

SCIENCE
PROBLEMS.UZ

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2026

SCIENCEPROBLEMS.UZ

**IJTIMOIIY-GUMANITAR FANLARNING
DOLZARB MUAMMOLARI**

№ S/1 (6) – 2026

**АКТУАЛЬНЫЕ ПРОБЛЕМЫ СОЦИАЛЬНО-
ГУМАНИТАРНЫХ НАУК**

ACTUAL PROBLEMS OF HUMANITIES AND SOCIAL SCIENCES

TOSHKENT-2025

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- SOTSIOLOGIYA 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

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07.00.00 – TARIX FANLARI

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EFFECTIVE PARLIAMENTARY OVERSIGHT OF TREATY IMPLEMENTATION: STRENGTHENING PARTY AUTONOMY IN INTERNATIONAL COMMERCIAL CONTRACTS IN UZBEKISTAN

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Abstract. This article examines the critical link between effective parliamentary oversight and the practical application of international treaties governing party autonomy in Uzbekistan's international commercial contracts. While Uzbekistan has established a robust de jure framework prioritizing international law, particularly through the Constitution and the 2021 "On International Commercial Arbitration" Law, a thorough analysis of its actual implementation in national courts is necessary. This paper argues that the Oliy Majlis has a crucial, yet underutilized, oversight role in monitoring the judicial and executive implementation of ratified treaties, such as the Chisinau Convention (2002). The research analyzes existing oversight mechanisms and proposes practical recommendations, including specialized committee reviews and mandatory reporting from the judiciary, to ensure that ratified treaties effectively strengthen party autonomy, thereby improving the nation's investment climate and rule of law.

Keywords: parliamentary oversight, treaty implementation, party autonomy, private international law, international commercial contracts, Chisinau Convention, choice of law.

SHARTNOMALARNI AMALGA OSHIRISH USTIDAN SAMARALI PARLAMENT NAZORATI: O'ZBEKISTONDA XALQARO TIJORAT SHARTNOMALARIDA TARAFLARNING ERK MUXTORIYATINI KUCHAYTIRISH

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Toshkent davlat yuridik universiteti tayanch doktoranti

Annotatsiya. Ushbu maqolada parlament nazorati samaradorligi bilan O'zbekistonda xalqaro tijorat shartnomalarida taraflarning erk muxtoriyatini tartibga soluvchi xalqaro shartnomalarning amalda qo'llanilishi o'rtasidagi muhim bog'liqlik o'rganiladi. Garchi O'zbekistonda xalqaro huquq ustuvorligini ta'minlovchi mustahkam de-yure baza, xususan, Konstitutsiya va 2021-yilgi "Xalqaro tijorat arbitraji to'g'risida"gi Qonun orqali yaratilgan bo'lsa-da, uning milliy sudlarda amalda qo'llanilishini chuqur tahlil qilish zarur. Ushbu maqolada Oliy Majlis ratifikatsiya qilingan shartnomalarning, masalan, Kishinyov konvensiyasining (2002) sud va ijro hokimiyati tomonidan bajarilishini nazorat qilishda hal qiluvchi, ammo yetarlicha foydalanilmayotgan nazorat rolini o'ynashi lozimligi ta'kidlanadi. Tadqiqotda mavjud nazorat mexanizmlari tahlil qilinib, ratifikatsiya qilingan shartnomalar taraflarning erk muxtoriyatini samarali kuchaytirishini ta'minlash va shu orqali mamlakatning investitsiya muhiti va huquq ustuvorligini yaxshilash bo'yicha amaliy tavsiyalar, jumladan, ixtisoslashtirilgan qo'mita tekshiruvlari va sud hokimiyatining majburiy hisobot berish tizimini joriy etish taklif etiladi.

Kalit so'zlar: parlament nazorati, shartnomalar ijrosi, taraflarning erk muxtoriyati, xalqaro xususiy huquq, xalqaro tijorat shartnomalari, Kishinyov konvensiyasi, huquqni tanlash.

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Introduction. The integration of the Republic of Uzbekistan into the global economy is contingent upon a predictable, modern, and reliable legal framework for international

commerce. A cornerstone of this framework is the principle of party autonomy, which grants parties to an international commercial contract the freedom to choose the law governing their agreement. This principle is fundamental to the dissertation topic, "Principles of choice of law in international commercial contracts and prospects for their further improvement." However, the de jure recognition of this principle, both in national legislation and ratified international treaties, does not automatically guarantee its de facto application by national courts.

This article argues that a significant gap in the "prospects for further improvement" of choice of law rules lies not in the laws themselves, but in the lack of effective parliamentary oversight of their implementation. The Oliy Majlis of the Republic of Uzbekistan holds the constitutional power to ratify international treaties, transforming them into national law. This paper posits that this power implies a corresponding duty of oversight to ensure that ratified treaties are correctly interpreted and applied by the judiciary and executive branches. The central argument is that strengthening parliamentary oversight is the key mechanism to close the gap between Uzbekistan's international commitments to party autonomy and its domestic legal practice, thereby enhancing the nation's investment climate. The topicality of this issue is paramount as Uzbekistan seeks to increase foreign direct investment, which relies heavily on legal predictability.

Literature Review and Methodology. The legal framework governing party autonomy in Uzbekistan is multifaceted. At the national level, it is anchored in the Civil Code of the Republic of Uzbekistan, which outlines the core principles of private international law (PIL), and the Economic Procedure Code, which governs commercial disputes [1; 3]. A significant legislative advancement was the adoption of the Law "On International Commercial Arbitration" (ICA Law) in 2021, which largely aligns with the UNCITRAL Model Law and robustly supports party autonomy [4].

