

SCIENCE
PROBLEMS.UZ

ISSN 2181-1342

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

Ijtimoiy-gumanitar fanlarning dolzarb muammolari

1-son (6-jild)

2026

SCIENCEPROBLEMS.UZ

IJTIMOIIY-GUMANITAR FANLARNING DOLZARB MUAMMOLARI

№ 1 (6) – 2026

АКТУАЛЬНЫЕ ПРОБЛЕМЫ СОЦИАЛЬНО- ГУМАНИТАРНЫХ НАУК

ACTUAL PROBLEMS OF HUMANITIES AND SOCIAL SCIENCES

TOSHKENT-2026

BOSH MUHARRIR:

Isanova Feruza Tulqinovna

TAHRIR HAY'ATI:

07.00.00- TARIX FANLARI:

Yuldashev Anvar Ergashevich – tarix fanlari doktori, siyosiy fanlar nomzodi, professor;

Mavlanov Uktam Maxmasabirovich – tarix fanlari doktori, professor;

Xazratkulov Abror – tarix fanlari doktori, dotsent;

Tursunov Ravshan Normuratovich – tarix fanlari doktori;

Xolikulov Axmadjon Boymahmatovich – tarix fanlari doktori;

Gabrielyan Sofya Ivanovna – tarix fanlari doktori, dotsent;

Saidov Sarvar Atabullo o'g'li – katta ilmiy xodim, Imom Termiziy xalqaro ilmiy-tadqiqot markazi, ilmiy tadqiqotlar bo'limi.

08.00.00- IQTISODIYOT FANLARI:

Karlibayeva Raya Xojabayevna – iqtisodiyot fanlari doktori, professor;

Nasirxodjayeva Dilafruz Sabitxanovna – iqtisodiyot fanlari doktori, professor;

Ostonokulov Azamat Abdukarimovich – iqtisodiyot fanlari doktori, professor;

Arabov Nurali Uralovich – iqtisodiyot fanlari doktori, professor;

Xudoyqulov Sadirdin Karimovich – iqtisodiyot fanlari doktori, dotsent;

Azizov Sherzod O'ktamovich – iqtisodiyot fanlari doktori, dotsent;

Xojayev Azizxon Saidaloxonovich – iqtisodiyot fanlari doktori, dotsent

Xolov Aktam Xatamovich – iqtisodiyot fanlari bo'yicha falsafa doktori (PhD), dotsent;

Shadiyeva Dildora Xamidovna – iqtisodiyot fanlari bo'yicha falsafa doktori (PhD), dotsent v.b.;

Shakarov Qulmat Ashirovich – iqtisodiyot fanlari nomzodi, dotsent.;

Jabborova Charos Aminovna - iqtisodiyot fanlari bo'yicha falsafa doktori (PhD).

09.00.00- FALSAFA FANLARI:

Hakimov Nazar Hakimovich – falsafa fanlari doktori, professor;

Yaxshilikov Jo'raboy – falsafa fanlari doktori, professor;

G'aybullayev Otabek Muhammadiyevich – falsafa fanlari doktori, professor;

Saidova Kamola Uskanbayevna – falsafa fanlari doktori;

Hoshimxonov Mo'min – falsafa fanlari doktori, dotsent;

O'roqova Oysuluv Jamoliddinovna – falsafa fanlari doktori, dotsent;

Nosirxodjayeva Gulnora Abdukaxxarovna – falsafa fanlari nomzodi, dotsent;

Turdiyev Bexruz Sobirovich – falsafa fanlari doktori (DSc), Professor.

10.00.00- FILOLOGIYA FANLARI:

Axmedov Oybek Saporbayevich – filologiya fanlari doktori, professor;

Ko'chimov Shuxrat Norqizilovich – filologiya fanlari doktori, dotsent;

Hasanov Shavkat Ahadovich – filologiya fanlari doktori, professor;

Baxronova Dilrabo Keldiyorovna – filologiya fanlari doktori, professor;

Mirsanov G'aybullo Qulmurodovich – filologiya fanlari doktori, professor;

Salaxutdinova Musharraf Isamutdinovna – filologiya fanlari nomzodi, dotsent;

Kuchkarov Raxman Urmanovich – filologiya fanlari nomzodi, dotsent v/b;

Yunusov Mansur Abdullayevich – filologiya fanlari nomzodi;

Saidov Ulugbek Aripovich – filologiya fanlari nomzodi, dotsent;

Qodirova Muqaddas Tog'ayevna - filologiya fanlari nomzodi, dotsent.

