



IMPROVEMENT OF INTERNATIONAL-LEGAL COOPERATION OF UZBEKISTAN FOR DEVELOPMENT OF TOURISM

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Annotation: the author analyzes role of international cooperation in sustainable development of tourism in Uzbekistan. In this article it is given legal assessment to the partnership of the UNWTO and European Union (EU) with the Republic of Uzbekistan in the field of developing tourism. The bilateral legal norms between these subjects of international law contextually the important and last tendencies of touristic sphere are noted by the author. There are being developed conclusions and proposals on strengthening institutional collaboration of UNWTO and EU in the Republic of Uzbekistan.

Keywords: agreement, EU (European Union), tourism, UNWTO (World Tourism Organization).

Аннотация: автор анализирует роль международного сотрудничества в устойчивом развитии туризма в Узбекистане. В статье дана правовая оценка партнерству ЮНВТО и Европейского союза (ЕС) с Республикой Узбекистан в области развития туризма. Автором отмечены двусторонние правовые нормы между этими субъектами международного права, контекстуально важные и последние тенденции туристической сферы. Также разработаны выводы и предложения по укреплению институционального сотрудничества ЮНВТО и ЕС в Республике Узбекистан.

Ключевые слова: соглашение, ЕС (Европейский союз), туризм, ЮНВТО (Всемирная туристская организация).

Аннотация: муаллиф Ўзбекистонда туризмни барқарор ривожлантиришида халқаро ҳамкорликнинг ролини таҳлил қилади. Ушбу мақолада БМЖТТ (Бирлашган Миллатлар Жаҳон Туризм Ташиқоти) ва Европа Иттифоқининг (ЕИ) Ўзбекистон Республикаси билан туризмни ривожлантириш соҳасидаги ҳамкорлигига ҳуқуқий баҳо берилади. Муаллиф томонидан халқаро ҳуқуқнинг мазкур субъектлари ўртасида туризм соҳасининг муҳим ва сўнгги тенденцияларини акс эттирувчи икки томонлама халқаро-ҳуқуқий меъёрлар қайд этилган. Шунингдек, БМЖТТ ва Европа Иттифоқининг Ўзбекистон Республикасидаги институционал ҳамкорлигини мустақамлаш бўйича хулосалар ва таклифлар илгари сурилган.

Калит сўзлар: шартнома, Европа Иттифоқи (ЕИ), туризм, БМЖТТ (Бирлашган Миллатлар Жаҳон Туризм Ташиқоти).

Uzbekistan is mostly known as a country located on the crossroads of Central Asia, linking north and south, east and west worlds as a bridge, its advantageous geographic location made the country an important center on the caravan route known in history as “the Great Silk Road”. Currently, the republic, having a rich cultural, historical and natural heritage, an advantageous geopolitical position, occupies a definite place in the world tourist market and is now attracting considerable interest both from foreign and national tourists. The Republic of Uzbekistan has consolidated its presence in the world tourist market, however it is early to speak about significant progress. This is confirmed by the fact that according to the Rating of the competitiveness of countries in tourism, which defines 140 tourist destinations with the highest level of attractiveness of which Uzbekistan is not included. At the same time, Kazakhstan ranks 85th in this Ranking, Kyrgyzstan - 116, Tajikistan - 119.

The main role in sustainable development of tourism in Uzbekistan and Central Asia plays UNWTO's project of Great Silk Route which connects Asia and Europe. Though this organization remains the realization of the existing potential of mutual cooperation in this region. The prospects for multilateral cooperation with international authority are needed in the context of the novelties of international life, which together will constitute the research paper. Accordingly, the research puts forward the establishment of the Regional Commission for Central Asia under UNWTO and furthermore the amendment of Partnership and Cooperation Agreement (PCA) or to adopt a unique treaty in developing tourism between EU states and Uzbekistan which leads to enlarge touristic potential of this region by developing universal and regional cooperation.

Legal basis of touristic activity in Uzbekistan established after the independence. For that period Uzbekistan became a venue to the several International events in the domain of tourism:

The Samarkand Declaration on revival of Tourism on the Silk Road (1994);

The Tashkent Declaration was adopted in 1998 on Worlds Culture and UNESCO Activities in Member Countries;

The Khiva Declaration on Tourism Development and Preservation of the world Legacy was announced in 1999;

The Bukhara Declaration on further Development of Tourism on the Silk Road (2002). In present tourism is a priority area for development in Uzbekistan, with plans to multiple visitor numbers year by year. The country's diverse offerings ensure that there is significant potential for growth. Consequently, it is elaborated the project of the Conception of developing tourism in the Republic of Uzbekistan for 2017-2021 by the Committee for tourism development in Uzbekistan. According to this across-the-board norms, along with other priorities, the main preemptive directions and goals of governmental policy on developing tourism in the Republic of Uzbekistan in 2017-2021 should be:

➤ Accomplishment the legislation and normative-legal basis in the sphere of touristic activity, which set favorable facilities for functioning subjects of touristic activity and national and foreign visitors;