On the international level, Uzbekistan is a party to numerous treaties that impact PIL. Most notable are the regional conventions on legal assistance, primarily the Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Cases (Chisinau Convention, 2002), which entered into force for Uzbekistan in 2020 [2]. These treaties contain specific provisions on the recognition of law and judgments that directly impact commercial contracts.

However, a review of existing literature reveals a significant gap. While legal scholars have analyzed the provisions of the Civil Code and the new ICA Law, and separate literature exists on the constitutional functions of the Oliy Majlis [5], there is a dearth of academic analysis connecting these two fields. Little research has been dedicated to the practical oversight by the Oliy Majlis concerning the judicial implementation of ratified commercial treaties. Studies have noted a "tension" between Uzbekistan's monist legal theory—where international law is supreme (Article 15, Constitution)—and the practical reluctance of domestic courts to apply international norms directly, often citing a lack of awareness or guidance [7]. This paper aims to fill this specific gap by focusing on parliamentary oversight as a solution.

This research employs a qualitative, doctrinal, and comparative legal methodology. The primary method is a doctrinal analysis of Uzbekistan's legal framework. This includes a textual analysis of Constitutional and Legislative Norms (The Constitution, Law "On the Oliy Majlis", Law "On Parliamentary Control"), Substantive Laws (Civil Code, Economic Procedure Code, ICA Law), and International Legal Instruments (Chisinau Convention). This analysis is supplemented by a comparative review of "foreign experience," briefly drawing on oversight

practices from other jurisdictions that monitor treaty compliance to distill best practices and formulate practical recommendations.

Results. The analysis reveals a robust *de jure* framework coupled with a significant *de facto* implementation deficit, a problem that parliamentary oversight is uniquely positioned to solve.

1. *The De Jure Framework for Parliamentary Control:* The Oliy Majlis is not merely a legislative body; it is the ratifying authority for key international treaties. The Law of the Republic of Uzbekistan "On International Treaties" (2019) stipulates that treaties requiring amendments to existing laws or establishing rules different from national law are subject to ratification by the Oliy Majlis (Article 18) [6]. Once ratified, these treaties "constitute an integral part of the legal system" and hold primacy over conflicting national legislation. This power of ratification is the foundation of the oversight duty. The Oliy Majlis, in passing a law to ratify a treaty, essentially creates new domestic law. Its oversight function, therefore, must extend to ensuring the executive and judicial branches faithfully execute this law. Current oversight mechanisms, such as parliamentary inquiries and committee hearings, are legally available but appear to be seldom used in the specific technical domain of private international law.

2. *The De Facto Implementation Gap:* Despite this clear legal hierarchy, the practical application of international treaties in commercial disputes is inconsistent. As noted in the literature, there is a documented tendency for national courts to prioritize domestic codes over conflicting or more specific rules in ratified treaties like the Chisinau Convention. This may stem from a lack of judicial training, insufficient guidance from the Supreme Court, or a simple lack of awareness that these treaty provisions are directly applicable and superior law. This is where party autonomy is weakened. For example, if parties to a contract (e.g., from Uzbekistan and Kazakhstan) choose English law to govern their dispute, their choice should be respected under the principles of the ICA Law and international norms. However, if a domestic court disregards this choice and applies Uzbek law by default, citing domestic procedural habits, it directly violates the ratified international legal standards. This creates legal uncertainty and undermines the investment climate. This failure of the judiciary to apply the law (the treaty) as ratified by parliament is, by definition, a failure of implementation that demands oversight.

Discussion. The analysis demonstrates that the "prospects for further improvement" of choice of law in Uzbekistan lie in ensuring the effectiveness of existing laws, which is an oversight function. To bridge the implementation gap, this paper proposes the following practical recommendations for the Oliy Majlis:

- **Mandatory Judicial Reporting on Treaty Application:** The Oliy Majlis should exercise its oversight powers by amending relevant laws (e.g., "On Courts") to require the Supreme Court of the Republic of Uzbekistan to submit an annual report to parliament. This report should detail the frequency and manner in which international treaties (specifically the Chisinau Convention and the New York Convention) and the ICA Law have been applied in commercial disputes, highlighting cases where treaty provisions superseded national law. This would create transparency and provide a concrete basis for oversight.
- **Specialized Committee Hearings:** The relevant committees of the Oliy Majlis (e.g., the Committee on International Affairs or Committee on Judicial-Legal Issues) should conduct regular oversight hearings. These hearings should summon officials from the

Ministry of Justice and the Supreme Court to report on the measures taken to disseminate knowledge and ensure judicial compliance with ratified commercial treaties. This directly addresses the "lack of awareness" problem.

- **Post-Ratification Impact Assessments (PRIAs):** When the Oliy Majlis ratifies a major commercial treaty, it should mandate a PRIA to be conducted after a set period (e.g., 3-5 years). This assessment would analyze judicial data to determine if the treaty is being implemented correctly and if it is achieving its intended policy goal (i.e., strengthening party autonomy and improving the business climate). The findings would allow parliament to take corrective action, either through legislative clarification or by demanding accountability from implementation bodies.

Conclusion. The principles of choice of law in international commercial contracts are a cornerstone of a state's economic competitiveness. Uzbekistan has made commendable strides in modernizing its legislative framework, particularly with the 2021 ICA Law. However, this article argues that the "further improvement" required is not necessarily more legislation, but the effective implementation of the laws and treaties already in place. The Oliy Majlis, in its capacity as the ratifying body, has both the power and the responsibility to ensure that international treaties strengthening party autonomy are not just legal symbols, but practical realities in the nation's courtrooms. By adopting proactive oversight mechanisms such as mandatory judicial reporting and specialized hearings, parliament can close the de jure/de facto gap, secure the principle of party autonomy, and provide the legal predictability that international commerce demands.

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