

SCIENCE
PROBLEMS.UZ

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Actual problems of social and humanitarian sciences
Актуальные проблемы социальных и гуманитарных наук

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2024

SCIENCEPROBLEMS.UZ

**ИЖТИМОЙ-ГУМАНИТАР ФАНЛАРНИНГ
ДОЛЗАРБ МУАММОЛАРИ**

№ 8 (4) - 2024

**АКТУАЛЬНЫЕ ПРОБЛЕМЫ СОЦИАЛЬНО-
ГУМАНИТАРНЫХ НАУК**

ACTUAL PROBLEMS OF HUMANITIES AND SOCIAL SCIENCES

ТОШКЕНТ-2024

БОШ МУҲАРРИР:

Исанова Феруза Тулқиновна

ТАҲРИР ҲАЙЪАТИ:

07.00.00-ТАРИХ ФАНЛАРИ:

Юлдашев Анвар Эргашевич – тарих фанлари доктори, сиёсий фанлар номзоди, профессор, Ўзбекистон Республикаси Президенти ҳузуридаги Давлат бошқаруви академияси;

Мавланов Уктам Махмасабирович – тарих фанлари доктори, профессор, Ўзбекистон Республикаси Президенти ҳузуридаги Давлат бошқаруви академияси;

Хазраткулов Абдор – тарих фанлари доктори, доцент, Ўзбекистон давлат жаҳон тиллари университети.

Турсунов Равшан Нормуратович – тарих фанлари доктори, Ўзбекистон Миллий Университети;

Холикулов Ахмаджон Боймаҳамматович – тарих фанлари доктори, Ўзбекистон Миллий Университети;

Габриэльян Софья Ивановна – тарих фанлари доктори, доцент, Ўзбекистон Миллий Университети.

Саидов Сарвар Атабулло ўғли – катта илмий ходим, Имом Термизий халқаро илмий-тадқиқот маркази, илмий тадқиқотлар бўлими.

08.00.00-ИҚТИСОДИЁТ ФАНЛАРИ:

Карлибаева Рая Хожабаевна – иқтисодиёт фанлари доктори, профессор, Тошкент давлат иқтисодиёт университети;

Насирходжаева Дилафруз Сабитхановна – иқтисодиёт фанлари доктори, профессор, Тошкент давлат иқтисодиёт университети;

Остонокулов Азамат Абдукаримович – иқтисодиёт фанлари доктори, профессор, Тошкент молия институти;

Арабов Нурали Уралович – иқтисодиёт фанлари доктори, профессор, Самарқанд давлат университети;

Худойқулов Садирдин Каримович – иқтисодиёт фанлари доктори, доцент, Тошкент давлат иқтисодиёт университети;

Азизов Шерзод Ўктамович – иқтисодиёт фанлари доктори, доцент, Ўзбекистон Республикаси Божхона институти;

Хожаев Азизхон Саидалохонович – иқтисодиёт фанлари доктори, доцент, Фарғона политехника институти

Холов Актам Хатамович – иқтисодиёт фанлари бўйича фалсафа доктори (PhD), доцент, Ўзбекистон Республикаси Президенти ҳузуридаги Давлат бошқаруви академияси;

Шадиева Дилдора Хамидовна – иқтисодиёт фанлари бўйича фалсафа доктори (PhD), доцент в.б, Тошкент молия институти;

Шакарров Қулмат Аширович – иқтисодиёт фанлари номзоди, доцент, Тошкент ахборот технологиялари университети

09.00.00-ФАЛСАФА ФАНЛАРИ:

Ҳакимов Назар Ҳакимович – фалсафа фанлари доктори, профессор, Тошкент давлат иқтисодиёт университети;

Яхшиликков Жўрабой – фалсафа фанлари доктори, профессор, Самарқанд давлат университети;

Ғайбуллаев Отабек Мухаммадиевич – фалсафа фанлари доктори, профессор, Самарқанд давлат чет тиллар институти;

Саидова Камола Усканбаевна – фалсафа фанлари доктори, “Tashkent International University of Education” халқаро университети;

