



A NEW ERA OF INTERNATIONAL LEGAL COOPERATION BETWEEN THE REPUBLICS OF UZBEKISTAN AND TÜRKIYE

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Article history:	Abstract:
<p>Received: 14th June 2024 Accepted: 6th July 2024</p>	<p>In this article, the author touched on the new stage of the formation of the contractual legal framework between the Republics of Uzbekistan and Türkiye. The content and essence of the international agreements between the Republics of Uzbekistan and Türkiye and their specific features have been systematically studied and scientifically and theoretically substantiated. The development of diplomatic relations and international legal cooperation between Uzbekistan and Türkiye was analyzed using special, logical, political, theological, systematic, and normative methods of interpretation.</p>

Keywords: international agreements between the Republics of Uzbekistan and Türkiye, cooperation, strategic cooperation, legal-contractual cooperation

Türkiye is one of the first countries to recognize the independence of Uzbekistan, and has always attached great importance to the development of comprehensive relations with our country by expanding the legal base. The historical and legal analysis of the formation of the contractual and legal framework between the Republics of Uzbekistan and Türkiye shows that the momentum of high-level bilateral relations, which helps to develop political dialogue and mutually beneficial cooperation based on openness and mutual trust, continues to this day.

The new period, the period from 2016 to the present, began in 2016 after the meeting between Shavkat Mirziyoyev and Recep Tayyip Erdogan in Samarkand. During the past short time, the leaders of the two countries had about ten direct dialogues. 26 agreements were signed between the heads of state in the fields of aviation, transport, investment, diplomacy, education, healthcare, defense, trade, culture, and banking. In 2016-2024, the signing of inter-governmental and inter-agency agreements was intensified. During this period, cooperation areas were developed on the basis of the signed intergovernmental agreements. Also, agreements within the framework of regional international organizations such as the Organization of Turkic States and the Organization of

Islamic Cooperation were formed, and a number of conventions of these organizations were ratified.

Since 2016, the signing of inter-governmental and inter-departmental agreements has accelerated in the new period. The legal basis of cooperation was improved through the agreement on the establishment of a joint investment company of a new, modern direction, agreements on the modernization of agricultural infrastructure and the establishment of a modern agrocluster, agreements on the establishment of renewable energy, solar power plants.

A new stage of cooperation between the Republics of Uzbekistan and Türkiye in 2016 and the following years, the regular meetings between the President of the Republic of Uzbekistan Sh. Mirziyoyev and the President of Türkiye R. Erdogan brought the relations of the two countries to a new level. "There were periods of mistrust and coldness between us, but we united and melted these ices, and this coldness will never return", said Sh. Mirziyoyev.¹ In particular, the leaders of the two countries met during the visit of Recep Erdogan to Samarkand in November 2016 and the "One Place, One Way" conference held in Beijing in May 2017, as well as the first Science and Technology Summit of the Organization of Islamic Cooperation held in Kazakhstan in September². During the meetings, it

¹ Қуронон М. Қардошлик ва ҳамкорлик тантанаси // Ўзбекистон овози. 2018 йил 3 май. (Qur'onov M. Ceremony of brotherhood and cooperation // Voice of Uzbekistan. May 3, 2018.)

² Ортиқов Ш. Ўзбекистон–Туркия: буюк тарих бунёд этган икки улуғ халқ // Халқ сўзи. 2018 йил 27 апрель. (Ortiqov Sh. Uzbekistan-Turkey: two great nations with a great history // People's speech. April 27, 2018.)