12.00.00- YURIDIK FANLAR:

Axmedshayeva Mavlyuda Axatovna – yuridik fanlar doktori, professor;

Muxitdinova Firyuza Abdurashidovna – yuridik fanlar doktori, professor;

Esanova Zamira Normurotovna – yuridik fanlar doktori, professor, O'zbekiston Respublikasida xizmat ko'rsatgan yurist;

Hamroqulov Bahodir Mamasharifovich – yuridik fanlar doktori, professor v.b.,;

Zulfiqorov Sherzod Xurramovich – yuridik fanlar doktori, professor;

Xayitov Xushvaqt Saparbayevich – yuridik fanlar doktori, professor;

Asadov Shavkat G'aybullayevich – yuridik fanlar doktori, dotsent;

Ergashev Ikrom Abdurasulovich – yuridik fanlari doktori, professor;

Utemuratov Maxmut Ajimuratovich – yuridik fanlar nomzodi, professor;

Saydullayev Shaxzod Alixanovich – yuridik fanlar nomzodi, professor;

Hakimov Komil Baxtiyarovich – yuridik fanlar doktori, dotsent;

Yusupov Sardorbek Baxodirovich – yuridik fanlar doktori, professor;

Amirov Zafar Aktamovich – yuridik fanlar doktori (PhD);

Jo'rayev Sherzod Yuldashevich – yuridik fanlar nomzodi, dotsent;

Babadjanov Atabek Davronbekovich – yuridik fanlar nomzodi, professor;

Normatov Bekzod Akrom o'g'li — yuridik fanlar bo'yicha falsafa doktori;

Rahmatov Elyor Jumaboyevich — yuridik fanlar nomzodi;

13.00.00- PEDAGOGIKA FANLARI:

Xashimova Dildarxon Urinboyevna – pedagogika fanlari doktori, professor;

Ibragimova Gulnora Xavazmatovna – pedagogika fanlari doktori, professor;

Zakirova Feruza Maxmudovna – pedagogika fanlari doktori;

Kayumova Nasiba Ashurovna – pedagogika fanlari doktori, professor;

Taylanova Shoxida Zayniyevna – pedagogika fanlari

doktori, dotsent;

Jumaniyozova Muhayyo Tojiyevna – pedagogika fanlari doktori, dotsent;

Ibraximov Sanjar Urunbayevich – pedagogika fanlari doktori;

Javliyeva Shaxnoza Baxodirovna – pedagogika fanlari bo'yicha falsafa doktori (PhD);

Bobomurotova Latofat Elmurodovna — pedagogika fanlari bo'yicha falsafa doktori (PhD).

19.00.00- PSIXOLOGIYA FANLARI:

Karimova Vasila Mamanosirovna – psixologiya fanlari doktori, professor, Nizomiy nomidagi Toshkent davlat pedagogika universiteti;

Hayitov Oybek Eshboyevich – Jismoniy tarbiya va sport bo'yicha mutaxassislarni qayta tayyorlash va malakasini oshirish instituti, psixologiya fanlari doktori, professor

Umarova Navbahor Shokirovna– psixologiya fanlari doktori, dotsent, Nizomiy nomidagi Toshkent davlat pedagogika universiteti, Amaliy psixologiyasi kafedrasini mudiri;

Atabayeva Nargis Batirovna – psixologiya fanlari doktori, dotsent;

Shamshetova Anjim Karamaddinovna – psixologiya fanlari doktori, dotsent;

Qodirov Obid Safarovich – psixologiya fanlari doktori (PhD).

22.00.00- SOTSILOGIYA FANLARI:

Latipova Nodira Muxtarjanovna – sotsiologiya fanlari doktori, professor, O'zbekiston milliy universiteti kafedra mudiri;

Seitov Azamat Po'latovich – sotsiologiya fanlari doktori, professor, O'zbekiston milliy universiteti;

Sodiqova Shohida Marxaboyevna – sotsiologiya fanlari doktori, professor, O'zbekiston xalqaro islom akademiyasi.

23.00.00- SIYOSIY FANLAR

Nazarov Nasriddin Ataqulovich –siyosiy fanlar doktori, falsafa fanlari doktori, professor, Toshkent arxitektura qurilish instituti;

Bo'tayev Usmonjon Xayrullayevich –siyosiy fanlar doktori, dotsent, O'zbekiston milliy universiteti kafedra mudiri.

OAK Ro'yxati

Mazkur jurnal Vazirlar Mahkamasi huzuridagi Oliy attestatsiya komissiyasi Rayosatining 2022-yil 30-noyabrdagi 327/5-son qarori bilan tarix, iqtisodiyot, falsafa, filologiya, yuridik va pedagogika fanlari bo'yicha ilmiy darajalar yuzasidan dissertatsiyalar asosiy natijalarini chop etish tavsiya etilgan ilmiy nashrlar ro'yxatiga kiritilgan.

