

A BRIDGE BETWEEN ITALY AND UZBEKISTAN ACADEMIC COLLABORATION IN THE AGE OF REFORMS

Thursday 16 May 2024 – 09:30
Roma Tre University
Law Department – Room 350
Via Ostiense 163 - Roma

ABAT FAYZULLAEV - GIORGIO RESTA
MUKHAMMAD ALI TURDIALIEV - SIRIO ZOLEA

Edited by MICHELA SERENO



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Università degli Studi Internazionali di Roma UnINT
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Geopolitica Project

“A BRIDGE BETWEEN ITALY AND UZBEKISTAN”

Rome, Thursday 16th of May 2024

On May 16, 2024, the Law Department of Roma Tre University hosted a conference titled “A Bridge Between Italy and Uzbekistan” focusing on academic collaboration amidst Uzbekistan's ongoing economic reforms. This event aimed to foster legal and academic exchange, emphasizing the significance of mutual cooperation in the global economic landscape.

Uzbekistan currently finds itself amidst a significant period of economic transition, endeavoring to fortify its engagement with the global market while concurrently preserving the beneficial aspects of its societal fabric characterized by cohesion and solidarity. This phase of economic evolution necessitates substantial legal restructuring across various domains encompassing constitutional law, administrative law, civil and commercial law, as well as competition law, among others. In pursuit of these reforms, Uzbekistan contemplates drawing upon a diverse array of exemplars from European, American, and Asian jurisdictions, with particular attention directed towards accommodating the nation's territorial and cultural idiosyncrasies. Such an approach is envisioned to bolster Uzbekistan's efficacy as a competitive entity within the global economic landscape.

Within the legal discourse, Italian jurists are accustomed to the exchange and dissemination of legal paradigms, partly attributable to the imperatives of aligning domestic legal frameworks with prevailing European Union regulations. The scholarly collaboration between Italy and Uzbekistan, spanning across various academic realms and particularly pronounced within the legal domain, holds substantial significance. This collaboration serves as a pivotal instrument for fostering economic and cultural interchange and facilitating the seamless diffusion of legal frameworks between the two nations.

At the conference, a brief introduction was held by Giorgio Resta, professor and Vice-Rector for International Relations, *emphasizing the importance of the ongoing academic collaboration and the potential for further cooperation in the legal field.*

Tiberio Graziani, Chairman of Vision & Global Trends and Director of the Journal Geopolitica, highlighted the significance of student exchanges between Italy and Uzbekistan. He noted the potential for these interactions to enhance mutual awareness and understanding, bridging gaps between the two countries.

The Ambassador of Uzbekistan in Italy, Abat Fayzullaev's speech highlighted the burgeoning bilateral relations between Uzbekistan and Italy, emphasizing the significant milestones achieved in recent years. He underscored the elevation of bilateral relations to the level of Strategic Partnership following President Shavkat Mirziyoyev's official visit to Italy in June 2023, which saw the signing of multiple intergovernmental and interagency documents. Ambassador Fayzullaev also noted the reciprocal visit of President Sergio Mattarella to Uzbekistan, further solidifying the foundation of cooperation through the signing of crucial agreements in various sectors.

Furthermore, Ambassador Fayzullaev emphasized Uzbekistan's pivotal role as a bridge between Europe and Asia, aligning with the European Union's Global Gateway initiative. He elaborated on Uzbekistan's efforts to enhance its logistical infrastructure, which has led to a significant increase in cargo transportation between Uzbekistan and European countries. This surge in trade volume underscores Uzbekistan's emergence as an active participant in interregional economic processes, particularly evident through its utilization of the Trans-Caspian corridor.

Looking ahead, Ambassador Fayzullaev highlighted the promising trajectory of bilateral relations, with numerous high-level visits and exchanges slated for the coming year. Notably, he mentioned the upcoming 3rd Ministerial Meeting Italy-Central Asia, where Uzbekistan will play a significant role. Additionally, plans for the Uzbekistan-Italy Business Forum in Rome, scheduled for May, signify a concerted effort to bolster economic ties and explore new avenues of cooperation.

In the realm of education and science, Ambassador Fayzullaev emphasized the longstanding collaboration between Uzbekistan and Italy, with over 40 agreements signed between universities and educational institutes. He cited successful examples such as the Turin Polytechnic University in Tashkent and the Branch of Pisa University, highlighting the growing popularity of student and professor exchanges. Moreover, initiatives such as the grant competition for master's degrees in Italy and the planned Uzbekistan-Italy

Rectors Forum in Samarkand underscore the commitment to fostering academic partnerships and knowledge exchange.

In conclusion, he expressed gratitude for the opportunity to address the seminar, underscoring the importance of continued collaboration in advancing the shared goals of both nations. The seminar served as a testament to the deepening ties between Italy and Uzbekistan, heralding a future of enhanced cooperation across various domains.

In the end, Mukhammad Ali Turdialiev, a senior lecturer at the Tashkent State University of Law, discusses the extensive legal reforms in Uzbekistan since its independence in 1991, emphasizing the transition to a market economy. The reforms encompass the liberalization of foreign economic activities, banking sector, tax, administrative, and legal frameworks. Central to these reforms is the updated Constitution of the Republic of Uzbekistan, revised by a national referendum on April 30, 2023. Key constitutional articles, such as Article 65 and Article 67, lay the groundwork for economic activities, ensuring the protection of private property, fair competition, and a favorable business climate. The legal framework is further supported by strategic documents like the Development Strategy for New Uzbekistan (2022-2026) and the Uzbekistan-2030 Strategy, aiming for rapid economic development, social policy improvements, and environmental sustainability. Significant progress is highlighted through initiatives such as the Tashkent International Investment Forum, attracting substantial foreign investments and fostering international partnerships. Reforms also include guarantees for foreign investors, legal protections, and a commitment to peaceful and cooperative foreign policy, reflecting Uzbekistan's evolving role on the global stage and its commitment to sustainable development and regional stability.