Ҳошимхонов Мўмин – фалсафа фанлари доктори, доцент, Жиззах педагогика институти;

Ўроқова Ойсулов Жамолиддиновна – фалсафа фанлари доктори, доцент, Андижон давлат тиббиёт институти, Ижтимоий-гуманитар фанлар кафедраси мудири;

Носирходжаева Гулнора Абдукаххаровна – фалсафа фанлари номзоди, доцент, Тошкент давлат юридик университети;

Турдиев Бехруз Собирович – фалсафа фанлари бўйича фалсафа доктори (PhD), доцент, Бухоро давлат университети.

10.00.00-ФИЛОЛОГИЯ ФАНЛАРИ:

Ахмедов Ойбек Сапорбаевич – филология фанлари доктори, профессор, Ўзбекистон давлат жаҳон тиллари университети;

Кўчимов Шухрат Норқизилевич – филология фанлари доктори, доцент, Тошкент давлат юридик университети;

Ҳасанов Шавкат Аҳадович – филология фанлари доктори, профессор, Самарқанд давлат университети;

Бахронова Дилрабо Келдиёровна – филология фанлари доктори, профессор, Ўзбекистон давлат жаҳон тиллари университети;

Мирсанов Ғайбулло Қулмуродович – филология фанлари доктори, профессор, Самарқанд давлат чет тиллар институти;

Салахутдинова Мушарраф Исамутдиновна – филология фанлари номзоди, доцент, Самарқанд давлат университети;

Кучкаров Раҳман Урманович – филология фанлари номзоди, доцент в/б, Тошкент давлат юридик университети;

Юнусов Мансур Абдуллаевич – филология фанлари номзоди, Ўзбекистон Республикаси Президенти ҳузуридаги Давлат бошқаруви академияси;

Саидов Улугбек Арипович – филология фанлари номзоди, доцент, Ўзбекистон Республикаси Президенти ҳузуридаги Давлат бошқаруви академияси.

12.00.00-ЮРИДИК ФАНЛАР:

Аҳмедшаева Мавлюда Ахатовна – юридик фанлар доктори, профессор, Тошкент давлат юридик университети;

Мухитдинова Фирюза Абдурашидовна – юридик фанлар доктори, профессор, Тошкент давлат юридик университети;

Эсанова Замира Нормуратовна – юридик фанлар доктори, профессор, Ўзбекистон Республикасида хизмат кўрсатган юрист, Тошкент давлат юридик университети;

Ҳамроқулов Баҳодир Мамашарифович – юридик фанлар доктори, профессор в.б., Жаҳон иқтисодиёти ва дипломатия университети;

Зулфиқоров Шерзод Хуррамович – юридик фанлар доктори, профессор, Ўзбекистон Республикаси Жамоат ҳавфсизлиги университети;

Хайитов Хушвақт Сапарбаевич – юридик фанлар доктори, профессор, Ўзбекистон Республикаси Президенти ҳузуридаги Давлат бошқаруви академияси;

Асадов Шавкат Ғайбуллаевич – юридик фанлар доктори, доцент, Ўзбекистон Республикаси Президенти ҳузуридаги Давлат бошқаруви академияси;

Утемуратов Махмут Ажимуратович – юридик фанлар номзоди, профессор, Тошкент давлат юридик университети;

Сайдуллаев Шахзод Алиханович – юридик фанлар номзоди, профессор, Тошкент давлат юридик университети;

Ҳакимов Комил Бахтиярович – юридик фанлар доктори, доцент, Тошкент давлат юридик университети;

Юсупов Сардорбек Баходирович – юридик фанлар доктори, доцент, Тошкент давлат юридик университети;

Амиров Зафар Актамович – юридик фанлар бўйича фалсафа доктори (PhD), Ўзбекистон Республикаси Судьялар олий кенгаши ҳузуридаги Судьялар олий мактаби;

Жўраев Шерзод Юлдашевич – юридик фанлар номзоди, доцент, Тошкент давлат юридик университети;