“Ijtimoiy-gumanitar fanlarning dolzarb muammolari” elektron jurnali 2020-yil 6-avgust kuni 1368-sonli guvohnoma bilan davlat ro'yxatiga olingan.

Muassis: “SCIENCEPROBLEMS TEAM” mas'uliyati cheklangan jamiyati

Tahririyat manzili:

100070. Toshkent shahri, Yakkasaroy tumani, Kichik Beshyog'och ko'chasi, 70/10-uy. Elektron manzil:

scienceproblems.uz@gmail.com

Bog'lanish uchun telefon:

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

MUNDARIJA

07.00.00 – TARIX FANLARI

Yakubov Akmal

SOVET HOKIMIYATINING TURKISTONDA SOVET RESPUBLIKALARINI BARPO ETISH BO'YICHA SIYOSATI	09-21
--	-------

Сапарбаев Бунёд Хуррамбек оглы

МЕЖДУ ДИПЛОМАТИЕЙ И ИМПЕРСКОЙ СТРАТЕГИЕЙ: ВЗАИМООТНОШЕНИЯ ХИВИНСКОГО ХАНСТВА И РОССИИ В ПЕРИОД ПРАВЛЕНИЯ МУХАММАДА РАХИМХАНА I (1806–1825 гг.)	22-31
--	-------

Gadoyev Dadaxon Xayrulloevich

DEGGARON MASJIDINING SOVET O'LKASHUNOSLARI TOMONIDAN O'RGANILISHI	32-47
---	-------

Dadajonov Tursunboy Abdusamatovich

QO'QON XONLIGI DAVRIDA HARBIY KUCHLARNING QUROL-ASLAHALAR BILAN TA'MINLANISHI VA MODDIY BAZASINING RIVOJLANISH JARAYONI	48-53
--	-------

08.00.00 – IQTISODIYOT FANLARI

Umurzaqova Umida Nosirjanovna, Gafurjonov Jamshidbek Furkat o'g'li

SUV RESURSLARIDAN FOYDALANISHNI IQTISODIY-EKOLOGIK OPTIMALLASHTIRISH IMKONIYATLARI BO'YICHA JAHON TAJRIBASI TAHLILI	54-58
--	-------

09.00.00 – FALSAFA FANLARI

Yunusova Manzuraxon Pazliddinovna

O'ZBEKISTONDA O'ZINI O'ZI BOSHQARISH ORGANLARINI FUQAROLIK JAMIYATINING MUHIM INSTITUTI SIFATIDA ISLOH ETISH JARAYONI	59-68
--	-------

Karimov Xurshid Abdumannabovich

AN'ANA VA AXLOQIY UNIVERSALIZM – FALSAFIY KOMPARATIVISTIKA KONTEKSTIDA	69-74
---	-------

Egamberdiyev Baxriddin Baxodir o'g'li

O'ZBEKISTONDA MAHALLIY ODATLAR VA MAROSIMLARNING SHAKLLANISHI VA ULARNING FALSAFIY-TARIXIY MOHIYATI.....	75-82
---	-------

Norqulov Shahzod Shuhrat o'g'l

IJTIMOIIY REKLAMA TUSHUNCHASI: MOHIYAT VA FUNKSIYALAR	83-87
---	-------

Beshimov Xamidjon Sayidovich

FUQAROLIK JAMIYATI TARAQQIYOTIDA INSON QADRINI BELGILASH MEZONLARI HAMDA ZAMONAVIY JAMIYATDA INSON QADRINI TA'MINLASHDA KASABA UYUSHMALARINING ROLI.....	88-96
--	-------

Нишонов Сарвар Жасур угли

ФИЛОСОФСКИЙ АНАЛИЗ СМЫСЛООБРАЗУЮЩИХ КАТЕГОРИЙ СОЦИАЛЬНОЙ ЖИЗНИ ЛИЧНОСТИ (НА ПРИМЕРЕ ПРОИЗВЕДЕНИЙ ХУСЕЙНА ВАИЗА КАШИФИ)..	97-105
---	--------

12.00.00 – YURIDIK FANLAR

Uzakova Go'zal Sharipovna

SHAHARLARDA ATROF MUHIT MASALALARINI HAL ETISHDA JAMOATCHILIK
ISHTIROKINI TA'MINLASHNING HUQUQIY MASALALARI..... 106-112

Eshimbetov G'ulomjon Sultonbayevich

ICHKI ISHLAR ORGANLARINING KADRLAR BILAN ISHLASH XIZMATLARI
FAOLIYATINI BOSHQARISHNI TAKOMILLASHTIRISH ISTIQBOLLARI 113-122

