



THE ISSUES OF LEGAL SUPPORT OF STATE INNOVATION POLICY IN THE REPUBLIC OF UZBEKISTAN

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Annotation: *the article presents the analysis the theoretical and practical aspects of the state innovation policy in the Republic of Uzbekistan and its legal support. The article provides a peculiar definition of the concept of "state innovation policy" and the key directions of its legal regulation. It presents thorough analysis of the necessity of adopting the Concept of innovation policy of the Republic of Uzbekistan, containing its long-term strategic goals, main objectives and mechanisms for the implementation. It provides suggestions regarding the ways of using legal measures to accelerate the introduction of the most advanced domestic and foreign scientific, technical and technological achievements of the world and the ways of the enhancement of the country's innovative development.*

Keywords: *innovations, state innovation policy, innovation activity, legal support, normative legal acts.*

Аннотация: *мақолада Ўзбекистон Республикасида давлат инновация сиёсати ва уни ҳуқуқий таъминлашнинг назарий ва амалий жиҳатлари таҳлил этилган. Давлат инновация сиёсати тушунчасига таъриф берилган ва уни ҳуқуқий тартибга солишнинг асосий йўналишлари изоҳланган. Ўзбекистон Республикасининг инновация сиёсати концепциясининг зарурияти асослантирилган. Концепцияда бундай сиёсатни амалга оширишда узоқ муддатли стратегик мақсад, асосий вазифа ва механизмларни кўзда тутиш лозимлиги ифода этилган. Халқаро даражадаги илмий-техник ва технологик ютуқлар ҳамда хорижий мамлакатларнинг илгор тажрибасини инобатга олган ҳолда мамлакатни инновацион ривожлантириш даражасини сифат жиҳатидан янги босқичга олиб чиқишда ҳуқуқий воситалардан самарали фойдаланишнинг йўллари ёритилган.*

Калит сўзлар: *инновация, давлат инновация сиёсати, инновация фаолияти, ҳуқуқий таъминлаш, норматив-ҳуқуқий ҳужжатлар.*

Аннотация: *в статье представлен анализ теоретических и практических аспектов государственной инновационной политики в Республике Узбекистан и ее правового обеспечения. Дано определение понятию «государственная инновационная политика» и обозначены ключевые направления ее правового регулирования. Обосновывается необходимость принятия Концепции инновационной политики Республики Узбекистан, содержащей долгосрочные стратегические цели, основные задачи и механизмы реализации такой политики. Предложены пути использования правовых средств по ускорению внедрения наиболее передовых отечественных и зарубежных научно-технических и технологических достижений мирового уровня, а также выхода страны на качественно новый уровень инновационного развития.*

Ключевые слова: *инновации, государственная инновационная политика, инновационная деятельность, правовое обеспечение.*

In the Strategy of innovative development of the Republic of Uzbekistan for 2019–2021, approved by the presidential decree from September 21, 2018, it was noted that accelerated implementation of modern innovative technologies in economy, social and other spheres with broad application of achievements of science and technology is the key condition for the dynamic development of the Republic of Uzbekistan. Rapidly developing public and social life of the country requires close support of the reforms on the basis of modern innovative ideas, developments and technologies which provides a speedy and qualitative leap of the country into the leadership of the world civilization [1].

The practice of reforming the domestic economy has shown that the market is not able to solve all the problems of technological backwardness and the formation of new technological structures of the economy which are necessary to ensure sustainable economic growth of our country. All this determine need to strengthen the role of the state in the provision and regulation of innovation processes. In this regard, the importance of the formation of an effective state innovation policy and its legal support increases.

The study of theoretical and practical aspects of the formation of the state innovation policy, and key areas of its legal regulation become important for a significant increase in the effectiveness of innovative development of Uzbekistan.

The literature presents different points of view on the nature of the state innovation policy. Thus, according to D.V.Gribanov, the state innovation policy is the policy of the state, which is a system of principles, strategies and programs of innovative development of society implemented in the legal form by legal means. This policy determines the directions and priorities of innovative development of society, the degree of correlation between market and non-market components of economic regulation of this sphere, controls the processes of stimulation and limitation of technologies, etc., acting as the basis for the legal regulation of innovative relations [2].

I.A.Nikolaev believes that the state innovation policy is a set of measures, methods, forms of activity of the state in relation to the sphere of science and technology. From his point of view, such a policy consists of the following sections: management in the field of research and development; legal support; social policy; international scientific and technical cooperation; selection and implementation of priority areas of science and technology, etc. [3].

According to B.M.Smironov, the state innovation policy is a type of state activity in the sphere of renewal and development of society and its socio-economic structures (industries, enterprises, industries, organizations). And the content of such policy is the definition, reflection in the rules of law, promotion and implementation of the basic power installations of the state on the status, goals, principles, priorities, resources, mechanisms and results of innovation.