The conference marked two years of collaboration between these institutions, resulting in numerous joint scientific conferences and student exchanges. Topics covered included Legal Tech, Digital Transformation of Law, Digitalization of Justice, Predictive Justice, and Comparative Space Law.

A joint publication on intellectual property, featuring contributions from both universities, is expected in Summer 2024. It will be presented in Rome with the TSUL Rector in attendance. Additionally, a joint summer school on cyberspace legal frameworks is scheduled for June 2024, highlighting the strategic interest in law and technology research.

The collaboration reflects a deeper, multi-directional exchange of legal models, transcending traditional classifications and fostering intellectual growth. The conference emphasized the value of learning from each other's legal landscapes, with Italy bringing its established market regulation experience and Uzbekistan offering insights from its dynamic, rapidly evolving legal system.

In conclusion, the conference concluded with a call for continued, equal-basis intellectual exchange, recognizing the importance of diverse legal models and the benefits of mutual learning in a multi-polar world. The allegorical bridge between Italy and Uzbekistan symbolizes a commitment to ongoing collaboration, enriching both academic and legal communities in Europe and Central Asia.

**University of Rome Tre for the development of cultural and scientific exchanges between
Italy and Uzbekistan**

Prof. Giorgio Resta
Vice Rector for International Affairs
Full Professor of Comparative Law - Università degli Studi Roma Tre

Mr. Ambassador Fayzullaev, dear students, dear colleagues,

I am particularly honored to welcome you at the University of Roma Tre for this dialogue on the prospects of cooperation between Italy and Uzbekistan. Let me thank at the outset Dr. Sirio Zolea for organizing this event and Dr. Mukhammad Ali Turdialiev for his speech on the modernization of the law in Uzbekistan and its relationship with the goals of economic and social development of the country.

In my capacity as a vice-Rector for internationalization, I cannot but encourage such occasions of scientific exchange, both because they contribute to a better knowledge of the patterns of development of an important area of the world, such as Central-Asia, and because they are beneficial to the establishment of an even wider network of international collaborations involving Roma Tre. We are among the top Italian universities in terms of international agreements and we are devoted to a further strengthening of this position, which is crucial not only in terms of international attractivity, but also of a better understanding of the global complexity.

If we look specifically at the relationship with Uzbek partners, we had a good start in the last five years, and we should go on along the same path. We signed a framework agreement with the Tashkent State University of Law, and we have sustained an intense exchange of students and researchers from Tashkent to Rome and from Rome to Tashkent. I personally had the unique occasion of participating to the 3rd International Legal Forum Tashkent Law Spring and visiting the premises of the TSUL in 2023, deriving a first-hand impression on the extraordinary efforts put by the Uzbek government and by the academic authorities for the advancement of legal studies and the raising of the education opportunities for Uzbek students. At the same time, as a professor of comparative law, Uzbekistan represents an extraordinary laboratory for the study of how different legal strata (arising from different cultural and political traditions) interact in an original way in an epoch of legal modernization, creating new problems but also leading to the emersion of new solutions and innovative regulatory frameworks. Uzbekistan has always been at the crossroads of the international flow of goods and of cultural ideas, and this is true even today. That is why we should encourage our students to deepen their knowledge of this area of the world, spend some time in Uzbekistan, learning about the prestigious history of this country, and eventually being capable of looking at the West by taking an Eastern perspective. Today's seminar is just a first step in this direction.

Thank you very much for your presence today at Roma Tre and see you maybe in Tashkent for the next seminar on the cultural and scientific exchange between Italy and Uzbekistan.

A STEP TOWARDS THE UZBEKISTAN-ITALY RECTORS' FORUM IN SAMARKAND**Abat Fayzullaev****Ambassador of The Republic of Uzbekistan**

Dear Professors,

Dear Students and Participants,

Let me express my gratitude for the opportunity to attend to this seminar.

First of all, I would like to inform you on current level of multilateral relations between Uzbekistan and Italy.

2023 year has been marked by great events.

During the official visit of President Shavkat Mirziyoyev to Italy in June, our bilateral relations were elevated to Strategic Partnership level. We signed 11 intergovernmental and interagency documents. A joint business forum was held in Rome with over 200 entrepreneurs and companies from both sides. A round table was held in Milan by President Shavkat Mirziyoyev with the heads of the largest companies, associations and banks in Italy.

As a follow-up, an official visit of President Sergio Mattarella to Uzbekistan took place in November last year. An extensive dialogue between the leaders of the two States took place on important issues of bilateral cooperation at the regional and international levels. Five important interagency documents were signed in the consular and legal sphere, in the fields of public and higher education, science and innovation.

All mentioned interactions show that Uzbekistan-Italy relations are on the rise now.

In the meantime, as one of key countries of Central Asia region Uzbekistan has every chance of becoming not just a “bridge” between Europe and Asia, but also an active participant in interregional economic processes. This is fully in line with the idea of the European Union's Global Gateway initiative. Particularly Uzbekistans’ efforts have been aimed at actively developing a network of logistics centers and expanding the fleet of vehicles, which creates conditions for the efficient transportation and processing of goods.

As a result, Uzbekistan is becoming one of the active users of the Trans-Caspian corridor.

In 2022 the volume of cargo transportation between Uzbekistan and European countries more than doubled, amounting to more than 900 thousand tons. In 2023 this figure increased by another 21%, amounting to 1.1 million tons.