Egamberdiyev Vohidjon Otabekovich

JAZONI IJRO ETISH MUASSASASIDAN OZOD ETILGAN SHAXSLARNI IJTIMOY
REABILITATSIYA QILISH VA MOSLASHTIRISH TUSHUNCHASI
HAMDA IJTIMOY ZARURATI 123-132

Марданов Жасурбек Отабек угли

УГОЛОВНОЕ ПРАВОВЫЕ АСПЕКТЫ ВОВЛЕЧЕНИЯ НЕСОВЕРШЕННОЛЕТНЕГО В
АНТИСОЦИАЛЬНОЕ ПОВЕДЕНИЕ 133-138

Mamadjonov Temurali Barotjon o'g'li

FUQARONI BEDARAK YO'QOLGAN DEB TOPISH VA VAFOT ETGAN
DEB E'LOH QILISHNING AYRIM MASALALARI 139-143

Jumumbetov Rasul Jengizbayevich

GEOGRAFIK KO'RSATKICHLARDAN FOYDALANISH HUQUQIY
TA'MINLASH MUAMMOLARI 144-150

Suyunov Bobir Bahodirovich,

RAQAMLI JAMIYATDA TALON-TAROJLIK:
KIBER-XAVFLAR VA ULARNI OLDINI OLISH YO'LLARI..... 151-155

Kdirbaeva Altinay Maksetbaevna

ICHKI ISHLAR ORGANLARIDA XOTIN-QIZLAR XIZMAT O'TASH TARTIBINI
BELGILASHGA DOIR RIVOJLANGAN MAMLAKATLAR TAJRIBASINING ILMIY TAHLILI 156-163

Abduhoshimov Ismoil Abdug'ani o'g'li

KORRUPSION JINOYATLARNING O'ZIGA XOS TAHLILI..... 164-168

Хошимова Юлдузхон Олимжоновна

СОВРЕМЕННЫЕ ПРОБЛЕМЫ ПРИЗНАНИЯ ОБЩЕИЗВЕСТНЫХ
ТОВАРНЫХ ЗНАКОВ 169-175

Abdugaffarov Davronbek Dilshod ugli

ALIGNING UZBEKISTAN'S PRIVATE INTERNATIONAL LAW WITH WTO PRINCIPLES:
THE ROLE OF CHOICE OF LAW IN GATS IMPLEMENTATION 176-180

Aripov Abid Adilovich

O'ZBEKISTONDA CHET EL FUQAROSI TUSHUNCHASI VA HUQUQIY MAQOMI..... 181-189

Tolibbayeva Malika Ulmasjon qizi

ADVOKATNING IQTISODIY VA FUQAROLIK PROTSESSIDAGI ISHTIROKI:
XORIJIY VA MILLIY QONUNCHILIK TAHLILI..... 190-197

Нормуродова Азиза Азимжон кизи

СЕКСУАЛЬНОЕ НАСИЛИЕ С ИСПОЛЬЗОВАНИЕМ ИЗОБРАЖЕНИЙ В РЕСПУБЛИКЕ
УЗБЕКИСТАН: ОЦЕНКА ДЕЙСТВУЮЩЕГО ЗАКОНОДАТЕЛЬСТВА И ПУТИ ЕГО
СОВЕРШЕНСТВОВАНИЯ 198-204

Abdullayeva Parvina Baxrillovna

RAQAMLI PLATFORMALAR BILAN BOG'LIQ TUSHUNCHALAR TALQINI 205-212

Nurmatov Jasur

OLIY TA'LIM MUASSASALARI TALABALARI O'RTASIDA HUQUQBUZARLIKLAR PROFILAKTİKASINING RETROSPEKTIV TAHLILI	213-222
---	---------

Шадуева Сайёра Арифовна

ОСОБЕННОСТИ РАССМОТРЕНИЯ ДЕЛ О ПРИМЕНЕНИИ МЕР ПРАВОВОГО ВОЗДЕЙСТВИЯ К СУБЪЕКТАМ ПРЕДПРИНИМАТЕЛЬСТВА	223-233
--	---------

13.00.00 – PEDAGOGIKA FANLARI

Umarov Bahrom Norboyevich

DARSLIK MANTLARI VA KOMPETENSIYA PARADIGMASI: NISBAT MUNOSABAT VA O'ZARO BOG'LIKLIK ("ONA TILI DARSLIGI MISOLIDA").....	234-241
--	---------