was noted that there are unused opportunities between the countries of Uzbekistan and Türkiye in trade and economy, investment, tourism, processing of agricultural products, textiles, transport communication and many other areas, and measures were taken to expand cooperation in this regard. The President of the Republic of Türkiye R. Erdogan visited the city of Samarkand on November 17-18, 2016 and visited the grave of the First President of the Republic of Uzbekistan I. Karimov. Negotiations were held between the Acting President of the Republic of Uzbekistan, Sh. Mirziyoyev, and the President of the Republic of Türkiye, R. Erdogan, at the Forum complex in Samarkand³. It was also agreed on issues of trade and economic cooperation. At the end of 2015, the volume of mutual trade was 1.2 billion US dollars. During the visit of the Uzbek government delegation to Türkiye in February-March 2017, contracts worth 1 billion US dollars were signed in various areas of the economy, and in May of this year in Tashkent, at the fourth meeting of the Intergovernmental Commission on trade and economic cooperation between the two countries, the analysis of the current state and prospects of cooperation in all areas reviewed and signed contracts worth 2 billion US dollars⁴. Intergovernmental meetings and agreements aimed at developing this mutual cooperation created the ground for the state visit of the President of the Republic of Uzbekistan Sh. Mirziyoyev to Türkiye 30 October 25-26, 2017, and this state visit showed that the relations between these two countries have entered a new stage. During the visit, at a business forum organized among business circles, 30 projects worth 3.5 billion US dollars in the fields of construction of large energy facilities and road infrastructures, production of textile products, electrical equipment, construction materials, establishment of modern industrial and logistics centers in the food and agro-industry network⁵. In general, in 2017, mutual visits of various levels between our countries reached a new level. In particular, delegations headed by the Deputy Prime

Minister, Minister of Foreign Affairs, and Minister of National Defense of the Republic of Türkiye visited Uzbekistan, and delegations headed by the Deputy Prime Minister, Minister of Defense visited Türkiye. A number of joint events and forums (the meeting of the Uzbekistan- Türkiye intergovernmental commission on May 25, the business forums held in Tashkent on September 30 and Istanbul on October 6) were held and many promising directions of cooperation were determined. At the invitation of the President of the Republic of Uzbekistan Shavkat Mirziyoyev, the President of the Republic of Türkiye, Recep Tayyip Erdogan, came to Uzbekistan on a state visit from April 29 to May 1, 2018⁶. During the meeting, the heads of state discussed the current state of strategic relations between the two sister countries, prospects for their further development, expansion and deepening of bilateral cooperation in trade, economic, cultural and other spheres, and reaching concrete agreements on them. He expressed his support for regular meetings of the Uzbekistan- Türkiye intergovernmental joint commission on trade and economic cooperation. On April 30, 2018, the President of the Republic of Türkiye Recep Tayyip Erdoğan's speech before the members of the parliament praised the development of relations between the Oliy Majlis and the Grand National Assembly based on mutual experience and information exchange, as well as the policy being conducted in Uzbekistan. The high-ranking guest spoke about the glorious past of the Uzbek people, the incomparable contribution of our great ancestors to human civilization⁷. Uzbekistan is one of the main partners of Türkiye in Central Asia. Uzbekistan's huge market, increasingly liberalized economy, favorable investment environment, historical cities, tourist destinations, and sacred religious sites are attracting great interest in Turkey. Therefore, both parties are interested in strengthening cooperation, which indicates that the prospects of mutual relations are high. Türkiye is one of the 20 most economically developed countries in the

³ Ражабов Қ., Бекмуратов Х. Ўзбекистон ва Туркия ўртасидаги иқтисодий ва маданий ҳамкорлик тарихидан. – Тошкент: Тафаккур, 2017. – Б.4. (Rajabov Q., Bekmuratov X. From the history of economic and cultural cooperation between Uzbekistan and Turkey. - Tashkent: Tafakkur, 2017. - Pp.4.)

⁴ Юсупов А. Ўзбекистон–Туркия: икки томонлама ҳамкорликни мустахкамлашда муҳим қадам // Халқ сўзи. 2017 йил 21 октябрь. (Yusupov A. Uzbekistan-Turkey: an important step in strengthening bilateral cooperation // People's speech. October 21, 2017.)

⁵ Алимова Г. Умумий ва муштарак тарих мамлакатларимиз ўртасидаги муносабатларда изчиллик

каб этмоқда // Халқ сўзи, 2018 йил 2 май. (Alimova G. Common and common history is gaining consistency in the relations between our countries // Xalq so'zi. May 2, 2018.)

⁶ Алимова Г. Умумий ва муштарак тарих мамлакатларимиз ўртасидаги муносабатларда изчиллик каб этмоқда // Халқ сўзи, 2018 йил 2 май. (Alimova G. Common and common history is gaining consistency in the relations between our countries // Xalq so'zi. May 2, 2018.)