Бабаджанов Атабек Давронбекович – юридик фанлар номзоди, доцент, Тошкент давлат юридик университети;

Раҳматов Элёр Жумабоевич – юридик фанлар номзоди, Тошкент давлат юридик университети;

13.00.00-ПЕДАГОГИКА ФАНЛАРИ:

Хашимова Дильдархон Уринбоевна – педагогика фанлари доктори, профессор, Тошкент давлат юридик университети;

Ибрагимова Гулнора Хавазматовна – педагогика фанлари доктори, профессор, Тошкент давлат иқтисодиёт университети;

Закирова Феруза Махмудовна – педагогика фанлари доктори, Тошкент ахборот технологиялари университети ҳузуридаги педагогик кадрларни қайта тайёрлаш ва уларнинг малакасини ошириш тармоқ маркази;

Каюмова Насиба Ашуровна – педагогика фанлари доктори, профессор, Қарши давлат университети;

Тайланова Шохида Зайниевна – педагогика фанлари доктори, доцент;

Жуманиёзова Муҳайё Тожиевна – педагогика фанлари доктори, доцент, Ўзбекистон давлат жаҳон тиллари университети;

Ибрахимов Санжар Урунбаевич – педагогика фанлари доктори, Иқтисодиёт ва педагогика университети;

Жавлиева Шахноза Баходировна – педагогика фанлари бўйича фалсафа доктори (PhD), Самарқанд давлат университети;

Бобомуротова Латофат Элмуродовна – педагогика фанлари бўйича фалсафа доктори (PhD), Самарқанд давлат университети.

19.00.00-ПСИХОЛОГИЯ ФАНЛАРИ:

Каримова Василя Маманосировна – психология фанлари доктори, профессор, Низомий номидаги Тошкент давлат педагогика университети;

Ҳайитов Ойбек Эшбоевич – Жисмоний тарбия ва спорт бўйича мутахассисларни қайта тайёрлаш ва малакасини ошириш институти, психология фанлари доктори, профессор

Умарова Навбахор Шокировна – психология фанлари доктори, доцент, Низомий номидаги Тошкент давлат педагогика университети, Амалий психологияси кафедраси мудири;

Атабаева Наргис Батировна – психология фанлари доктори, доцент, Низомий номидаги Тошкент давлат педагогика университети;

Шамшетова Анжим Карамаддиновна – психология фанлари доктори, доцент,

Ўзбекистон давлат жаҳон тиллари университети;

Қодиров Обид Сафарович – психология фанлари доктори (PhD), Самарканд вилоят ИИБ Тиббиёт бўлими психологик хизмат бошлиғи.

22.00.00-СОЦИОЛОГИЯ ФАНЛАРИ:

Латипова Нодира Мухтаржановна – социология фанлари доктори, профессор, Ўзбекистон миллий университети кафедра мудири;

Сеитов Азамат Пўлатович – социология фанлари доктори, профессор, Ўзбекистон миллий университети;

Содиқова Шоҳида Мархабобовна – социология фанлари доктори, профессор, Ўзбекистон халқаро ислом академияси.

23.00.00-СИЁСИЙ ФАНЛАР

Назаров Насриддин Атақулович – сиёсий фанлар доктори, фалсафа фанлари доктори, профессор, Тошкент архитектура қурилиш институти;

Бўтаев Усмонжон Хайруллаевич – сиёсий фанлар доктори, доцент, Ўзбекистон миллий университети кафедра мудири.

ОАК Рўйхати

Мазкур журнал Вазирлар Маҳкамаси ҳузуридаги Олий аттестация комиссияси Раёсатининг 2022 йил 30 ноябрдаги 327/5-сон қарори билан тарих, иқтисодиёт, фалсафа, филология, юридик ва педагогика фанлари бўйича илмий даражалар бўйича диссертациялар асосий натижаларини чоп этиш тавсия этилган илмий нашрлар рўйхатига киритилган.

Ижтимоий-гуманитар фанларнинг долзарб муаммолари” электрон журнали 2020 йил 6 август куни 1368-сонли гувоҳнома билан давлат рўйхатига олинган.