This is primarily due to the increase in trade volume with the countries of the European Union.

This year is also promising to be full of important events and visits.

I want to underline that recent months we witness activation of exchange of bilateral visits of high level delegation and leading companies shows growing mutual interest of both sides to enhance partnership, in particular bilateral cooperation. For example, from beginning of 2024 more than 10 high level and working visits were exchanged between institutions in order to develop of political, economic, humanitarian and cultural cooperation.

On 28-29 May Uzbekistan delegation led by Minister of Foreign Affairs Mr Bakhtiyor Saidov will attend in 3rd Ministerial Meeting Italy-Central Asia. In the framework of the event, together with our Italian partners at the end of May we plan to hold in Rome Uzbekistan-Italy business forum with leaderships of ministries, associations and leading companies from both country.

At the Forum will be a unique platform for gathering more than 150 representatives of economic and business circles from two countries, and provide a chance to discover economic and investment opportunities of new Uzbekistan.

Collaboration in the field of education and science takes its start from very beginning of establishing of bilateral relations.

Let me remark that nowadays in portfolio of Uzbek-Italian cooperation there are more than 40 different agreements signed between universities and educational institutes. We witnessed a success story of Turin Polytechnic University in Tashkent (opened in 2009), Branch of Pisa University in Tashkent (2021), Joint Medical Faculty of University of Campania Luigi Vanvitelli with Bukhara State Medical Institute (2022), as well as exchanges with professors and students, which in recent years is getting more and more popular.

Currently Ministry of Agriculture of Uzbekistan in cooperation with University of Tuscia announced competition for a grant to study in master degree in Italy in such spheres as Circular Economy, Forestry and Environmental Sciences, Plant biotechnology for Food and Global Health.

Our Embassy together with Ministry of Universities and Researches of Italy working on a project of supporting of 10 studies of Uzbek researchers whose plan will win on a basis of

concurr. In the meantime, we plan to organize exchanges with delegation and hold Uzbekistan-Italy Rectors Forum in Samarkand.

Let me once again express my gratitude for the opportunity to speak at this event.

**ITALY AND UZBEKISTAN:
A CULTURAL BRIDGE THROUGH LEGAL COMPARISON**
Sirio Zolea
Università Roma Tre – Dipartimento di Diritto Privato e Comparato

First of all, I would like to thank the Uzbek Ambassador Abat Fayzullaev for his presence at the conference. I heard from him many examples of successful academic cooperation between Italy and Uzbekistan. His support is much valuable for the success of further collaboration between Roma Tre University and Uzbek academic institutions, in a common effort to bring academic cooperation in the legal field.

I want also to thank Geopolitica journal, whose field of investigation is encountering in several fields the priorities of research of Roma Tre Law department, and particularly of legal comparatists: the outer space, Central Asia, and suchlike.

I thank also Dr. Mukhammad Ali Turdialiev, now visiting scholar at Roma Tre, for the interesting insights about recent evolution of Uzbek law.

This conference, after two years of academic collaboration between Roma Tre University and Tashkent State University of Law, is not just an incidental event, but the coherent result of constant and increasing dialogue, which encourages further steps of cooperation between academic institutions of two countries having more and more economic and cultural exchanges, of goods and of ideas, as testified by the recent visit in Uzbekistan (November 2023) of the Italian President of the Republic.

In the context of such increasing relationship between Italy and Uzbekistan, the first memorandum of understanding between Roma Tre and Tashkent State University of Law was signed in September 2022. On its basis, several Roma Tre scholars have taken part in scientific conferences organized by TSUL, and vice versa, debating on topics such as Legal Tech, Education, Digital Transformation of Law (Tashkent, February 2023); Digitalization of Justice and Predictive Justice: European and Asian Perspectives (Rome, May 2023); Comparative Space Law (Rome, February 2024). Moreover, according to the mobility agreement in place, exchanges of students between Rome and Tashkent are regularly happening, assisting in broadening the horizons of the next generation of lawyers in Europe and Central Asia. In fact, the best way for students in general – and for law students in particular – to open themselves to the variety of cultures and worldview is travelling in person, spending a period abroad, and learning different forms of customs, of rules, of human creativity. Those who, in different fields (law, religion, ethics, literature, etc.) scientifically focus on this variety, discovering its similarities and its differences, are the comparatists.

A joint publication on intellectual property is expected for the forthcoming Summer, with contributions of professors and researchers from Roma Tre and from Tashkent, and it should be publicly presented in Rome in September, with the expected presence of the Rector of TSUL. Certain factors make this topic particularly interesting for both the sides. The increasing scope and the spread of new extensive manifestations of intellectual property are deemed by European regulators worthy of growing legal protection, with the possible consequence of increasing the commercial oligopoly of a few big digital companies¹: this is in structural tension with other EU legal policies aiming to data sharing and socialization of data governance, as certain legal scholars are noting, calling for more precise and attentive balance of interests and values in drafting and interpreting European common legal rules². The extensive protection of new forms of intellectual property can only be assessed and understood in the global context, with its complex and multi-layer multitude of sources of hard law and soft law, filtered, in the European context, by the lawmaker of the EU, aiming to unify and standardize the internal market and to protect it from other global players. In Uzbekistan and in the other countries of Central Asia, an increasing interest for transnational law of intellectual property is likely due to both the aims of completing the transition from a socialist legal model to a new original system of law more integrated in the global market and of regulating the domestic implications of the information/data economy, which is a phenomenon rapidly establishing itself worldwide, with new potentialities and new threatens for societies.

