor Of Tashkent State University Of Law Doctor Of Science (DSC) In Law, Uzbekistan

ABSTRACT

Today, ensuring the implementation of important tasks for pursuing an open, pragmatic and active foreign policy of our country, identified in the priority areas of the Development Strategy of New Uzbekistan, is becoming increasingly important. Uzbekistan's participation in regional and international processes has increased significantly. Large-scale changes and reforms taking place in the country are reflected in foreign policy. Uzbekistan today is pursuing a more active and pragmatic foreign policy compared to previous times, and this is recognized by the international community. At the same time, cooperation with the countries of Central Asia has expanded like never before.

KEYWORDS

Initiatives of the Republic of Uzbekistan on regional cooperation, new Constitution in a new edition, development of interstate cooperation.

INTRODUCTION

Modern integration processes in the context of globalization have highlighted the Uzbekistan's need for identifying priority goals for the implementation of foreign policy activities. It should be noted that with the acquisition of independence, the state's foreign policy was formed on the principles of peace, cooperation and mutual respect [17.].

Central Asia has all the necessary conditions for the progressive, sustainable development for bilateral and multilateral relations - this is confirmed by the rapid

transformations in regional cooperation, the establishment of good neighborly relations of strategic partnership in various fields: politics, economics, cultural and humanitarian ones.

On September 10, 2012 the law approved the Concept of Foreign Policy Activities of the Republic of Uzbekistan. Central Asia was designated as the main priority of the foreign policy activities of the Republic of Uzbekistan in this Concept. In the Concept among the main directions of foreign policy were noted:

«1) Uzbekistan reserves the right to enter into alliances, enter into commonwealths and other interstate formations, as well as leave them, guided by the highest interests of the state, people, their well-being and security, priority directions for the modernization of the country, current national legislation and accepted international obligations;

2) Uzbekistan pursues a peace-loving policy..., reserves the right to withdraw from any interstate entity in the event of its transformation into a military-political bloc...» [14.].

Further, the President Sh. Mirziyoyev also confirmed the priority of Central Asia - he held his first meeting as a president with the head of Kyrgyzstan, and made his first visits to neighboring states: Turkmenistan and Kazakhstan.

In his speech at the ceremonial meeting dedicated to the 24th anniversary of the adoption of the Constitution of the Republic of Uzbekistan the President of the Republic of Uzbekistan Sh.M. Mirziyoyev emphasized: «The state's foreign policy activity, first of all, is based on the comprehensive interests of the people and the country... Uzbekistan will continue the effective cooperation with near and far abroad countries, the entire world community and will remain committed to pursuing a peaceful, open and pragmatic policy.»[10.].

The Republic of Uzbekistan is now at a new stage of its development, which is characterized by the rapid implementation of large-scale and progressive reforms designed to improve the quality of life of the people, strengthen innovative economic growth and security of the country, and, naturally, the need in the constitutional reforms. The updated Constitution should create a solid legal basis, a guarantee of a long-term development strategy for Uzbekistan.

Within the framework of the Constitution of the Republic of Uzbekistan in a new edition the article 17 of the Chapter IV «Foreign Policy» was updated, according to which «the Republic of Uzbekistan shall be a full-fledged subject of international relations. The foreign policy of Uzbekistan shall be based on the principles of sovereign equality of the states, non-use of force or threat to use force, inviolability of frontiers, peaceful settlement of disputes, non-interference in the internal affairs of other states, and other generally recognized principles and norms of international law.» [2.].

And also the Chapter IV was supplemented by the article 18, where it is noted that «the Republic of Uzbekistan shall pursue a peaceful foreign policy aimed at the comprehensive development of bilateral and multilateral relations with states and international organizations. The Republic of Uzbekistan may enter into alliances, join commonwealths and other inter-governmental institutions, as well as withdraw from them, on the basis of the supreme interests of the state, the people, its welfare and security» [2.].

As part of international cooperation, strategies, concepts and regulations are being developed and implemented in the Republic of Uzbekistan. One of these examples is the development and adoption of «The Action Strategy for the five priority areas of the development of the Republic of Uzbekistan in 2017-2021» [3.].