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Таҳририят манзили:

100070. Тошкент шаҳри, Яккасарой тумани, Кичик Бешёғоч кўчаси, 70/10-уй. Электрон манзил:

scienceproblems.uz@gmail.com

Боғланиш учун телефонлар:

(99) 602-09-84 (telegram).

MUNDARIJA

07.00.00 – TARIX FANLARI

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LEGAL RELATIONS AND STAKEHOLDERS IN QUANTUM TECHNOLOGIES REGULATION: A COMPREHENSIVE ANALYSIS OF GOVERNANCE FRAMEWORKS

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Abstract. This study provides an in-depth examination of the regulatory landscape surrounding quantum technologies, focusing on the types of legal relations and stakeholders involved. It explores the subjects and objects of governance, rights and duties, compliance mechanisms, and the balance between oversight and innovation. The research aims to map the legal topology of this emergent field and provide insights for developing effective regulatory frameworks. The study employs a comprehensive literature review and analysis of existing regulatory approaches, highlighting the complex interplay between various actors in the quantum ecosystem and the challenges of governing exponential technologies.

Keywords: Quantum technology regulation, Legal relations, Stakeholder governance, Adaptive oversight, International cooperation, Ethical frameworks, Technological innovation, Cybersecurity.

KVANT TEXNOLOGIYALARINI TARTIBGA SOLISHDAGI HUQUQIY MUNOSABATLAR VA MANFAATDOR TOMONLAR: BOSHQARUV TIZIMLARINING KENG QAMROVLI TAHLILI

Abdihakimov Islombek

Toshkent davlat yuridik universiteti, Kiber huquq kafedrası o'qituvchisi

Annotatsiya. Ushbu tadqiqot kvant texnologiyalari atrofidagi tartibga soluvchi landshaftni chuqur o'rganishni ta'minlaydi, huquqiy munosabatlar turlari va manfaatdor tomonlarga e'tibor qaratadi. U boshqaruv sub'ektlari va ob'ektlari, huquq va burchlari, rioya qilish mexanizmlari, nazorat va innovatsiyalar o'rtasidagi muvozanatni o'rganadi. Tadqiqot ushbu paydo bo'lgan sohaning huquqiy topologiyasini xaritalash va samarali me'yoriy-huquqiy bazalarni ishlab chiqish uchun tushunchalarni taqdim etishga qaratilgan. Tadqiqotda keng qamrovli adabiyotlarni ko'rib chiqish va mavjud tartibga solish yondashuvlarini tahlil qilish, kvant ekotizimidagi turli aktyorlar o'rtasidagi murakkab o'zaro ta'sir va eksponent texnologiyalarni boshqarish muammolarini yoritadi.

Kalit so'zlar: Kvant texnologiyasini tartibga solish, Huquqiy munosabatlar, Manfaaddor tomonlarni boshqarish, Adaptiv nazorat, Xalqaro hamkorlik, Axloqiy asoslar, Texnologik innovatsiyalar, Kiberxavfsizlik.

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Introduction. Quantum technologies promise revolutionary capabilities across various sectors, including computing, cryptography, sensing, and imaging. However, these advancements also pose complex regulatory challenges that demand careful consideration [1]. As these technologies rapidly evolve, there is an urgent need to understand and define the legal and ethical frameworks that will govern their development and use.

The regulatory landscape for quantum technologies is multifaceted, involving a diverse array of stakeholders, each with distinct rights, duties, and interests. This study aims to examine the key aspects of quantum technology regulation, including:

1. The regulatory subjects and their roles in governance
2. The objects of quantum governance
3. The rights, duties, and interests of various stakeholders
4. The relationships and compliance mechanisms within the quantum ecosystem
5. Emerging regulatory approaches and entities
6. The role of jurisprudential interpretations in shaping oversight
7. The challenges and opportunities in developing international regulatory frameworks

By mapping this complex terrain, this research seeks to provide valuable insights for policymakers, industry leaders, and researchers working to develop effective and ethical governance structures for quantum technologies.