L.S.Aganina defines the state innovation policy through the characteristic of the main functions of the state activity in the sphere under consideration. In particular, this author identifies forming, initiating and organizational functions of the state innovation policy. Forming function is formation and development of an innovative model of the economy based on the priority use of knowledge-intensive and information technologies with the most effective use of the human factor. The initiating function is that through the use of mechanisms of fiscal policy, the state encourages economic entities to implement the innovation process. The organizational function involves the actions of the state aimed at creating the infrastructure of the innovation process [5].

Some foreign researchers propose to define the concept through the enumeration of its constituent elements. In particular, the American specialist Mansfield E. believes that the state innovation policy includes: a system of goals (strategic, tactical, etc.); principles of development and implementation; objects and subjects of policy; a system of types of state innovation policy and its strategies; areas of activity of the state in the field of structural, financial and economic, social and personnel, information, regional and international policy in the field of innovation; results and consequences of innovation policy (expected and actual), etc. [6].

From our point of view, the most noteworthy approach is that the state innovation policy is considered as a set of socio-economic relations between the state and other subjects of scientific and technical activities on the creation, transformation and use of innovations to update all spheres of life of people with a balance of interests of all participants in innovation processes [7].

The opinion of those authors who see the innovation policy as a part of the national policy in the development and implementation of program and target tasks of the innovation sphere development, legal regulation of the functions of subjects and objects of innovation policy, their relations deserves support. The organization and control in the sphere of innovation activity taking into account the rights and interests of all its subjects, including public interests, are also included as an element of innovation policy [8].

It should be noted that the term "innovation policy" is widely used in the regulations of a number of CIS countries. However, not all of these acts provide definition of the term of "innovation policy". For example, Law "On innovation activity" of Ukraine [9] and the Kyrgyz Republic, widely use the term of "innovation policy" but its content is not disclosed in these acts [10].

At the same time, the legislative acts of a number of other CIS countries on innovation contain the definition of innovation policy. Thus, the Law of the Republic of Belarus "On state innovation policy and innovation in the Republic of Belarus" defines the state innovation policy as an integral part of the state

socio-economic policy, which is a set of organizational, economic and legal measures implemented by the state aimed at regulating innovation [11].

According to the Law of the Republic of Tajikistan "On innovation" the state innovation policy is the complex of activities of state bodies aimed at the development and state regulation of innovation, the development of the mechanism and its implementation [12]. The law of the Republic of Kazakhstan "On innovation" defines the concept of "state innovation policy" as an integral part of the socio-economic policy aimed at the development and promotion of innovation [13].

Summarizing the above mentioned information, we emphasize that the problem of definition and structural content of innovation policy is important, however, at the present stage is more relevant is not so much the fact of the development of the actual official documents on innovation policy, as the formation of an effective system of state relations between the participants of innovation.

The above mentioned variants of the definitions of the state innovation policy give grounds for some generalizations and conclusions. In particular, it is easy to see that innovation policy is most often defined as part of the social and economic policy of the state. Taking all of what have been noted into consideration, we can say that the state innovation policy is part of the state socio-economic policy aimed at the development and implementation of program and target objectives of the development of innovation, legal regulation of the functions of subjects and objects of innovation policy, their relations, as well as the organization and implementation of innovation.

At present, large-scale works on the creation and implementation into legal practice most conceptual documents and legal acts in the field of transformation in the scientific and technical complex, the formation of the national innovation system, strengthening the human resources of science has been carried out in the country. These documents and acts also relate to the improvement of the system of stimulation of venture investment and forms of state support to the science and innovation, the formation of the state order for the implementation of research and development, legal protection of trade secrets and commercialization of products of research and development [14].

However, activities in this area can and should be intensified. In this regard, it seems that there is a need for the formation of the state innovation policy from the standpoint of legal regulation. We believe that in Uzbekistan it is necessary to develop a policy document in the field of determining the priorities of innovation policy.

Such a document can be the Concept of innovation policy of the Republic of Uzbekistan. It should contain long-term strategic goals, the main directions and objectives of the state policy of Uzbekistan in the field of international scientific and technical cooperation, priority areas of cooperation with the countries of near and far abroad, mechanisms for the implementation of this policy, carried out within the framework of interstate, intergovernmental and interdepartmental agreements concluded on a multilateral and bilateral basis, etc.

The main directions of the state innovation policy in the sphere of science and technology can be determined by the development of such a regulatory framework that will attract extra-budgetary and other investment resources, regulate the transfer of state rights to the results of intellectual activity to domestic and foreign investors and improve the efficiency of venture investment.

Scientific (innovative) activity is traditionally considered to be the sphere of active public policy. The fact is that scientific ideas cannot be directly used in economic activities, the purpose of which is earning the profit. Therefore, organizations and companies are very restrained in direct funding of research, although they have a great need for their results. In modern conditions, the state largely assumes the function of providing business with one of the most important resources of the innovation process - scientific knowledge and ideas. That is why the scientific and technological progress in the official documents of the leading countries is considered as a single chain: scientific ideas and developments-innovative business - large - scale use.