A joint Roma Tre-TSUL summer school on the legal framework of the cyberspace is taking place in June 2024, based in Tashkent, with certain lectures in presence and certain lectures online, confirming not only the strategic interest in reciprocal cooperation between the two universities, but also their common research focus on the topics of law and technology. In fact, for several years comparative studies from Roma Tre law scholars have focused on the complex issues raised by data privacy, data governance, and Artificial Intelligence, in the European regulatory framework and in the global context. The same questions are now the focus of the attention of the innovative cyberlaw department of TSUL: how the legal orders should face the challenges of digitalization? Which legal experiences seem more successful on this regard? What is possible to learn from them, and is it possible and convenient to imitate certain of their aspects? Old legal instruments can still be used in new ways, or new instruments should be invented? How notions such as fundamental rights and rule of law are evolving in the age of the internet?

In different legal cultures, scholars are developing new approaches to transnational law, which, according to Jessup description, jointly involves “all law which regulates actions or

¹ R. Caso, *Open Data, ricerca scientifica e privatizzazione della conoscenza*, The Trento Law and Technology Research Group Research Papers Series, Research Paper n. 48, January 2022; see also M. Florio, *La privatizzazione della conoscenza*, Laterza, 2021.

²G. Noto La Diega, C. Sappa, *The Internet of Things at the Intersection of Data Protection and Trade Secrets. Non-conventional Paths to Counter Data Appropriation and Empower Consumers*, in *European Journal of Consumer Law*, 2020, n. 3, pp. 419-458.

events that transcend national frontiers. Both public and private international law are included, as are other rules which do not wholly fit into such standard categories. [...] Transnational situations, then, may involve individuals, corporations, states, organizations of states, or other groups”.³ This complexity, making it necessary interdisciplinary and transdisciplinary approaches and requiring deep understanding of the network of interactions and retroactions between the different domestic, international, and mixed layers, none of them self-sufficient, encourages transboundary collaboration among units of investigation, and complementarity and integration of different traditions of research, related to different academic cultures, united by the common aspiration to knowledge and to social improvement. All around the world, academics and intellectuals in general should incentivize the general mediatic, social and political debate to seriously consider the issues of new technologies regulation, which mean shaping the society of tomorrow and its values: without general and permanent discussion of the whole civil society on these issues, the risk is that they might be regulated under the hegemonic and undisputed influence of the big techs, generally preferring soft law, voluntary codes of conduct and guidelines instead of hard law, which is more protective of vulnerable subjects, such as consumers generally and increasingly are.

For the title of the conference, we purposely used the metaphorical image of a bridge: between Italy and Uzbekistan, between Central Asia and Europe, but also between Central Asia and Mediterranean area. There is strong interest, in Uzbekistan, for models of regulation of private law, competition law, intellectual property, data protection, Artificial Intelligence, etc., in countries where market systems are established since longer time, like in Western Europe in general. But perhaps, I might say, having traveled in this country and met its scholars, there is even more specific interest in legal studies on the Mediterranean countries. Vincenzo Zeno-Zencovich, in his article on the Mediterranean and legal pluralism, highlights “social norms”, and their governance role in groups and societies as prevailing in the Mediterranean area over formalized rules⁴, in contrast with other Western cultures. These features seem to me somehow common to Central Asian societies and can make Italy and other Mediterranean countries the most natural interlocutor in Europe of Central Asian countries, for easier communication and dialogue between social cultures and legal cultures, and for easier circulation of legal models, exploiting the existing cultural similarities.

This allegorical bridge means, of course, not only that Uzbek legal scholars have something to learn from Italian/Mediterranean legal culture and, by means of it, from European and Western legal cultures (perhaps more from the civil law than from the common law model, which is characterized by a balance of powers more strongly characterized by the pivotal and open role

³P. C. Jessup, *Transnational Law*, Yale University Press, 1956, pp. 2-3.

⁴V. Zeno-Zencovich, *The Mediterranean and Legal Pluralism*, in *Comparative Law Review*, 2021, vol. 12, n. 1, pp. 17-18.

of the judge as social engineer), but also that Italian/Mediterranean scholars (and also, through them, European and Western scholars in general) have much to learn from the fast changing legal landscape of Uzbekistan. Uzbekistan is a very young country, as an independent country, but also in the sense of its population, very young if compared to the aging population of the West. Economy and commercial exchanges are very rapidly growing. Speaking about Central Asia, I strongly perceive a need to recognize the shortcomings of a too Western-focused mentality, in a now (thankfully!) multipolar world where cultural exchanges, commerce and legal models circulate multidirectionally, through horizontal networks not necessarily passing from the West, nor requiring its explicit or implicit approval and regulatory governance. This does not exclude the usefulness of certain West-originated models having served in very different social and historical contexts because of their technical precision combined with wise capacity of management of complexity and with due flexibility (an example of this is the current use of Roman law in Chinese private law).

Certain Eurasian experiences of regional integration, such as the Shanghai Cooperation Organization, enhance in many countries the technical and political challenges of circulation of legal models, strengthening the interest of Central Asian scholars for comparative studies in order to understand the potentialities and the limits of legal uniformization, legal harmonization, and legal transplants, as Europe is experiencing within the European Union (and Council of Europe in the field of human rights). The experience of European legal integration, developing for dozens of years now, could be the source of certain useful sparks and examples for other more recent efforts for regional integration. And, in the other direction, experiences of legal hybridization of the new growing economies might in turn become the topic of study and analysis in the West, which is passing through a period of crisis of identity of its legal cultures and might take valuable inspiration from other dynamic societies nowadays experiencing alternative forms of modernity.