Qurbonova Barchinoy Mirzahamdammovna

TOPOGRAFIK KARTALARGA OID TUSHUNCHALAR, ENG MUHIM SHARTLI BELGILAR VA LANDSHAFT DIZAYNIDA ICHKI FAZOVIIY MUHIT, HAJMIY SHAKL VA TEVARAK-ATROF	242-246
---	---------

Haqberdiyev Baxtiyor Rustamovich

QALAMTASVIRDA GEOMETRIK SHAKLLARDAN TASHKIL TOPGAN NATYURMORT HAMDA TEXNIK VA SAN'AT FANLARINI TURLI FANLAR BILAN INTEGRATIV HAMDA SINERGETIK O'QITISHNI NAZARIY YECHIMLARI	247-251
---	---------

Temple Chimuany Odimegwu

REVIEW ON FILLER EFFECT OF VARIOUS NONREACTIVE MATERIALS IN CONCRETE	252-265
---	---------

Arustamyan Yana Yuryevna, Toshpo'latov Omonulloxon Ulmas o'g'li

O'ZBEKISTON XUSUSIIY UNIVERSITETLARIDA TA'LIMNI BOSHQARISHNING HOZIRGI HOLATI, STRATEGIK YECHIMLARI VA ISTIQBOLDAGI RIVOJLANISH SSENARIYLARI	266-271
--	---------

Berdiyeva Nilufar Berdiyeva qizi

INNOVATSION YONDASHUVNING BO'LAJAK PEDAGOG VA TARBIYACHILARNING IJODIIY KOMPETENSIYASIGA TA'SIRI	272-277
---	---------

Otamuratov Maqsudbek Shonazarovich

O'ZBEKISTON OLIY TA'LIMIDA KREDIT-MODUL TIZIMINING PEDAGOGIK ASOSLARI VA UNING TA'LIM JARAYONIGA TA'SIRI	278-283
---	---------

Kurbonova Shoxsanam

TASVIRIIY SAN'AT FANLARINI O'QITISHDA O'QUVCHILAR O'QUV-IJODIIY FAOLIYATINI INTEGRATIV RIVOJLANTIRISH METODIKASI.....	284-289
--	---------

Toxirov Shaxzod Toxirovich

IJTIMOIIY INTELEKTNING TARKIBIIY QISMLARI VA UNING PEDAGOGIK FAOLIYATDA TUTGAN O'RNI.....	290-294
--	---------

Raximdzhanova Malikaxon Gapurdzhanovna, Baybabayeva Shoiraxon Ismatovna

GLOBAL KONTEKSTLARDA MADANIYATLARARO KOMPETENSIYA UCHUN TANQIDIIY FIKRLASH	295-300
---	---------

Received: 16 December 2025

Accepted: 1 January 2026

Published: 15 January 2026

Article / Original Paper

ALIGNING UZBEKISTAN'S PRIVATE INTERNATIONAL LAW WITH WTO PRINCIPLES: THE ROLE OF CHOICE OF LAW IN GATS IMPLEMENTATION

Abdugaffarov Davronbek Dilshod ugli

PhD student,

Tashkent State University of Law

E-mail: davronbekabdugaffarov@gmail.com

Abstract. This article analyzes the enhancement of private international law rules within the context of Uzbekistan's WTO accession. To foster trade in services and ensure full compliance with GATS requirements, it proposes modernizing the Civil Code based on the 2015 Hague Principles.

Keywords: Uzbekistan; WTO Accession; GATS; Private International Law; Choice of Law; Article 1190 Civil Code; Domestic Regulation; Hague Principles.

O'ZBEKISTON XALQARO XUSUSIY HUQUQINI JST TAMOYILLARI BILAN MUVOFIQLASHTIRISH: GATSNI IMPLEMENTATSIYA QILISHDA HUQUQ TANLOVINING O'RNI

Abdugaffarov Davronbek Dilshod o'g'li

Toshkent davlat yuridik universiteti tayanch doktoranti

Annotatsiya. Ushbu maqolada O'zbekistonning JSTga a'zo bo'lish jarayonida xalqaro xususiy huquq normalarini takomillashtirish masalalari tahlil qilingan. Xizmatlar savdosini rivojlantirish va GATS talablariga to'liq rioya etish maqsadida Fuqarolik kodeksini 2015-yilgi Gaaga tamoyillari asosida modernizatsiya qilish taklif etiladi.

Kalit so'zlar: O'zbekiston; JSTga a'zo bo'lish; GATS; Xalqaro xususiy huquq; Huquq tanlovi; Fuqarolik kodeksi 1190-moddasi; Ichki tartibga solish; Gaaga tamoyillari.