➤ Enlargement of international cooperation in the sphere of touristic activity. [1, P.5]

The sphere of tourism in Uzbekistan cannot develop without affecting the formalities of the international level. The main direction in this collaboration is considered to be the development of institutional relations with international organizations. One and main of them - UNWTO (United Nations World Touristic Organization), which Uzbekistan has continued a fellowship since 1993 and UNWTO initiated a long-term project to organize and promote the Silk Road as a tourism concept. In 1994, representatives from 19 participating nations came together and adopted the historic Samarkand Declaration on Silk Road Tourism and approved a special goal to be used by all the governments, organizations and private sector entities involved. Afore-mentioned cooperation becomes stronger after being signed Agreement between government of the Republic of Uzbekistan and UNWTO in the sphere of tourism, preparation of specialists and propulsion of brand name "Great Silk Road".

Since then, forums and meetings have been held, and in 2002 the participants adopted the Bukhara Declaration on Silk Road Tourism which stressed the benefits of sustainable tourism and outlined specific steps to stimulate cultural and ecological tourism to Silk Route destinations. The Bukhara Declaration endorsed the offer of Uzbekistan to open A Silk Road office in Samarkand in 2004, which at present continues its functioning in the capital- Tashkent. The office functions as a part of the organizational structure of Committee for tourism development in Uzbekistan according to the Agreement which was signed in 2004 between UNWTO and the Republic of Uzbekistan. [2, P.3] And Uzbekistan participates in Executive Council of UNWTO from 2015-2019. With this regard the number of above mentioned legal agreements have been adopted which proves collaboration of the Republic with UNWTO for the sake of future realization of new projects and reforms.

The importance of this organization emphasized in Manila Declaration by announcing that, international cooperation in the field of tourism is an endeavor in which the characteristics of peoples and basic interests of individual States must be respected. In this field, the central and decisive role of the World Tourism Organization as a conceptualizing and harmonizing body is obvious.

Furthermore, an important international act – UNWTO charter, in the 3rd article, clearly states that, the main objective of the Organization is to promote the development of tourism in order to contribute to economic development, international understanding, peace, prosperity, universal respect and observance of human rights and fundamental freedoms for all people without distinction as to race, gender, language or religion. The above mentioned aims could not be realized without integration inside UNWTO. It unites the governmental organizations on tourism more than 100 countries of the world. Many governmental and

non-governmental organizations are considered to be members of UNWTO as observers. UNWTO has an extensive network represented by six regional organizations for various continents. These include the following organizations:

- 1) European Tourism Commission;
- 2) Arab Tourism Association;
- 3) The American Society of Tourist Agents;
- 4) Conference of tourist agencies of Latin American countries;
- 5) Association of British Tourist Agencies;
- 6) Tourist Association of the Pacific Region.

The states of Central Asia participate in the functioning of UNWTO within European tourist commission. The first issue is the need to concentrate UNWTO's work on a few, high priority subjects of interest and relevance to most members, aiming at significant results in those areas, so as to strengthen its position as a global leader on tourism policy issues and to provide more meaningful, strategic services to members. Proposals are made to involve more strongly the members in the definition of priorities for the biennial programs of work, giving to the Regional Commissions a new, more substantive role in the identification of regional priorities. [3, P.14] Issuant, it is time to extend the reach of UNWTO's sphere of cooperation by establishing Regional Commission for Central Asia, which was also discussed during a meeting between Uzbek President Sh.Mirziyoyev and ex-Secretary General of UNWTO TalebRifai. [4]

Surely, the Silk Road is a unique joint program with Europe and Asia, however, today Central Asia needs separate institutional network like Regional Commission for Central Asia which coordinates the development on tourism collaboration in certain region. The legal basis and structure of this institution will be organized by comparing other six commissions' functioning and simultaneously, it is important to remember about the peculiarities of Central Asian region inclusively.

Here, it should be noted that, cooperation network between European Union and Uzbekistan was organized by another important legal document- Partnership and Cooperation Agreement (PCA). This year, Uzbekistan and the European Union are celebrating the 22nd anniversary of the signing of the Partnership and Cooperation Agreement (PCA), which was initialed on 29 April 1996, and entered into force on July 1, 1999. Seeing that, more than 20 years past after the adoption of the following agreement, so the process of cooperation is under the practical realization. Thereafter different reforms are organized in both parts. Like other developed and developing states Uzbekistan is interested in the development of tourism as the sectors of the economy effective and efficient means of bringing people closer together. Consequently, it is elaborated the project of the Conception of developing tourism in the Republic of Uzbekistan for 2017-2021 by the Committee of tourism in Uzbekistan. According to this document, one of the main preemptive direction and goal of governmental policy on developing tourism in the Republic of Uzbekistan should be the enlargement of international co-operation in the sphere of touristic activity. For instance, only the article 61 of the PCA was dedicated to tourism, which includes some important aspects of tourism shortly.

In particular, it announces that, "the Parties shall increase and develop cooperation between them, which shall include:

- facilitating the tourist trade;
- increasing the flow of information;
- transferring know-how;
- studying the opportunities for joint operations;
- cooperation between official tourism bodies, including the preparation of promotional material;
- training for tourism development" [5].