Therefore, I conclude expressing the wish for furtherly developing intellectual exchange on an equal basis and in both the directions between Roma Tre and Tashkent State University of Law, and more generally between academies of Italy and Uzbekistan, in a historical period of constant multidirectional hybridization of legal models, across the traditional classifications in legal families (common law, civil law, post-socialist law, etc.) and in branches of law (administrative law, constitutional law, private law, commercial law, etc.).

THE DEVELOPMENT OF LEGAL REFORMS IN UZBEKISTAN

Mukhammad Ali Turdialiev

Senior lecturer of Private International Law department

Tashkent State university of law

As an independent state, Uzbekistan appeared on the world map in the year 1991. The country launched reforms that were supposed to create a base for running a market economy. Despite being a young country, Uzbekistan has applied reforms in the Economic Transitions year by year, such as Liberalization of foreign economic activity, Reform of the Banking Sector, Tax, Administrative and Legal reforms.

All types of reforms and legal reforms are also based on the fundamental legal act, which is the Constitution of the Republic of Uzbekistan. The Constitution of Uzbekistan was updated by the referendum of the Uzbek nation on 30 April 2023, almost a year ago. According to the new Constitution of Uzbekistan, Chapter XII purposed for the Economic foundation of the society. According to the text of Article 65.

‘The basis of the economy of Uzbekistan, evolving to enhance the well-being of citizens, shall be a property in its various forms. The State shall create the conditions for the development of market relations and fair competition, and guarantee the freedom of economic activity, enterprise, and labor, taking into account the priority of consumer rights. Equality and legal protection of all forms of property shall be ensured in Uzbekistan. Private property shall be inviolable. An owner may not be deprived of his or her property except in the cases and according to the procedure prescribed by law and based on a court decision.’

According to Article 67, ‘The state shall ensure a favorable investment and business climate. Entrepreneurs shall have the right to conduct any activity and choose its direction independently in accordance with the law. Unity of the economic space and the free movement of goods, services, labor, and funds shall be guaranteed on the territory of the Republic of Uzbekistan. Monopolistic activities shall be regulated and limited by law.’ The principles outlined in Article 67 of Uzbekistan's constitution are crucial for fostering a thriving economy and promoting entrepreneurship within the country. By ensuring a favorable investment and business climate, the government can attract domestic and foreign investment, which is essential for driving economic growth and creating job

opportunities. The provision that entrepreneurs have the right to conduct any activity and choose its direction independently, within the boundaries of the law, is a fundamental aspect of economic freedom. Allowing individuals to pursue their business interests without undue government intervention empowers them to innovate, take risks, and contribute to the overall development of the economy. A similar provision is stated in the Civil Code of the Republic of Uzbekistan: 'Goods, services, and financial resources will be in free movement throughout the territory of the Republic of Uzbekistan.'

Laws recognize the equality of participants in legal relations, the inviolability of property, the freedom of contract, the arbitrariness of anyone's interference in private affairs, the unhindered exercise of civil rights, the restoration of violated rights, and their protection through courts. based on the need to ensure that it is done.

In the next stage, should go to attention next main two documents, which belong to the legal regulation of economic reforms. One of them is the decree of the president of the republic of Uzbekistan about the development Strategy of new Uzbekistan for 2022 – 2026. This document marked the following 7 main directions of reforms and these reforms contain 100 goals until 2026 years:

1. building a humane state by raising the honor and dignity of man and further developing a free civil society;
2. making the principles of justice and the rule of law a fundamental and necessary condition for the country's development;
3. accelerated development of the national economy and ensuring high growth rates;
4. implementation of fair social policy, development of human capital;
5. ensuring spiritual development and raising this area to a new level;
6. approach to global problems based on national interests;
7. strengthening the country's security and defense potential, maintaining an open, pragmatic, and active foreign policy. (*I will back this topic later*)

One of the main directions of reform is accelerated development of the national economy and ensuring high growth rates. In the direction of reforming the national economy, effective measures have been taken to liberalize foreign trade, tax, and financial policies, support entrepreneurship and guarantee the inviolability of private property, organize deep processing of agricultural products, as well as ensure accelerated development of regions. Uzbekistan going to achieve this goal with an overall 15 steps.

Another main document that belongs to legal regulation of economic reforms is the decree of the president of the republic of Uzbekistan on the strategy “Uzbekistan – 2030”. The main difference in this strategy is the implementation and reforms, which are noted in the New Constitution of Uzbekistan and the Presidential election program. This strategy document also covers reform in different sectors of society. In this document, it is taken into account that the Uzbekistan-2030 Strategy reflects the following five main ideas:

- a) joining the ranks of upper-middle-income countries through sustainable economic development;
- b) creation of an education, medicine and social protection system that fully meets the needs of the people and international standards;
- c) creation of favorable environmental conditions for the population;
- d) building a just and modern state serving the people;
- e) guaranteed provision of sovereignty and security of the country.

In Uzbekistan, despite significant progress in the transition to a market economy, there is a need to complete this process and shift urgently towards a greener and more equitable economic model. This would help the country achieve its development and environmental goals. To achieve a greener and more equitable economic model, Uzbekistan should prioritize sustainable practices, invest in renewable energy sources, promote sustainable agriculture, and protect natural resources. Additionally, implementing policies that promote social inclusion, reduce inequality, and ensure access to education and healthcare for all citizens would contribute to a more equitable society. By making these changes, Uzbekistan can strengthen its economy, protect the environment, and improve the well-being of its population.

The government aims to halve the poverty rate by 2026 and elevate the country to the status of an upper-middle-income economy by 2030. Achieving these objectives requires much faster growth, which is possible through reducing state control over the economy and empowering the private sector to become the primary driver of economic development.