DOI: <https://doi.org/10.47390/SPR1342V6I1Y2026N22>

Introduction. The Republic of Uzbekistan, following a period of relative economic isolation [15], initiated a comprehensive package of socio-economic reforms post-2016 aimed at trade liberalization [18] and modernization [7]. A central pillar of this transformation is the reactivation and acceleration of its accession to the World Trade Organization (WTO) [15]. This process, originally initiated in 1994 but subsequently frozen [2], is now designated as an "absolute priority" by the government. Significant progress has been achieved; the 6th Working Party meeting was convened in March 2023 [17], and crucial bilateral negotiations on market access for both goods and services have been concluded with key WTO members, including the European Union [4] and the United States [16]. These concluded bilateral agreements, which detail Uzbekistan's "concessions in services", will be consolidated into its final Protocol of Accession and Schedule of Specific Commitments under the General Agreement on Trade in Services (GATS) [7].

This *de jure* liberalization, supported by international partners like the World Bank and UNDP [20], is intended to establish a predictable, transparent, and rules-based trade environment to attract investment and foster sustainable growth [12]. However, the focus of both policy implementation and academic analysis has overwhelmingly centered on *public law* harmonization. This includes analysis of national treatment principles [8], specific sectors like tourism [14], customs procedures [21], intellectual property law, technical barriers to trade (TBT), and the creation of GATS-compliant regulatory bodies [10]. A significant analytical gap exists regarding the critical role of *private law* in facilitating these commitments.

Trade in services, unlike trade in goods, does not primarily consist of cross-border movements of physical products. It comprises the provision of intangible economic activities—such as financial, telecommunication, legal, or data-processing services—which are governed by complex international contracts [9]. The commercial value of a GATS market access commitment for a foreign service provider is therefore contingent upon the legal predictability and enforceability of these contracts. This predictability is governed by the domestic rules of Private International Law (PIL), or conflict of laws, which are codified in Section VI of the Civil Code of the Republic of Uzbekistan. This article argues that a critical dissonance exists between Uzbekistan's progressive public law reforms for WTO accession and the significant inertia of its private law framework.

Literature Review and Methodology. *The GATS Framework: Domestic Regulation as a Qualitative Barrier* The GATS establishes a comprehensive framework applying to "measures by Members affecting trade in services" [22]. This definition is intentionally broad, encompassing actions by central, regional, or local governments, as well as non-governmental bodies exercising delegated powers. A Member's domestic PIL regime, specifically the conflict-of-law rules codified in its Civil Code, indisputably falls within this definition as a "measure of general application" that directly affects the operation of service contracts [13]. While GATS explicitly recognizes the sovereign "right of Members to regulate... in order to meet national policy objectives", it disciplines the exercise of that right through two primary obligations relevant to PIL: transparency and domestic regulation.

The general obligation of Transparency under GATS Article III requires each Member to "publish promptly... all relevant measures of general application which pertain to or affect the operation of this Agreement" [19]. This extends beyond mere publication; it implies that the measures themselves must be clear. An archaic or ambiguous PIL rule, which creates uncertainty for foreign service suppliers regarding the governing law of their contracts, fails to provide effective transparency. However, the more potent challenge arises from GATS Article VI, "Domestic Regulation". Article VI:1 mandates that in sectors where specific commitments are undertaken, Members must ensure that all measures of general application affecting trade in services are "administered in a reasonable, objective and impartial manner" [13]. A PIL framework that relies on an unpredictable, outdated default rule for contractual disputes cannot be considered "reasonable" or "objective" in the context of modern, intangible service transactions.

Analysis of Uzbekistan's Conflict-of-Law Regime (Civil Code, Section VI) The primary legal instrument governing contractual choice of law in Uzbekistan is Section VI ("International Private Law") of the Civil Code of the Republic of Uzbekistan [3]. This code, originally adopted in 1995-1997 and modeled substantially on other post-Soviet civil codes, contains two central

provisions that determine the applicable law for international service contracts. The first, Article 1189 ("Choice of Law by Agreement of Parties"), establishes the principle of party autonomy. It provides that "the contract is governed by the law of the country, chosen by agreement of the parties" [6]. This provision also correctly permits *dépeçage*, allowing the parties to select the applicable law for the contract as a whole or for its individual parts. This codification of party autonomy is a necessary foundation for international commerce.

The critical deficiency, however, resides in Article 1190 ("Law Applicable to Contract in Absence of Agreement"). This article provides the default rule, or *lex generalis*, when parties have failed to make an explicit choice. In such cases, Article 1190 applies "the law of the country in which the party that performs the performance that is crucial to the content of such a contract is established" [1]. This "characteristic" or "crucial performance" test, while a common feature of 20th-century PIL (designed primarily for the international sale of goods), is fundamentally unworkable and archaic for the complex, intangible, and delocalized services GATS seeks to liberalize.