Analyzing the legal norms, it was found that, nowadays only one article cannot cover all tendencies and demands of the parties. It is advisable to amend the PCA or to adopt a unique treaty in developing tourism between EU states and Uzbekistan.

To summarize, the mutual cooperation of Uzbekistan with UNWTO and EU in the sphere of tourism shows that, tourism industry has entered a period of sustainable growth in the volume of travel and excursions associated with an increase competition in this sector of the market. In such conditions it is difficult to overestimate the role of legal and institutional mechanisms for regulating the diverse relationships of subjects of the tourist market both inside the country and outside it. The state, civil society are involved in the formulation of a strategy development of tourism, improve the legislation, provide favorable conditions for collaborative activity of business structures, increase the responsibility of organizations and officials for compliance with the legal rights of consumers of tourism services, stimulate a system of training qualified personnel for the tourism industry.

At present, when tourism develops in myriad ways in Uzbekistan, it would be plentiful to concentrate on international tourism which influences to the development of national tourism industry. In order to realize it following recommendations are proposed:

It is time to reform the structure of the UNWTO concerning regional commissions by establishing of the Regional Commission for Central Asia under UNWTO and placement its headquarter in Uzbekistan, a heart of ancient Great Silk Road. Notwithstanding the uniqueness of Silk Route Project which passes along Central Asia destinations, it is time to reform the structure of the UNWTO by organizing special institute for Central Asian countries. From one side this novelty would centralize touristic activities and sustainability in five states of region, and simultaneously, UNWTO as a universal intergovernmental organization would strengthen its position and concentration on tourism development in before mentioned important strategic region.

It has been pointed out that the need to sign a new PCA (EU-Uzbekistan) agreement, in which the goals and principles of cooperation, its institutional mechanisms, and the results of the ongoing reforms will be recorded. This treaty should provide for the possibility of concluding sectorial agreements, in particular, including in the field of tourism. Currently, only one article cannot cover all the tendencies and requirements of the parties. It is advisable to amend the PCA or adopt a treaty on the development of tourism between the EU countries and Uzbekistan. The redundant elements of the agreements should be abolished, the rules on the division of powers within the framework of the Agreement should be clearly defined. For this purpose, it is necessary to organize a SPS-2 working group in the Republic of Uzbekistan, consisting of members of the Legislative Chamber and Senate of the OliyMajlis of the Republic of Uzbekistan (lower and upper chambers of the Parliament of Uzbekistan), representatives of interested ministries and departments, in cooperation with high-level representatives of the European Union.

Bilateral agreements in the field of tourism, being the most "targeted" instrument of international legal regulation, can and should provide the most adequate versatile-specific legal regulation. As a result of the analysis of bilateral treaties of the Republic of Uzbekistan and foreign countries, which are usually concluded in the same format (pattern) for tourism and the latter in other areas related to its regulation, it was concluded that the agreements of the Republic of Uzbekistan in the field of tourism should include more detailed norms on priority jointly developed tourism (youth, environmental, cultural, ethnic, extreme tourism and others), depending on local (cultures natural, geographical, etc.) conditions and capacities of states, visa facilitation of formalities, compulsory medical insurance for travelers and the obligation of states to provide conditions for simplified access to medical assistance to foreign tourists and the quality of medical services provided measures to simplify administrative judicial, and other procedural legal procedures with respect to foreign tourists (due to their temporary stay), the socio-cultural and environmental orientation of bilateral cooperation for the sustainable development of tourism. At the same time, detailed agreements on visa / visa-free travel, on medical insurance, on youth and other exchanges, on environmental and cultural cooperation, due to their specialization, will not lose their relevance for the regulation of the sphere of tourism. This agreement will be named on the development of cooperation in the field of tourism (since 2017 applies to certain bilateral treaties).

References:

1. The project of Presidential decree on measures of realization of the Conception of developing tourism in the Republic of Uzbekistan for mid-range perspective, [statistical facts in the first and second paragraphs were taken from the same Conception] https://my.gov.uz/ru/getPublicService/332?item_id=1296&action=view (accessed 08 April 2017).
2. Agreement between the Government of the Republic of Uzbekistan and the World Tourism Organization concerning the Silk Road Office in Samarkand from 2004. [This agreement was taken and learned by the author from the Committee for tourism development during internship].
3. CEU/52/3 Madrid, March 2011 UNWTO COMMISSION FOR EUROPE Fifty-second Meeting Katowice, Poland, 14 April 2011 Provisional agenda item 3 P.14. http://europe.unwto.org/sites/all/files/pdf/item_3_remarks_of_sg.pdf
4. Uzbekistan, UNWTO mull co-op prospects, viewed 28/09/2017, <<https://www.en.trend.az>>
5. Partnership and Cooperation Agreement initialled on 29 April 1996, viewed 06/04/2017, http://trade.ec.europa.eu/doclib/docs/2004/july/tradoc_116743.pdf