It is important to note with pleasure that within the framework of this format, which is becoming a great annual tradition, new and reliable partners from all continents of the world are gathering in Uzbekistan by the Tashkent International Investment Forum. This forum is also being main inspiration of legal-economic reforms in Uzbekistan. Without any doubt, the participation of these international partners in the Tashkent International Investment Forum is helping to drive economic growth and development in Uzbekistan.

The exchange of ideas, expertise, and resources between these partners and local stakeholders is contributing to the implementation of successful legal-economic reforms in the country. This collaboration is fostering a more favorable investment climate and creating new opportunities for both domestic and foreign investors in Uzbekistan.

Over the past three years, this Forum has provided a broad platform for enhancing collaboration, discussing pressing issues, and generating fruitful ideas and solutions to tackle the most urgent challenges. This year also saw the big forum in Tashkent. III Tashkent International Investment Forum was scheduled for 2–3 May. Nearly 2,500 people from 93 countries came to participate: government officials, corporate leaders, representatives of the UN, EBRD, OPEC, and SCO. The President of Uzbekistan reviewed the preparations. The forum acts as a venue for promoting Uzbekistan's economic potential and establishing partnerships. The agenda included more than 40 scheduled events, such as intergovernmental commission meetings and the opening ceremonies for many projects throughout Uzbekistan. More than a thousand visitors from other nations came to Uzbekistan for the first meeting in 2022.⁵ The meeting featured a significant occasion when international investors were presented with regional energy projects, including the development of Yavan HPP and Kambarata HPP-1. The prime ministers of the Kyrgyz Republic and the Republic of Uzbekistan were present during the presentation, which highlighted how crucial these projects are to the region as a whole. The event garnered global interest and was featured in over 110 foreign newspapers from 30 countries, including the top media outlets in the world, such as CNN, Euronews, the London Post, and Associated Press. \$26.6 billion worth of deals were inked as a result of the TIIF, demonstrating both the forum's success and Uzbekistan's strong investment attractiveness. In contrast, 167 agreements totaling \$11 billion were inked at TIIF in 2022, indicating a sharp rise in foreign investment interest in the nation. The fact that more than two and a half thousand foreign guests from 93 countries are attending the event today clearly confirms the growing importance of the Forum. This is a sign of a huge interest in reforms that have become irreversible in our country, in establishing mutually beneficial cooperation.

In particular, agreements were reached on the realization of the following major investment projects:

⁵<https://www.gazeta.uz/en/2024/04/29/forum/>

- “Data Volt” from Saudi Arabia will be engaged in the construction of urban infrastructure in “New Tashkent” for the amount of \$1 billion, as well as create a “data center” based on green technologies for the amount of \$3 billion.
- Saudi Arabia’s Acwa Power will implement projects to build a 5 GW wind farm in the Republic of Karakalpakstan and create 2 GW of electricity storage capacity for a total of \$6.2 billion.
- UAE-based Amea Power will implement a \$1.1 billion project to build a 1,000 MW wind farm in the Republic of Karakalpakstan.
- “Saudi Tabrid” will start modernization of the heat supply system in Nukus, Fergana and Kuvasay at a cost of \$750 million.
- Egypt’s “Nil Shugar” will grow sugar beets and produce sugar in Jizzak region at a cost of \$500 million.
- Chinese company “Shanghai Knud International” will implement a project on production of textile and garment products in Namangan region for the amount of \$205 million.
- “Wilmar International” company (Singapore) will produce food products and confectionery in Tashkent region for the amount of \$200 million dollars.

According to the Address by President of the Republic of Uzbekistan Shavkat Mirziyoyev at the Third Tashkent International Investment Forum: Our main goal is to make Uzbekistan a reliable and long-term partner for foreign investors.

Our country is committed to developing market economy, ensuring reliable protection of investors’ rights, further improving the favorable investment and business environment, creating more comfortable conditions for fair competition, ensuring the protection of private property and the independence of the judicial system. We have firmly enshrined these initiatives in the new Constitution adopted by the referendum last year.

As a result of this forum given number of specific legal proposals for economic reforms.

Firstly, Uzbekistan will adopt the new Law “On Investments activity.” This document has been developed by the regulations and standards of the World Trade Organization.

Secondly, the International Commercial Court will start operating shortly under the Center for the Development of Digital Technologies. This court will have a special role in Uzbekistan’s legal system. Therefore, Uzbekistan will adopt special legislation shortly. We

will also include standards for the execution of decisions of international commercial courts in procedural codes.

Thirdly, it is going on significant changes in the system of industrial zones. More favorable conditions will be created for investors to implement high-tech projects.

The activities of operators in managing industrial zones, especially attracting highly qualified foreign companies, will be expanded. The restrictions for the operation of special economic zones will also be eliminated. The term for leasing the land to foreign investors will be doubled (from 25 to 49 years). The benefits and preferences guaranteed by law will fully remain. All of these issues will be discussed in detail at the upcoming meeting of the Foreign Investors Council.

According to the changes made to the Constitution in the new version, the preamble of the Constitution defined several priority directions of the constitutional development of Uzbekistan at the new stage of the improvement of national statehood. One of them is Uzbekistan's desire to strengthen and develop friendly relations based on cooperation, mutual support, peace, and harmony with the world community, first of all, with neighboring countries. This commitment to fostering positive relationships with neighboring countries is crucial for promoting regional stability and prosperity. By prioritizing cooperation and mutual support, Uzbekistan aims to contribute to the development of a peaceful and harmonious global community. This emphasis on diplomacy and friendship aligns with the country's vision of becoming a respected player in the international arena and promoting peace and security in the region.