The Action Strategy was a fundamental program document that defined a completely new milestone in the development of modern Uzbekistan. A well-thought-out strategy for strengthening friendly ties was expressed in specific historical steps: such pressing problems, as border crossings and water use were resolved, state visits by heads of state in the region became more frequent and became practical

confirmation of the special attention paid to good neighborly relations in our country's foreign policy [21].

Based on the idea put forward as the main one in the new Development Strategy of New Uzbekistan «From Action Strategy to Development Strategy», «... we have set more serious tasks for ourselves in each area and industry in the Development Strategy of New Uzbekistan...» [4.], in particular, «to strengthen relations with the United Nations and its specialized structures, the Inter-Parliamentary Union, international financial institutions and regional organizations...»[4.].

The adoption of the Constitution of the Republic of Uzbekistan in a new edition by popular vote in a referendum held on April 30, 2023, served to strengthen the constitutional foundations for the construction of New Uzbekistan [5.], and together with the updated constitutional and legal conditions, it was necessary to improve the main directions of development of a free and prosperous, strong New Uzbekistan. And based on the experience gained during the implementation of the Development Strategy of New Uzbekistan, the need arose to develop and adopt a new Strategy «Uzbekistan - 2030». For this purpose, on September 11, 2023, Decree of the President of the Republic of Uzbekistan No. UP-158 «On the Strategy «Uzbekistan - 2030» [5.] was adopted.

In particular, in subparagraphs 90-92 of paragraph 5.1. «Reforms aimed at pursuing an open, pragmatic and active foreign policy» Appendix No. 1 of the «Uzbekistan -2030» Strategy states the need:

- «Consistent continuation of the implementation of an open, pragmatic, active and good-neighborly foreign policy against the backdrop of complex processes taking place in the world»;

- «Establishing a balanced and ongoing dialogue with partner countries and within the framework of authoritative international organizations on regional and global issues»;
- «Raising practical cooperation in the Central Asian region to a qualitatively new level»;
- «Accelerated development of good neighborly relations and strategic partnerships with all neighboring states, regular and effective conduct of bilateral and multilateral negotiations in political, economic, cultural and humanitarian areas»;
- «Development of mutually beneficial relationships with traditional partners, expansion of the geography of international cooperation, joining global production and supply chains»;
- «Deepening full-scale relations of strategic partnership and alliance in Central Asia, taking into account international law and the national interests of all states in the region»;
- «The gradual achievement of free movement of citizens on the territory of the Central Asian states, as well as the circulation of goods, services and capital without artificial restrictions, continuation of work on the formation of a common tourist space.» [5.]

This is the implementation of the guidelines that were laid down in the speech of the President of the Republic of Uzbekistan at the 72nd session of the UN General Assembly, where it was noted: «Located in the heart of the Central Asia, Uzbekistan is directly interested in the region becoming a zone of stability, sustainable development and good neighborliness. A peaceful, economically prosperous Central Asia is our most important goal and key task. Uzbekistan is determined to engage in a dialogue, constructive interaction and strengthen good neighborliness» [9.].

In support of the proposal of the head of Uzbekistan, a special UN General Assembly Resolution on Central Asia was adopted on June 22, 2018, which became another historical event that laid a solid foundation for the development of regional cooperation [21.]. At the initiative of the President of the Republic of Uzbekistan Sh.M. Mirziyoyev, the principle: «A peaceful and prosperous Central Asia is a key task» began to be implemented in the foreign policy of Uzbekistan. Further strengthening of friendly and trusting relations with all neighbors in the region has become one of the priorities of Uzbekistan's foreign policy...» [12.]. This principle has received its further practical implementation, and «our main task remains to further strengthen good neighborly relations and strategic partnerships, primarily with the countries of Central Asia» for the future [7.].