The objectives of the legal regulation of innovation policy of the leading countries of the world, as a rule, are: increasing the contribution of science and technology to the development of the economy; ensuring progressive changes in the sphere of material production; improving the competitiveness of the national product in the world market; strengthening the security and defence of the country; improving the environmental situation; preservation and development of existing scientific schools.

"Information and innovation" revolution, as well as "Computer" and previous industrial revolutions, have developed according to the laws of the innovation life cycle. First, there is a rapid growth, high expectations and unjustified optimism. This usually leads to the ruin of most players in the new sector of the economy and the enrichment of firms that are not developers or innovators of innovations, but find cost-effective and unexpected ways to use them (the so-called "secondary" market" innovations). Then,

according to the researcher F.Jansen, there is an evolutionary development of a new sector of the economy [15]. They are formed on the basis of a specific form of state impact on innovation and long-term forecasting and planning of technological development of the country.

The degree of legal regulation of innovation policy depends on how much research and development work in the country is carried out at the expense of public resources. The effectiveness of the innovation process can be inhibiting if public innovation policies are aimed at achieving goals that are poorly related to the problems of production and consumption development, and public expenditures on research and development work, regardless of their volume, do not increase the innovative resources of firms and often divert their own funds to conduct commercially unpromising developments. In this case, the effectiveness of legal regulation of innovation policy as a factor of economic growth is low. It should be noted that the motivation of the subjects of innovation is influenced by the natural conditions for creating innovations related to the provision of the creative process. These conditions reflect the contradictions of the economic interests of the participants in the process, which has a deterrent effect not only on innovation, but also on economic development.

The state, as a rule, determines the objectives of innovation policy, develops its principles on the basis of which the legal support of innovation policy is formed, as well as the mechanism for its implementation. These principles depend on the current economic system of the country, the depth of the impact of state institutions on economic activity. At the same time, the legal regulation of innovation policy, as many scientists note, is one of the determining conditions for the transfer of the functioning of the economy to market rails.

The formation of the legal basis of national innovation systems, venture entrepreneurship in the field of high technologies, the development of "technology" as well as increasing role of small firms and individuals in the technological process indicate the formation of a new sphere of social production - the sphere of innovation. Today, many key innovations are created not so much by large as by small firms, it becomes possible to organize cheaper and more flexible production, it becomes real "business at the speed of thought", the life cycle of innovations is reduced ("the way from idea to result"), the efficiency of their implementation is growing [16].

The development of legal regulation of innovative economy lays the foundation for the manifestation of integrative trends in the development of the state, due to the specifics of this activity. Innovation requires a solid legal framework, flexible and mobile information technology environment, permanent exchange of ideas and knowledge, provision of qualified personnel, financial and other resources.

In each country, the content and intensity of innovation processes, their national specifics and features of the model of legal regulation of innovation policy are largely determined by the level of development of productive forces and industrial relations [17]. Functional chains of national innovation systems are formed as a result of the development of appropriate legal relations between the subjects of innovation in a certain environment, and therefore they are associated with traditions, national business culture, psychology of entrepreneurship, the level and quality of education, accumulated critical mass of knowledge.

Further development of innovation and increasing its role in the accelerated modernization, technical and technological re-equipment of enterprises, the widespread introduction of modern scientific, technical and information achievements requires the solution of a number of problems, including those related to the legal support of the state innovation policy, which have both theoretical and practical aspects.

An important theoretical aspect of the problem is the definition of the legal essence and the concept of state innovation policy. The proposed definition of state innovation policy takes into account both the general essential characteristics of such policy and its features.

The study showed that the most important element of the legal regulation of the state innovation policy is its regulatory framework, which is voluminous and diverse in its content characteristics. The analysis of the content of normative legal acts regulating the state innovation policy in a number of countries in the post-Soviet space, revealed a number of conceptual provisions that can become the basis of legal regulation of the state innovation policy in the Republic of Uzbekistan.

The research of the mechanism of formation and implementation of legal regulation of the state innovation policy in foreign countries gives grounds to talk about both significant differences and similarities in approaches to such regulation, which can become guidelines for the development of the regulatory framework of the state innovation policy in Uzbekistan.

In these conditions, the state innovation policy based on the use of legal means, in our opinion, should be implemented by:

- stimulation of business activity in scientific, scientific-technical and innovative activity;

- intellectual property protection;
- ensuring freedom of scientific and technical creativity;
- integration of scientific, scientific and technical activities and education;
- support competition in the field of science and technology;
- concentration of resources on priority areas of scientific development;
- development of international scientific innovation cooperation.

It seems that the practical implementation of these areas of legal support of the state innovation policy will contribute to the accelerated development of the most advanced domestic and foreign scientific, technical and technological achievements of the world level and the output of our country to a qualitatively new level of innovative development.

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