Nowadays, there a lot of types of guarantees for foreign investors in the Republic of Uzbekistan. One of them is Guarantee of the legislation stability. Foreign investments are subject to the laws in effect on the date of investment for 10 years, or unless the Republic of Uzbekistan's subsequent legislation improves upon the investment circumstances. The indicated guarantees are applied in the following cases:

- increase of income tax rate (amount), received as dividends, paid for foreign investors;

- introduction of additional requirements, complicating the procedure of repatriation or decreasing the amount of foreign investors income, transferred abroad, except for the cases of suspension of repatriation of resources of foreign investor by the state provided nondiscriminatory application of the legislation in the cases of insolvency and bankruptcy of the enterprise with foreign investors or protection of the creditor's rights, criminal acts or administrative offences, committed by the foreign investor – individual, or in the other cases of suspension of such repatriation in concordance with the court or arbitration decision;

- introduction of quantitative restrictions on the volume of investments and other additional requirements on the volume of investments, including increase of the minimum amount of foreign investments in the enterprises with the foreign investments;

- introduction of restrictions on shares of foreign investors in the charter fund of the enterprises of the republic;

- introduction of additional measures on issuance and prolongation of foreign investors' visas, and also additional requirements on attraction of foreign investments.

Foreign investments and other assets of foreign investors of the Republic of Uzbekistan are not subject to nationalization. Foreign investments and other assets of foreign investors are not subject to requisition except for cases of natural calamities, accidents, epidemics, epizootics. The decision on requisition is taken by the Cabinet of Ministers of the Republic of Uzbekistan. Requisition is accompanied by payment of compensation adequate to inflicted loss. As long as foreign investors pay taxes and other mandatory payments in line with the process outlined by Republic of Uzbekistan legislation, they are assured an unrestricted, free flow of funds in foreign currency into and out of the country.

After investment activity cessation, the foreign investor has a right for free repatriation of his assets expressed either in money or natural form and got as a result of investment activity cessation without loss for fulfillment of foreign partner's obligations with regard to the Republic of Uzbekistan or other creditors. Insurance of foreign investments provides insurance protection and guarantees against political and other risks including the following:

- ✓ the expropriation of the property as well as any legislative or administrative
- ✓ measures leading to withdrawal of property or alienation from it, the loss of the control over it or income derived from it;
- ✓ the introduction of restrictions for transfer of foreign currency outside the country;
- ✓ the introduction of amendments, having discriminatory nature with regard to some groups of foreign investors to the legislation;
- ✓ the interference of the state administration bodies, local authorities and their officials to contract relations of investors;
- ✓ the wars, civil troubles and the same events;
- ✓ other kinds of political and other risks associated with foreign investors and foreign investments.

Talking with each employee who signed a contract about issues like compensation for labour, vacations, and pension security for foreign workers is important. Following the

payment of taxes and other legally required payments, such as employees' salary and other profits obtained lawfully may be freely moved to other states.

The industrial enterprises established with foreign investment which are investing heavily in projects included in the Investment Program of the Republic of Uzbekistan - are exempt from income (profit) tax within the first seven years from the date of their official registration.

Newly-established enterprises, including enterprises with foreign investments, except for those involved in commerce, as well as intermediary, sale and purchase and procurement activities, set up in settlements, kishlaks and auls are exempt from income (profit) tax during the first year of their operation from the date of their establishment, pay income (profit) tax at the rate of 25 per cent during the second year and at 50 per cent of the established rate during the third year.

In conclusion, the guarantees for investors in the legal sphere in the Republic of Uzbekistan play a crucial role in attracting foreign and domestic investments, fostering economic growth, and promoting a favorable business environment. The government has taken significant steps to improve the legal framework for investors, including implementing various laws and regulations that provide protection and incentives for investment.

The establishment of specialized investment courts, arbitration centers, and investor protection agencies demonstrates the government's commitment to ensuring a fair and transparent dispute resolution process for investors. Moreover, the introduction of investment promotion agencies and special economic zones has created opportunities for investors to benefit from tax breaks, streamlined administrative procedures, and other incentives.

Furthermore, the government's efforts to combat corruption and enhance transparency in regulatory processes have contributed to strengthening investor confidence in the legal system. By implementing anti-corruption measures and improving governance practices, Uzbekistan is sending a clear signal to investors that their interests will be protected and their investments will be treated fairly.

Overall, the guarantees for investors in the legal sphere in Uzbekistan are essential for creating a conducive environment for investment and economic development. With continued efforts to strengthen legal protections, enhance regulatory frameworks, and promote investor-friendly policies, Uzbekistan has the potential to become a key destination for both foreign and domestic investors seeking long-term growth opportunities.

A number of major changes and additions reflecting important ideas and provisions have been made to our newly revised Constitution. In particular, some changes in the foreign policy of the Republic of Uzbekistan should be highlighted.

According to the changes made to the Constitution in the new edition, the preamble of the Constitution defined a number of priority directions of the constitutional development of Uzbekistan at the new stage of improvement of national statehood. One of them is Uzbekistan's desire to strengthen and develop friendly relations based on cooperation, mutual support, peace and harmony with the world community, first of all, with neighboring countries.

In addition, in the new version of our Constitution, in the chapter on the state's foreign policy, the principles of the state's foreign policy were supplemented with the rule of "territorial integrity of states" and "peaceful foreign policy" was defined as its main vector. That is, in Article 17 of the newly revised Constitution of the Republic of Uzbekistan, it was once again emphasized that the Republic of Uzbekistan is a subject of international relations with full rights.

Also, the new Constitution of Uzbekistan's foreign policy is based on the principles of sovereign equality of states, non-use of force or threat of force, inviolability of borders, territorial integrity of states, peaceful resolution of disputes, non-interference in the internal affairs of other states, and other universally recognized principles and norms of international law.