In the post-Soviet space, a number of interstate associations and organizations interact, they differ in the composition of participants and the degree of their rapprochement. One such example is the Consultative Meeting of the Heads of State of Central Asia in Tashkent [12.]. It laid the foundation and outlined promising directions for the further development of trade and economic, investment, transport and communication, agricultural relations, industrial cooperation, environmental protection measures, in the field of tourism, science, culture, sports, and energy.

A Statement was adopted following the results of the second Consultative Meeting, and the trend towards regional convergence in Central Asia was called a historical reality and the need for regional cooperation in the areas of maintaining stability, security, policies, as well as achieving sustainable development was emphasized [8.]. The «Agreement between the Republic of Kazakhstan, The Kyrgyz Republic, the Republic of Tajikistan, Turkmenistan and the Republic

of Uzbekistan on friendship, good neighborliness and cooperation for the development of Central Asia in the XXIst century» [16.] was signed among other documents on practical cooperation in the region at the fourth consultative meeting of the heads of state of Central Asia (Cholpon-Ata, Kyrgyzstan) on 21 July 2022. The agreement contains articles that reflect a wide range of agreements on cooperation in various areas: between branches of government, in the military and military-technical sphere, ecology, socio-cultural development. And of course, special attention is paid to expanding economic cooperation between Central Asian countries. The parties interact within various international economic, financial and other organizations and institutions, providing support to each other in participating in or joining international organizations.

It is necessary to note the importance of the initiatives put forward by the President of the Republic of Uzbekistan Sh.M. Mirziyoyev during this Consultative Meeting of the Heads of State of Central Asia [18.].

Firstly they are programmatic and comprehensive in nature;

secondly, they are aimed at solving specific issues of regional cooperation;

thirdly, their implementation will help accelerate the development of the region.

These proposals will give a powerful impetus to the further development of trade and economic relations between the states of Central Asia. Another important achievement of the Consultative Meeting in November 2019 was the adoption of the Joint Statement of the Leaders of the Central Asian States - a kind of program for the development of the region. It presents consolidated approaches and a common vision of

heads of states of the region regarding the prospects for strengthening regional cooperation.

Developed at the initiative of Uzbekistan jointly with the countries of the region, a special UN Resolution «Strengthening regional and international cooperation to ensure peace, stability and sustainable development in the Central Asian region» [1.] shows of the achieved high level of consolidation of the region and the Central Asian countries readiness to take responsibility for solving regional problems.

On July 15–16, 2021 at the International Conference «Central and South Asia: Regional Connectivity. Challenges and Opportunities» [13.] the President of Uzbekistan Sh. Mirziyoyev put forward new initiatives were that found a response not only in the states of the two regions, but also in the world community. Among them:

«... the world has entered an era of global geopolitical transformations, associated with both challenges and new opportunities.

... We realize that connectivity, cooperation, dialogue and, above all, trust are a driving force to ensure stability, sustainable development, improvement of the living standards and well-being of the peoples of our regions.

... All this creates the necessary prerequisites for the formation, on the one hand, of a space for interregional cooperation and partnership, free from conflict and social and, on the other hand, a vast market for goods and services, investment and innovation.

Taking the initiative to organize this conference, we have pursued the following ideas.

First, strengthening peace and friendship, trust and good-neighborliness, enhancing the mutually beneficial cooperation between our countries, building an open and constructive policy meet the common interests of all Central and South Asian states.

Second, we stand for the creation of sustainable trade, economic and transport communication links, which should become the main driver for the further development of our countries and of the entire region in the long term.

We have an objective need to strengthen our cooperation through the digitalization of economies, the development of electronic commerce and introducing innovation.» [13.]

Today, based on the principles of finding reasonable compromises and mutual consideration of interests a number of systemic problems that previously prevented the full realization of the enormous potential of regional cooperation are finding their long-term solution thanks to all these positive trends, The most important thing is that the states of Central Asia have begun to play a key role in decision-making on the most pressing and pressing issues of development of the entire region.

Citing UN forecasts experts note, that mutually beneficial cooperation within the region will double the regional GDP in the next ten years [15.], and, in addition, the geostrategic location at the «junction» of Europe and Asia, the human and resource potential of Central Asia make the region attractive as a key link in global production chains and supply of competitive goods to EU markets.