Discussion. *Party Autonomy as a Prerequisite for GATS Compliance* Existing scholarship concerning Uzbekistan's WTO accession has appropriately analyzed the challenges of economic reform and the harmonization of specific public law regimes. However, this article identifies the domestic private international law regime as a distinct, and overlooked, *de facto* non-tariff barrier to GATS implementation. It posits that the *private law substrate*—the foundational rules of the Civil Code governing the contracts that constitute the trade in services—has been ignored. The analysis moves beyond the conventional view of GATS "domestic regulation" as purely administrative or licensing law. The absence of a modern, flexible, and predictable PIL regime functions as a barrier that creates systemic legal risk, deterring foreign service providers, and thereby "hollows out" the *de jure* market access concessions [4] that Uzbekistan is making.

Sectoral Analysis: Financial Services and Telecommunications The dissonance between public law reform and private law inertia is most acute in high-value service sectors. In the financial sector, despite significant public law reforms [20], a foreign financial institution contemplating entry faces a dual-risk profile. First, the public law risk of opaque administrative barriers, and second, the private law risk stemming from Article 1190 of the Civil Code. The "crucial performance" test is wholly inadequate for determining the applicable law for complex, cross-border financial instruments such as derivatives or syndicated loans.

Similarly, in the telecommunications sector, Uzbekistan has recently mandated the formation of an independent regulatory body [10], mirroring GATS requirements. This reform is designed to attract foreign service providers. However, this liberalization creates a new market for complex private contracts (interconnection agreements, roaming contracts) which fall under the archaic PIL regime. Thus, while the public regulatory framework is becoming GATS-compliant, the private law framework governing the resulting transactions remains governed by the ambiguous "crucial performance" test, lagging behind as a primary legal barrier.

Results. *A Normative Blueprint for Reform: The Hague Principles* To resolve this public-private dissonance and ensure GATS compliance, Uzbekistan should align Section VI of the Civil Code with the 2015 Hague Principles on Choice of Law in International Commercial Contracts

(Hague Principles) [5]. The Hague Principles are a modern "soft-law" instrument designed explicitly to promote party autonomy and legal certainty in cross-border trade.

Adopting the Hague Principles would remedy the identified deficiencies in two ways:

1. **Modernizing Party Autonomy:** It would modernize and expand party autonomy under Article 1189. Article 3 of the Hague Principles explicitly permits parties to choose non-state "rules of law" to govern their contract [5], such as the UNIDROIT Principles. This flexibility is precisely what sophisticated financial and technology service providers require.
2. **Replacing the Default Rule:** The Hague Principles provide a clear normative benchmark for replacing the archaic "crucial performance" test in Article 1190. By adopting this global standard, Uzbekistan would create a PIL framework that is "reasonable, objective and impartial" (GATS Art. VI:1).

Conclusion. Uzbekistan's accelerated WTO accession is a critical component of its national development strategy. The conclusion of bilateral agreements on services with major partners demonstrates significant progress in its *public law* commitments. However, this analysis has demonstrated that WTO accession is a dual project, requiring the harmonization of both public and private law. The current PIL regime, specifically the reliance on the archaic "crucial performance" test in Article 1190 of the Civil Code, fails to provide the legal certainty required for modern trade in services. This ambiguity functions as a substantive *de facto* barrier to trade, which "nullifies or impairs" (GATS Art. VI:5) the value of market access commitments. The modernization of Section VI of the Civil Code, using the 2015 Hague Principles on Choice of Law as a normative blueprint, is an essential, non-negotiable step for fulfilling the letter and spirit of GATS obligations and realizing the full economic benefits of WTO membership.

References/Adabiyotlar/Literatura:

1. Azizov & Partners. Overview of conclusion and registration a franchise agreement [Electronic resource]. URL: <https://azizovpartners.uz/en/memos/overview-of-conclusion-and-registration-a-franchise-agreement/> (date of access: 20.10.2025).
2. CAREC Program. Current Status Accession Uzbekistan WTO [Electronic resource]. URL: <https://www.carecprogram.org/uploads/06-Current-Status-Accession-Uzbekistan-WTO.pdf> (date of access: 20.10.2025).
3. Civil Code of the Republic of Uzbekistan. URL: <https://lex.uz/docs/-180552>
4. European Commission. EU and Uzbekistan conclude deal on WTO accession [Electronic resource]. – 2025. – URL: https://policy.trade.ec.europa.eu/news/eu-and-uzbekistan-conclude-deal-wto-accession-2025-10-24_en.
5. Hague Conference on Private International Law. The Hague Principles on Choice of Law in International Commercial Contracts. – The Hague: HCCH, 2015. – 20 p.
6. Horizon.uz. Choice of Law by Agreement of Parties [Electronic resource]. URL: <https://horizon.uz/en/news/j90> (date of access: 20.10.2025).
7. Institute for International Trade. Uzbekistan and the WTO [Electronic resource]. – Adelaide: University of Adelaide. URL: <https://iit.adelaide.edu.au/ua/media/726/uzbekistan-wto.pdf>.
8. International Journal of Law and Commerce. National treatment principles in Uzbekistan [Electronic resource]. URL: <https://inlibrary.uz/index.php/ijlc/article/view/38864>.
9. International Trade Centre (ITC). Trade in Services [Electronic resource]. URL: <https://www.intracen.org/es/node/170853>.

10. Kun.uz. Uzbekistan strengthens telecommunications oversight with new legislation [Electronic resource]. – 2024. – URL: <https://kun.uz/en/news/2024/10/23/uzbekistan-strengthens-telecommunications-oversight-with-new-legislation>.
11. Namangan State University Library. Xalqaro xususiyl huquq [Electronic resource]. URL: https://namdu.uz/media/Books/pdf/2024/06/05/NamDU-ARM-4005-Xalqaro_xususiyl_huquq.pdf.
12. Normatov J. EUCACIS Online Paper No 2 [Electronic resource]. – CIFE. URL: https://www.cife.eu/Ressources/FCK/EUCACIS%20Online%20Paper%20No%202%20Normatov_final.pdf.
13. Reference Works Brill. GATS Article VI Domestic Regulation [Electronic resource]. URL: <https://referenceworks.brill.com/display/entries/WTCO/COM-5005.xml>.
14. ResearchGate. Tourism services' regulation in the process of Uzbekistan's accessing the WTO [Electronic resource]. URL: <https://www.google.com/search?q=https://www.researchgate.net/publication/379672862>.
15. ResearchGate. Uzbekistan and the World Trade Organization [Electronic resource]. URL: <https://www.google.com/search?q=https://www.researchgate.net/publication/344977803>.
16. USTR. Statement by Ambassador Katherine Tai on Uzbekistan's Work Toward Accession [Electronic resource]. – 2024. URL: <https://ustr.gov/about-us/policy-offices/press-office/press-releases/2024/december>.
17. UNDP Uzbekistan. Uzbekistan held 6th Working Party meeting on accession to WTO [Electronic resource]. URL: <https://www.undp.org/uzbekistan/press-releases/uzbekistan-held-6th-working-party-meeting-accession-wto-support-undp>.
18. UZBWTO. WTO Accession Process [Electronic resource]. URL: <https://uzbwto.uz/en/wto-accession>.
19. World Trade Organization. GATS: General Agreement on Trade in Services [Electronic resource]. URL: https://www.wto.org/english/docs_e/legal_e/26-gats.pdf.
20. World Bank. The Promise of Services-Led Growth in Uzbekistan [Electronic resource]. URL: <https://www.worldbank.org/en/country/uzbekistan/publication/promise-of-services-led-growth>.
21. World Customs Journal. Issues relating to the identification and customs examination [Electronic resource]. URL: <https://www.google.com/search?q=https://www.worldcustomsjournal.org/article/122758>.
22. WorldTradeLaw.net. GATS Agreement Text [Electronic resource]. URL: <https://www.worldtradelaw.net/document.php?id=uragreements/gats.pdf>.

SCIENCEPROBLEMS.UZ

IJTIMOYIY-GUMANITAR FANLARNING DOLZARB MUAMMOLARI

№ 1 (6) – 2026

АКТУАЛЬНЫЕ ПРОБЛЕМЫ СОЦИАЛЬНО- ГУМАНИТАРНЫХ НАУК

ACTUAL PROBLEMS OF HUMANITIES AND SOCIAL SCIENCES

“Ijtimoiy-gumanitar fanlarning dolzarb muammolari” elektron jurnali 2020-yil 6-avgust kuni 1368-sonli guvohnoma bilan davlat ro'yxatiga olingan.

Muassis: “SCIENCEPROBLEMS TEAM”
mas'uliyati cheklangan jamiyati

Tahririyat manzili:

100070. Toshkent shahri, Yakkasaroy tumani, Kichik Beshyog'och ko'chasi, 70/10-uy. Elektron manzil:

scienceproblems.uz@gmail.com

Bog'lanish uchun telefon:

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