At this point, it should be noted that in the previous version of the Constitution of the Republic of Uzbekistan, the foreign policy chapter consisted of only one article, while in the new version of the Constitution, another article was added to this chapter.

The foreign policy chapter of the newly revised Constitution of the Republic of Uzbekistan was supplemented with Article 18, and in this article it was determined that the Republic of Uzbekistan implements a peaceful foreign policy aimed at the development of bilateral and multilateral relations with countries and international organizations.

It is known that the foreign policy implemented in Uzbekistan is a friendly and peace-loving foreign policy based on generally recognized principles of international law.

Today, our country is becoming one of the centers of world politics and the author of global initiatives. Uzbekistan has established diplomatic relations with more than 130 countries of the world, there are 55 diplomatic and consular offices of Uzbekistan in foreign countries and international organizations, our country is a member of more than 100 international organizations and is developing mutual partnership relations with

various multilateral cooperation structures. Today's era calls for consistent continuation of this policy.

Adherence to the principle of respect for the territorial integrity of states in the current dangerous period is an important factor in ensuring stability in foreign policy.

Strengthening the principle of "territorial integrity of states" as well as the special norm of "peaceful foreign policy" among the main principles of Uzbekistan's foreign policy in our constitution is necessary to strengthen the position of our country as a reliable partner fulfilling its international obligations in the international political arena.

The inclusion of this principle in our Constitution serves to ensure that the territorial integrity of Uzbekistan is recognized and respected by all other countries in the world, good neighborliness, mutual trust, development of friendly relations, peace of our borders, security of our people, peaceful life and stability of our development.

In addition, if we look at part 2 of Article 18 of the Constitution of the Republic of Uzbekistan in the new version, it is specified that the Republic of Uzbekistan may form alliances, enter into commonwealths and other interstate structures, and leave them based on the highest interests of the state and the people, its well-being and security.

Judging from the essence of this norm, we can say that Uzbekistan can enter or leave international union councils of one or another form only and only in the interests of the people. For example, Uzbekistan was once a member of the Collective Security Treaty Organization (CSTO). However, this organization decided to withdraw after militarizing its direction. In such cases, of course, it is necessary to act based on the interests of the people, and the fact that it is strengthened in the Constitution serves to implement specific strategies in foreign policy.

The whole world knows that Uzbekistan is a peace-loving country. Establishing friendly and warm relations with other countries is one of the most important conditions for ensuring the well-being of the people and peace of the country. That is why it is necessary to add special articles to the Constitution on foreign policy - it is very important to establish friendly and peace-loving relations with all countries in the time of crisis.

In addition, the Uzbek people know the value of peace. It is not for nothing that there is a folk saying that a house that has quarreled for one day will be blessed for forty days. Our people do not tolerate big conflicts, even small quarrels between their neighbors, they always ask for peace in their prayers. Now, this will of the people has been reflected in its main law - the Constitution.

History knows that war has never been better. The fact that there are wars and mass conflicts in the world, in various forms, worries humanity. Bloody conflicts have not stopped in some countries for 20-30 years.

But despite this, we can observe a number of positive changes in Uzbekistan's foreign policy. Because Uzbekistan is developing friendly, close neighborly and mutually beneficial relations with the countries of Central Asia. On the initiative of President Shavkat Mirziyoyev, the holding of consultative meetings of the leaders of the Central Asian countries was started. Borders with our neighbors were opened, blood relatives who had not seen each other for many years met again.

In a word, the inclusion of this new principle of conducting a friendly and peaceful foreign policy with all countries in our Constitution is the right conclusion drawn from bitter mistakes. Putting people's interests first and establishing bilateral and multilateral friendly relations with other countries is the most correct decision in our time.



A BRIDGE BETWEEN ITALY AND UZBEKISTAN ACADEMIC COLLABORATION IN THE AGE OF REFORMS

Thursday 16 May 2024 – 09:30
Roma Tre University
Law Department – Room 350
Via Ostiense 163 - Roma

Uzbekistan is experiencing a period of economic transition, trying to strengthen its openness to the international market, while keeping the positive aspects of its system of social cohesion and solidarity. Such economic change requires important legal reforms, involving all the fields, such as constitutional law, administrative law, civil and commercial law, competition, etc. European, American and Asiatic examples are all envisaged as models for these reforms (for instance, in the field of the law of new technologies), taking in account territorial and cultural specificities of Uzbekistan in order to boost its role as a competitive player in the global market.

Italian legal scholars are used to the circulation of models, also due to the need to adapt their domestic legal system to the common European legislation. Academic collaboration between Italy and Uzbekistan, in general and especially in the legal field, is very valuable, as a tool to facilitate economic and cultural exchange and successful circulation of legal models.

Hosted by Roma Tre University, which is experiencing a successful cooperation with Tashkent State University of Law, this seminar - organised in collaboration with Vision & Global Trends - focuses on the situation and on the further potentialities of the international academic collaboration between Italy and Uzbekistan.

Moderator: Tiberio Graziani, Chairman, Vision & Global Trends, Director of the Journal Geopolitica

09:30 - Greetings and introduction: Giorgio Resta, Vice-Rector for International Relations, Roma Tre University

09:50 - Abat Fayzullaev, Ambassador of Uzbekistan in Italy
New Era in Uzbekistan-Italy Strategic Partnership

10:10 Mukhammad Ali Turdialiev, Lecturer, Tashkent State University of Law
Legal Reforms in Uzbekistan in the Economic Transition

10:30 Conclusions: Sirio Zolea, Senior Researcher, Roma Tre University

Patronage



Geopolitica. Rivista di politica internazionale
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