Methods: This study employed a comprehensive literature review and analysis of existing regulatory frameworks, policies, and industry practices related to quantum technologies. The research methodology included:

1. Systematic review of academic publications in fields such as quantum physics, law, ethics, and policy studies
2. Analysis of policy documents and regulatory frameworks from various national and international bodies
3. Examination of industry reports, white papers, and ethical guidelines
4. Review of legal texts and court decisions relevant to technology governance
5. Comparative analysis of regulatory approaches across different jurisdictions

The collected data was synthesized to identify key themes, patterns, and challenges in quantum technology regulation. This approach allowed for a holistic understanding of the current regulatory landscape and the identification of potential future directions for governance.

Results:

1. Regulatory Subjects

The study identified several key regulatory subjects in quantum governance:

a) States and intergovernmental bodies: These entities create binding laws and international agreements governing quantum technologies [2]. For example, the European Union has implemented directives protecting critical infrastructure related to quantum technologies [3].

b) State-designated regulators: National agencies tasked with implementing rules and codes specific to quantum technologies [3].

c) Industry associations: These groups promulgate voluntary governance frameworks and ethical codes for quantum technology development and use [4].

d) Independent oversight entities: Organizations such as auditors that verify claims and assess compliance with established norms [5].

While states remain the primary regulatory force with supreme coercive capacity [6], the study found that diverse social oversight mechanisms contribute to a more decentralized

governance structure [7]. This multi-stakeholder approach helps balance innovation with risk mitigation.

2. Objects of Quantum Governance

The regulatory frameworks govern various aspects of quantum technologies, including:

a) Hardware: Quantum computers, simulators, and sensors b) Knowledge artifacts: Research papers, algorithms, and technical specifications c) Human capital: Researchers, engineers, and other skilled professionals in the quantum field d) Ecosystem elements: Training programs, funding mechanisms, and collaborative networks [8]

The study also found that contracts, licenses, and codes of conduct play a crucial role in governing relationships within the quantum innovation ecosystem [9].

3. Rights, Duties, and Interests

The research revealed distinct rights and duties for different quantum subjects:

a) States: Have the power to legislate oversight rules, enforce compliance through various mechanisms (e.g., personnel vetting, technology controls, sanctions), and balance security concerns with the need for scientific inquiry and due process [11][12].

b) Industry associations: Govern members through voluntary ethical frameworks and codes of conduct [13].

c) Researchers: Retain qualified rights to open science and academic freedom, balanced against professional ethics and public trust considerations [15].

d) Auditors: Verify claims and assess compliance when contracted, though accountability for their methodologies remains limited [14].

The study noted that while quantum computers currently lack intrinsic rights, strict oversight is necessary to ensure alignment with human values, especially given the uncertainty surrounding the potential development of artificial general intelligence [16][17].

4. Relationships and Compliance

Quantum oversight combines hierarchical authority, contractual governance, and rights contention [18]. The research found that a balance between state regulation and industry self-governance is crucial for effective oversight. Key findings include:

a) National regulators control access to sensitive technologies, enforce personnel screening, and conduct compliance audits [18].

b) Standards co-developed by state security experts and companies help balance interests, as seen in export control designations [19] and vulnerability disclosure programs [20].

c) Algorithmic systems are increasingly used in oversight, but their use raises concerns about reduced human accountability and judgment [21].

The study emphasizes the need for integrating automation's speed with human wisdom to foster legitimacy in oversight processes.

5. Jurisprudential Interpretations

The research highlighted the importance of judicial interpretations in shaping quantum governance:

a) Courts have inferred expanded data protections as human rights, indicating that states may have positive duties to compel commercial encryption [22].

b) Constitutional courts have emphasized academic freedom and speech rights against state constraints on scientific progress, such as publication preclearance requirements or researcher vetting [23].

These judicial interpretations serve to moderate unfettered regulatory power and protect fundamental rights in the context of quantum technology governance.