In this regard, it is necessary to note the timeliness and relevance of the initiative of the President of the Republic of Uzbekistan Sh. Mirziyoyev to create a Regional Center for the Development of Transport and

Communication Interconnectedness under the auspices of the UN. This will create a common platform for the formation of a single, ramified and externally integrated transport space in Central Asia, its connection with the trans-European transport network, which will significantly strengthen the relationship between Asia and Europe.

Strengthening the economic cooperation at the regional level ensures the predictability of the development of Central Asia as a stable and sustainable region, which will help attract foreign investment.

According to the second part of the article 18 of the Constitution of the Republic of Uzbekistan in the new edition: «The Republic of Uzbekistan may enter into alliances, join commonwealths and other inter-governmental institutions, as well as withdraw from them, on the basis of the supreme interests of the state, the people, its welfare and security.»[2.]

Uzbekistan's cooperation with international organizations is not an end in itself, but a desire for economic growth, increasing the competitiveness of goods and services and improving the economy. Based on the foreign experience studying it is necessary to develop a clear strategy for Uzbekistan's accession to an international organization. The most vulnerable sectors of the economy, such as agriculture, must be protected.

This sector plays an important role in the development of Uzbekistan. The share of agriculture in national GDP is at the level of more than 17.5% [22.], while it should be borne in mind that approximately 49.7% of the population of Uzbekistan [22.] lives in rural areas and engages in agricultural production to ensure their livelihood.

Geographically, our region is located deep inside the mainland, far from sea routes and world trade centers, although it has rich natural resources. Kazakhstan, Tajikistan, Kyrgyzstan and Turkmenistan are directly bordered with states with direct access to the sea, while Uzbekistan, as an inland state, is surrounded by neighbors who also do not have direct access to the sea. One of the advantages of highly developed countries of the world is their geographical location – they have direct access to the sea and access to international trade routes through which they can export their goods.

And this is another important problem – Uzbekistan, like Liechtenstein, belongs to the «double lock» group of the countries. These countries have to cross the territory of two states to access the oceans, while the cost of importing amounted to more than 6 thousand US dollars, and when exporting cargo delivery to the nearest port – more than 5 thousand US dollars.

One of the urgent problems remains the search for new transport corridors to the world oceans, which are necessary to reduce the time and cost of moving goods. It is no coincidence that the President of the Republic of Uzbekistan, referring to the issue of sustainable economic development, focuses on the need to open new trade routes, create transport logistics and ensure access of domestic products to large markets [20.].

In June 2019, at the 20th plenary session of the Senate, the President of the Republic of Uzbekistan Sh.M.Mirziyoyev indicated that Uzbekistan needs new sales markets, noting the geographical advantage of neighboring countries: «We are far from the roads. Our neighbors have access to the sea. We import a lot now, but every dollar is our wealth because we pay in currency. We enter Russia through Kazakhstan, which

has its own interests. No one is going to make the way easier for us. » [11, p. 35]

The Central Asian region has been given priority in Uzbekistan's foreign policy, and the practical steps being taken confirm this. The realities necessitate regional cooperation in order to develop initiatives and new common solutions to respond to challenges in time. Significant obstacles remain: concerns of the country's leadership that threats to sovereignty may arise as a result of integration processes; high centralization of public administration in Central Asian countries; differences in the resource potentials of states. The potential positive effects of the active participation of the Republic of Uzbekistan in regional economic processes are the opportunities to expand the production base, increase competition in the labor market, expand sales markets, and improve transport connectivity in Central Asian countries.

The international community traditionally pays serious attention to the unresolved problems that impede full-fledged cooperation between the countries of the region, issues of interstate economic cooperation, improving international legal and institutional mechanisms of economic cooperation between states. Such interstate cooperation contributes to the solution of issues of socio-economic development of Uzbekistan through the establishment of relations with foreign countries, the formation of a favorable investment climate in the country.