⁷ Қуронов М. Қардошлик ва ҳамкорлик тантанаси // Ўзбекистон овози, 2018 йил 3 май. (Quronov M. Ceremony of brotherhood and cooperation // Voice of Uzbekistan. May 3, 2018.)



world, and as a country that always supports Uzbekistan's peace policy in the international arena, it plays an important role in raising these relations to a higher level when the republic goes to Europe and the world. On September 3, 2018, the Summit of the Cooperation Council of Turkic-Speaking Countries was held at the "Ruh Orda" cultural center in Cholponota, Kyrgyzstan⁸. For information, the Cooperation Council of Turkic-speaking countries was established in 2009, and the secretariat of the organization is located in Istanbul. Uzbekistan participated in this council meeting for the first time, and the President of Uzbekistan Shavkat Mirziyoyev in his speech at the summit said that the resolution adopted by the UN General Assembly on Central Asia in June 2018 was an important step among the peoples of the region. Therefore, on October 15, 2019, Uzbekistan's membership in the Cooperation Council of Turkic-speaking countries serves to further strengthen mutual cooperation with the countries of this structure in political, economic, cultural, scientific and other fields⁹. Due to the similarity of the positions of the two countries on issues of regional and international importance, Türkiye and Uzbekistan have effectively cooperated within the framework of international organizations such as the UN, SCO, CIS, and the Organization of Islamic Cooperation. On November 10-12, 2017, at the initiative of the United Nations, an international conference on ensuring security and sustainable development in Central Asia "Central Asia: a common history and common future, cooperation for sustainable development and progress" was held in Samarkand¹⁰. In order to turn Central Asia into a stable, economically developed and prosperous region, the Turkish side announced that it supports the efforts of Uzbekistan and other sister countries to activate high-level political dialogue in Central Asia, to strengthen mutual understanding, trust, good neighborliness and closer regional cooperation. In particular, the fight against international terrorism and religious extremism

has taken an important place in the cooperation of the two countries. In his speech at the 72nd session of the UN General Assembly on September 19, 2017, President Shavkat Mirziyoyev said that the threats of terrorism are increasing in the world, that the method of combating them through the use of force does not justify itself. emphasized that it is staying. "It takes a big heart and a strong will to speak about our great grandfathers on the high pulpit. No President could do this. Only Shavkat Mirziyoyev could do it" was the President of the Republic of Türkiye, Recep Erdogan, who was the first to congratulate the President of Uzbekistan¹¹. Cooperation was also carried out in the field of strengthening the Islamic religion and values. In particular, the initiative of Uzbekistan to establish an international research center named after Imam Bukhari in the city of Samarkand in order to spread the educational aspects of Islam was highly appreciated by the President of Türkiye, Recep Erdogan. Relations between the two countries have been consistently praised in the world media. For example, the President of the Republic of Uzbekistan Sh. Mirziyoyev was recognized as the "foreign statesman of the year" in the annual ranking of the prestigious "Turcomoney" publication in Türkiye. This was announced at a ceremony in Istanbul with the participation of the Chairman of the Grand National Assembly of Türkiye Binali Yildirim, Mayor of Istanbul Mevlyut Uysal, representatives of the parliament of the country's government, the public and the business community¹². In general, the recognition of Uzbekistan by Türkiye raised the cooperation of the countries to a new level. At various times, at the meetings of the heads of state of Uzbekistan and Türkiye, issues related to the most urgent areas of state and community life were discussed, agreements and contracts were signed and put into practice on the basis of specific strategic goals. Uzbekistan- Türkiye cooperation has become especially important in ensuring political and economic stability in Central Asia.

⁸ Мирзаев А. Ўзбекистон-Туркия муносабатлари жаҳон матбуотида кенг ёритилмоқда // Халқ сўзи, 2018 йил 2 май. (Mirzaev A. Uzbek-Turkish relations are widely covered in the world press // People's speech. May 2, 2018.)