6. New Entities and Approaches

The study identified emerging trends in quantum technology regulation:

a) Cloud-based quantum business models are transforming access oversight, moving towards radically transparent verification of claimed capabilities by trusted reviewers [24][25].

b) Responsible development of quantum natural language processing is becoming a focus of governance efforts to mitigate risks of disinformation and dual-use concerns [26].

c) Adaptive governance systems are being developed to anticipate and respond to rapid technological advancements and unforeseen vulnerabilities [28].

7. International Regulatory Frameworks

The research underscored the need for international cooperation in quantum technology regulation, given the global nature of quantum innovation [33]. Key findings include:

a) The potential for establishing novel international legal instruments, such as a multilateral Quantum Technology Convention, to define rights and responsibilities of states in aligning rapid innovation with human rights protections [34].

b) The importance of interim steps, such as bilateral Memoranda of Understanding between states collaborating on quantum projects, which incorporate human rights clauses or external ethical reviews.

c) The value of multi-stakeholder consultation bodies at regional levels to foster collaborative governance approaches.

Discussion: The findings of this study highlight the complex and multifaceted nature of quantum technology regulation. The research suggests that effective governance requires a delicate balance between strict oversight and the flexibility needed to foster innovation. Several key points emerge from the analysis:

1. Adaptive Governance: Given the rapid pace of quantum technology development, regulatory frameworks must be flexible and capable of evolving alongside technological advancements. Adaptive governance systems that continuously scan horizons for potential risks and opportunities are crucial [28].

2. Multi-stakeholder Approach: The involvement of diverse stakeholders, including governments, industry associations, researchers, and independent oversight entities, is essential for creating comprehensive and effective regulatory frameworks [7].

3. Balancing Innovation and Risk: Regulators face the challenge of mitigating potential risks associated with quantum technologies while not stifling beneficial innovation. This requires thoughtful review processes that balance security concerns with the need for scientific inquiry and technological progress [12].

4. Global Cooperation: The inherently global nature of quantum innovation necessitates international cooperation in developing regulatory frameworks. The potential for

a multilateral Quantum Technology Convention or similar international instruments should be explored further [34].

5. **Ethical Considerations:** As quantum technologies advance, ensuring alignment with human values and ethical principles becomes increasingly important. This includes considerations of privacy, security, and the potential societal impacts of these technologies [29].

6. **Judicial Role:** The study highlights the significant role that judicial interpretations play in shaping the governance landscape, particularly in areas where legislation may lag behind technological advancements [22][23].

7. **Emerging Business Models:** The rise of cloud-based quantum computing services presents new challenges for oversight and verification of capabilities, requiring novel approaches to regulation [24][25].

Limitations and Future Research: This study's limitations include the rapidly evolving nature of quantum technologies, which may outpace current regulatory frameworks. Additionally, the focus on literature and policy analysis may not fully capture the practical challenges of implementing quantum technology regulations.

Future research should focus on:

1. Empirical studies of the effectiveness of different regulatory approaches
2. Case studies of successful (and unsuccessful) quantum technology governance initiatives
3. The long-term impacts of quantum technologies on society, economy, and international relations
4. The potential role of artificial intelligence in quantum technology governance
5. Comparative analyses of quantum technology regulation across different cultural and political contexts

Conclusion. This comprehensive study of legal relations and stakeholders in quantum technologies regulation reveals a complex and rapidly evolving landscape. The findings emphasize the need for flexible, iterative regulatory models that can adapt to the deep complexity and uncertainty inherent in quantum innovation.

Effective governance of quantum technologies will require a holistic integration of social and physical sciences, ethical considerations, and technical expertise. As these technologies continue to advance, it is crucial to develop governance structures that protect human dignity and fundamental rights while fostering responsible innovation.

The quantum revolution offers unprecedented opportunities for scientific and technological progress. However, realizing its full potential while mitigating risks demands not only groundbreaking science but also wisdom in constructing institutions and regulatory frameworks. By fostering collaborative, adaptive, and ethically grounded governance approaches, we can work towards a future where quantum technologies serve to elevate human consciousness and contribute positively to global society.

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ДОЛЗАРБ МУАММОЛАРИ**

№ 8 (4) – 2024

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