REFERENCES

1. Резолюция ГА ООН от 18 июня 2018г. «Укрепление регионального и международного сотрудничества по обеспечению мира, стабильности и устойчивого развития в Центральном и Юго-Восточном регионах».
2. Constitution of the Republic of Uzbekistan in new edition dated on 30.04.2023.- <https://lex.uz/docs/6451070>
3. Указ Президента Республики Узбекистан № УП-5635 от 17 января 2017 года «О государственной программе по реализации Стратегии действий по пяти приоритетным направлениям развития Республики Узбекистан в 2017 — 2021 годах в «Год активных инвестиций и социального развития».-www.president.uz
4. Указ Президента Республики Узбекистан № УП-60 от 28 января 2022 года «О Стратегии развития Нового Узбекистана на 2022–2026 годы.»-www.president.uz
5. Указ Президента Республики Узбекистан от 11 сентября 2023 года № УП-158 «О Стратегии «Узбекистан – 2030» - <https://lex.uz/ru/docs/6600404>
6. Мирзиёев Ш.М. Новый Узбекистан – страна демократических преобразований, больших возможностей и практических дел.– Ташкент: «O'qituvchi» МЧЖ, 2021.
7. Мирзиёев Ш.М. Мы решительно продолжим курс демократических реформ на основе стратегии развития Нового Узбекистана. 6 ноября 2021г.– www.president.uz.
8. Президент обозначил приоритетные задачи внешней политики Узбекистана в 2021 г. // darakchi.uz. URL: <http://darakchi.uz/ru/110524> (дата обращения 29.03.2021).
9. Речь Президента Республики Узбекистан Ш.М.Мирзиёева на 72-й сессии ГА ООН – www.president.uz; <https://e-cis.info/page/>.
10. Речь Президента Республики Узбекистан Ш.М.Мирзиёева на торжественном собрании, посвященном 24-й годовщине

- принятия Конституции Республики Узбекистан.–www.president.uz
11. Речь Президента Республики Узбекистан Ш.М.Мирзиёева на 20-м пленарном заседании Сената Олий Мажлиса 21 июня 2019г.–
<https://www.gazeta.uz/ru/2019/06/23/import/>;
<https://old.uza.uz>; <https://www.podrobno.uz/ru/2019/06/23/>.
12. Речь Президента Республики Узбекистан Ш.М.Мирзиёева на Консультативной встрече глав государств Центральной Азии 29 ноября 2019 г. –www.president.uz
13. Address by the President of the Republic of Uzbekistan Shavkat Mirziyoyev at the International Conference «Central and South Asia: Regional Connectivity. Challenges and Opportunities» 16.07.2021-
<https://president.uz/ru/lists/view/4484>
14. Узбекистан не будет участвовать в военно-политических блоках // «Газета.uz» 4 августа 2012г.
15. Центральная Азия и Европейский союз – перспективы сотрудничества. 02.10.2020г. –
<https://www.uzdaily.uz/ru/post/60618>.
16. 21 июля в г. Чолпон-Ата состоялась четвертая консультативная встреча глав государств Центральной Азии // Исполнительный комитет Содружества Независимых Государств. URL:
https://cis.minsk.by/news/23848/21_ijulja_v_g._cholpon-ata_sostojalas_chetvertaja_konsultativnaja_vs_trecha_glav_gosudarstv_centralnoj_azii?ysclid=I9o6xs91bt188234093 (дата обращения 29.03.2021).
17. www.akadmvd.uz
18. <https://mfa.uz/ru>
19. <https://senat.uz/ru/decisions/post-546>
20. <https://old.uza.uz>
21. www.uza.uz
22. Stat.uz -Дата обращения 07 сентября 2021 г.
23. Abdullaeva D. PROBLEMATIC ASPECTS OF WORKING TIME IN FOREIGN COUNTRIES //Academic research in modern science. – 2022. – Т. 1. – №. 10. – С. 150-154.
24. Abdullaeva D. BASES OF WORKING TIME IN FOREIGN COUNTRIES //Proceedings of International Educators Conference. – 2022. – Т. 1. – №. 1. – С. 134-138.