⁹ Новая вежа в многовековой дружбе и укреплении братских уз // Правда Востока. 16 октября 2019 г. (A new milestone in centuries-old friendship and strengthening of brotherly bonds // Pravda Vostoka. October 16, 2019)

¹⁰ .Ўзбекистон Республикаси Президенти Шавкат Мирзиёевнинг Самарқанд шаҳрида ўтган "Марказий Осиё:ягона тарих ва умумий келажак, барқарор ривожланиш ва таракқиёт йўлидаги ҳамкорлик" мавзусидаги халқаро конференциядаги сўзлаган нутқи // Халқ сўзи. 2017 йил 11 ноябрь. (Speech of the President of

the Republic of Uzbekistan Shavkat Mirziyoyev at the international conference "Central Asia: common history and common future, cooperation for sustainable development and progress" in Samarkand // People's speech. November 11, 2017.)

¹¹ Куронов М. Қардошлик ва ҳамкорлик тантанаси.// Ўзбекистон овози, 2018 йил 3 май. (Quronov M. Ceremony of brotherhood and cooperation.// Voice of Uzbekistan. May 3, 2018.)

¹² Президент Шавкат Мирзиёев Туркияда "Йилнинг хорижий давлат арбоби" деб топилди // Халқ сўзи. 2018 йил 28 декабрь. (President Shavkat Mirziyoyev named "Foreign Statesman of the Year" in Turkey // People's speech. December 28, 2018.)



During the official visit of the President of the Republic of Uzbekistan Sh.M. Mirziyoyev to the Republic of Türkiye on June 5-7, 2024, a number of documents were signed and the contractual legal framework between the Republics of Uzbekistan and Türkiye was strengthened. During the negotiations, special attention was paid to the issues of further expansion of comprehensive strategic partnership relations between Uzbekistan and Türkiye, deepening of multifaceted cooperation, first of all, in the political, trade-economic and cultural-humanitarian spheres.

During the visit, the 3rd meeting of the Türkiye-Uzbekistan High Level Strategic Cooperation Council will be held and agreements were signed between the two countries.

On the eve of the visit, a business forum was successfully held, as a result of which a large portfolio of new projects was formed in industry, "green" energy, electrical engineering, textiles, pharmaceuticals, agriculture and other areas, including within the framework of the public-private partnership program.

Governments were tasked with increasing trade to 5 billion dollars, including expanding the range of products within the framework of preferential trade agreements. An agreement was reached on the establishment of a trade representative office of Uzbekistan in Istanbul.

The decision to establish the Uzbekistan-Türkiye Business Council under the chairmanship of the heads of state and its first meeting will be held.

Issues of expanding mutually beneficial partnerships in the fields of agriculture, water resources management and digitization were also discussed.

The need to further strengthen and coordinate cooperation in the field of security and defense, combating terrorism, extremism and radicalism was emphasized.

The parties agreed to continue active cultural and humanitarian exchanges. Special attention was paid to issues of cooperation in the fields of education, healthcare, tourism and sports. Particular attention was paid to the need to create the most favorable conditions for the citizens of the two countries.

The leaders of Uzbekistan and Türkiye also discussed current issues of the regional and international agenda, including the development of the situation in Afghanistan.

On June 26, 2024, the delegation led by the Minister of National Defense of Türkiye Yashar Guler, who was in Tashkent on a practical visit, was received by the President of Uzbekistan Sh.M. Mirziyoyev.

Current issues of further deepening of comprehensive strategic partnership relations between

Uzbekistan and Türkiye were discussed. Prospects for the development of military and military-technical cooperation, including strengthening close interdepartmental relations, organizing joint events, training military specialists and other issues were discussed.

Particular attention was paid to strengthening and coordinating cooperation in the field of security, combating terrorism, extremism and radicalism. They exchanged views on ensuring peace and stability in the region, including the situation in Afghanistan.

Referring to the content of the international agreements signed in the third stage of legal cooperation in general terms, we emphasize that they express their clear agreement not only as subjects of international law, but also in providing mutual legal assistance. The Republic of Türkiye expresses its readiness to develop more effective legal guarantees for the development of comprehensive relations between the two countries, to implement agreements in this regard, to deepen exchanges and cooperation with the Uzbek side in the field of legislation and judiciary, and to assist in civil, commercial and criminal cases, including extradition. At the same time, the extradition treaty is a successful combination of international and domestic legal norms and performs an important production function in ensuring the principle of inevitability of punishment.

The Republic of Uzbekistan and the Republic of Türkiye concluded contracts and agreements with each other on matters directly related to their mutual relations, as well as on the establishment of the legal regime that legal entities and individuals must follow in their relations when they are participants in international relations. We remind you that "the Constitution of the Republic of Uzbekistan, as a subject of international law, as a guarantee of the international cooperation of the republic, allows to solve the issues related to the interaction between international and national legal norms on the basis of new norms. In fact, this also applies to issues of mutual relations between states, because a state, entering the international arena, presents its citizens and organizations as sovereign.

The preamble of the Constitution of the Republic of Uzbekistan reflects the constitutional norm on the priority of universally recognized principles of international law. Article 7 of the Civil Code of the Republic of Uzbekistan "If the international agreement or agreement stipulates different rules than those of the civil legislation, the rules of the international agreement



or agreement shall be applied¹³. With the help of this general amendment norm, the issue of legal force of international agreements in the regulation of cooperation with other countries, including the Republic of Türkiye, was resolved in the legal system of Uzbekistan. In this regard, in Türkiye, all international agreements are concluded in accordance with the provisions of the Constitution of the Republic of Türkiye and the Law "On Conducting and Coordination of International Relations"¹⁴, the Law "On Giving the President the Right to Conclude Certain Agreements"¹⁵, and the Decree of the President "On the Procedure and Principles of Ratification of International Agreements"¹⁶ and we emphasize that the necessary internal legal procedures must be followed.

It can be seen from the content of the documents signed at this stage that the foreign economic agreements between the two countries are being implemented for different purposes and in different forms. They can be carried out by concluding agreements on sales, product delivery, contracts, mediation, transportation, loans, donations, scientific and technical assistance, insurance licenses, counter sales.

As a result of our study of the development of international legal relations between the Republics of Uzbekistan and Türkiye, the following conclusions can be made:

Firstly, Türkiye, as one of the developed countries in the world, as one of the first countries to recognize the independence of Uzbekistan, started a practical and constructive dialogue.

Secondly, in the establishment of relations between Uzbekistan and Türkiye, first of all, great importance was attached to the formation of the legal basis of cooperation. During official interstate meetings, state visits and high-level political dialogues of the Presidents of the two countries, agreements were signed in all fields, and the legal foundations of the field were formed based on these documents.

Thirdly, cooperation relations between Uzbekistan and Türkiye developed in different ways during the years of independence. Thanks to the political activity of the heads of state of Uzbekistan and Türkiye, Sh. Mirziyoyev and R. Erdogan, relations

between the countries have reached a new strategic level. Uzbekistan, based on the principles of peace, stability, equal rights, mutual trust, respect and interest, non-use of force, became a supporter and initiator of establishing and developing bilateral and multilateral agreements in foreign relations.

Fourthly, in the development of international-legal cooperation between Uzbekistan and Türkiye, regular contacts between the ministries and agencies of the two countries play an important role. The analysis of the implementation of international agreements in Uzbekistan shows that the work carried out by the republic's ministries and state bodies on the conclusion and implementation of international agreements contributes to the realization of the state's foreign policy and foreign economic interests.

Fifth, the intergovernmental agreements concluded between the Republics of Uzbekistan and Türkiye regulate various spheres of cooperation between the states as sources of international law. They have all the necessary features of an international treaty, provided for in the 1969 Vienna Convention on the Law of Treaties¹⁷. Intergovernmental agreements differ from interstate agreements in that they define more specific components of legal regulation, clearly define the executors of the obligations assumed.

Sixth, the legal regulation of cooperation between the Republics of Uzbekistan and Türkiye is carried out on the basis of national legislation, because the effectiveness of modern international law depends not only on its compatibility in the field of interstate relations, but also on the implementation of international law norms. Here, the Law "On International Agreements of the Republic of Uzbekistan" has an important place, which has an important place in the field of formalizing the legal bases of various relations with the Republic of Türkiye. "The law embodies the principle of fair implementation of international agreements, without these principles the

¹³ Ўзбекистон Республикасининг Фуқаролик кодекси. (7-модда Ўзбекистон Республикасининг 2021 йил 21 апрелдаги ЎРҚ-683-сонли Қонуни тахририда — Қонунчилик маълумотлари миллий базаси, 21.04.2021 й., 03/21/683/0375-сон)

¹⁴ Milletlerarası Münasebetlerin Yürütülmesi ve Koordinasyonu Hakkında 1173 sayılı Kanun

¹⁵ Bazı Andlaşmaların Yapılması için Cumhurbaşkanına Yetki Verilmesi Hakkında 244 sayılı Kanun

¹⁶ Milletlerarası Andlaşmaların Onaylanmasına İlişkin Usul ve Esaslar Hakkında 9 sayılı Cumhurbaşkanlığı Kararnamesi
¹⁷1969 йилда қабул қилинган "Халқаро шартномалар ҳуқуқи тўғрисида"ги Вена конвенцияси.

// <https://lex.uz/docs/2646414>



normal functioning of modern international law is impossible¹⁸.

Seventh, it is reflected in the Decree of the Republic of Türkiye "On the Procedure and Principles of Ratification of International Agreements".¹⁹ It is generally accepted that high-level agreements and contracts signed between governments or states, and contracts concluded between government agencies should not conflict with legislation.

Eighth, the process of implementation of international agreements implemented by issuing internal documents and directly applying these agreements at all stages of the development of international legal cooperation between the Republics of Uzbekistan and Türkiye regulates relations. Acceptance of references to international norms does not require the issuance of domestic documents to apply them in the use of their legal relations. Norms contained in self-executing international agreements of two countries, unless otherwise stipulated in the international agreement, can be implemented by the subjects directly, without any additional conditions and without the obligation to adopt any internal regulatory documents or reference norms.

Ninthly, it is necessary to dwell on the role of states in the implementation of agreements within the framework of the studied topic, the influence of national legislation on these processes. Since Uzbekistan and Türkiye are primary subjects of international law, they are also considered primary subjects of contract law. As R. Kokorev correctly stated, the most important feature of the state as a subject of international law is the ability to initially and independently participate in the creation of international law norms, as well as the ability to fulfill its international obligations. This feature is a necessary condition for the effective functioning of a modern state within the framework of the international legal community and peaceful interstate cooperation²⁰. Developing this idea, we add that the state acts as a single, integrated organism in the international legal sphere, representing the interests of the entire nation and in order to ensure them, as well as to implement

subjective rights and obligations in international relations.

Regarding the influence of national legislation on the processes related to the development of the legal basis of relations between states, we agree with the opinion of the Russian scientist V.V. Milinchuk, who believes that the relevant international documents, no matter how well they are developed, are surrounded by detailed and well-thought-out procedures, but if they remain only recommendations unless implementation is supported by action at the national level by States²¹.

In general, it can be seen from the periodical division of the process of formation and development of the international contractual-legal cooperation between the Republics of Uzbekistan and Türkiye into three historical stages that the main legal, political and historical conditions for the formation of the contractual-legal framework are highlighted. They are characterized by the progressive trend of consistently improving and increasing the effectiveness of the contractual and legal instruments that implement the legal regulation of the spheres of cooperation between the two countries. There is no doubt that this trend will serve to further improve the international legal aspects of Uzbekistan- Türkiye legal cooperation, make amendments to it taking into account the requirements of the time, and further expand the various directions of mutual cooperation between the two countries.

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¹⁸ "O'zbekiston Respublikasining xalqaro shartnomalari to'g'risida" O'zbekiston Respublikasining Qonuni, 07.02.2019.

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¹⁹ Milletlerarası Andlaşmaların Onaylanmasına İlişkin Usul ve Esaslar Hakkında 9 sayılı Cumhurbaşkanlığı Kararnamesi

²⁰ Казаков В.Н. О некоторых чертах современного международного правопорядка/ Государство и право. Москва, 2003.- №004- С.89

²¹Милинчук В.В. Проблемы и перспективы совершенствования Механизмов имплементации международных инструментов в области предупреждения преступности и борьбы с ней//Государство и право.- Москва, 2005, №001,- С.40-52.



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