

The Prospects of Implementation English Law in the Territory of the Republic of Uzbekistan

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Abstract: *In this article analyzed the perspectives of implementation English law in the some special economic zones, namely, Navoi free economic zone. Moreover, it is also researched the perspectives of the establishment of international financial centers as one type of free economic zones in Uzbekistan. In addition, in this article researched the main features of common law, its implementation as a special legal regime on regulating special economic zones in Uzbekistan. As result of analyzes, it is illustrates legal, financial and other potential of implementation common law into free economic zones of Uzbekistan.*

Keywords: Free economic zones, security market, special legal regime, investment, economic potential, common law, special economic zone, Navoi FEZ.

I. INTRODUCTION

Today, new types and approaches to free economic zones are emerging. Based on the world experience, we can say that the developed, self-sustaining and internationally recognized free economic, industrial, special zones are using English law to regulate their activities.

The essence of the radical reforms being carried out in our country is to achieve the well-being of the people through the improvement of the investment climate and the development of the economy. In order to attract investors to the country, it is necessary to create a favorable environment and opportunities. In this regard, English law is widely used as a leading system. There is a concept of English law, which is widely used in international law and business. In developed countries, investors operate under the known English legal system.

I believe that Uzbekistan should apply English law in areas such as free economic zones, investment and business. But in exercising English law, we must not lose sight of local peculiarities. This system may not be suitable for everyone. The use of English legal practice, of course, requires taking into account local specifics and adapting it to the territory. We must take this into account in the implementation of English law in our country.

II. METHODOLOGY

The President of the Republic of Uzbekistan Shavkat Miromonovich Mirziyoyev on May 15, 2019 No.(Presidential Decree)PD-5719 "On the development of Navoi region as a measure of innovation, high technology, export-oriented and import-substituting measures" It must be acknowledged separately that the order has been approved. Paragraph 21 of this decree stipulates that the Ministry of Justice, the Ministry of Investment and Foreign Trade, together with JSC "Navoi Free Economic Zone Directorate" and other relevant ministries and agencies, within two months in the territory of the Navoi Free Economic Zone , to submit proposals on the establishment of a separate legal regime, which provides for the regulation of relations between the participants of the Navoi Free Economic Zone on the basis of the principles and norms .

In order to ensure the implementation of this task, a special working group was set up by the Ministry of Justice to study the experience of several foreign countries in order to study foreign experience. Standards for the introduction of a separate legal regime, norms and principles of English law, the formation of a highly qualified human resources, the introduction of English law, and the peculiarities of the application of English law are particularly important in order to create a wide range of investment opportunities for specialists during the study of foreign experience. expert opinions were obtained. In particular, the issue of introducing English law specifically for the Navoi Free Economic Zone in Uzbekistan was positively assessed by Lord Chancellor and British Minister of Justice David Gauck, who praised the possibility of introducing English law into Uzbek jurisdiction. The Chancellor also stressed that English law is one of the most sought-after "products" in the UK. At the same time, he expressed his full support for the initiative and readiness to assist in the implementation of the project.

In this regard, it is expedient to dwell on the principle of "introduction of two systems in one country", based on international experience, which greatly contributes to the development of free economic zones.

The system of legal regulation of the establishment of free economic zones is important. We are talking about the current system of a separate legal regime, which has its own characteristics, which are separate from the rest of the country, and have improved in relation to the legislation of the country. In order to fully protect the rights and interests of foreign investors, it is important to create a complex system of foreign laws and institutions that ensure strict adherence to legal norms.

III. ANALYSIS AND RESULTS

Foreign experience shows that a number of jurisdictions operate in one country on the basis of two systems. This means that a separate territory is created in the country and not foreign jurisdiction in this territory, but the application of other advanced legislation (mainly in commercial relations) in this territory. At the same time, separate courts will be established in this area, where cases will be heard on the basis of foreign law. This approach ensures the autonomy of the FEZ territory and has a positive effect on attracting foreign investors to the FEZ, which guarantees the smooth and orderly operation of foreign investors. For example, Hong Kong's economic success is due to its adherence to the principle of "two systems in one country" based on British law, which has led the country to its current level of development.

In addition, the Panama Free Trade Area is governed by English law, which is generally accepted in most countries of the world, and its activities under the English scheme have created great opportunities for Panama to conduct and develop international business.

It should be noted that this operation is currently being monitored in Central Asia. In particular, according to the Decree of the President of the Republic of Kazakhstan dated May 15, 2015 on the establishment of the International Financial Centre "Astana", Astana is a separate entity based on the principles of English law, with tax benefits and an independent judiciary.

It should be noted that the current legal regime in the FEZ of the Republic of Uzbekistan does not fully meet the interests of foreign investors. This legal regime is limited to providing tax and customs benefits.

In this regard, the introduction of a new English-based legal regime in the free economic zones of the Republic of Uzbekistan will create a favourable investment climate, simplify the system of registration of investment projects in FEZ, provide opportunities for political and economic stability in the FEZ, investment and economic stability. This gives foreign investors confidence in investing heavily in the free economic zones of the Republic of Uzbekistan.

Based on the above, we would like to suggest that, as a pilot project, it is time to gradually establish financial canter, establish a separate legal regime and implement it on the territory of the Tashkent City shopping canter.

In addition, in order to create an international business environment in the FEZ of the Republic of Uzbekistan, it is expedient to introduce a different procedure for doing business in other languages (Chinese, Korean and others), based on the needs of English and foreign investors.

Based on the above, it is worthwhile to introduce a separate legal regime based on common law in one of the FEZs of the Republic of Uzbekistan.

We know that foreign investors do not always understand our local laws. Lack of understanding raises concerns among investors. The introduction of English law was intended to address these concerns.

Of course, in some cases, the laws of the Republic of Uzbekistan apply in the free economic zone. However, the fact that the investor is guaranteed the opportunity to apply to him on the basis of English law, if required, gives the investor great confidence. Of course, there are specific organizational aspects to the introduction of English law. In other words, in order to apply English law, the country must have sufficient and qualified personnel in order to apply the law.

The introduction of English rights to the Navoi Free Economic Zone should be approached from the point of view of protecting the interests of investors. In this regard, we can provide additional guarantees to investors. The investor feels that he is better protected in terms of the rights he understands.

Therefore, it is wrong to think that investors do not trust the law of Uzbekistan. Because we still have the same national legislation and a number of problems in its implementation. As for the current risks, in my opinion, there are still problematic situations that will stop investors. According to statistics, there are not many Western investors interested in investing in our country, but they are only a few percent.

The main investors are still from Russia, China and neighbouring countries. As for American and European investors, Western investors are more interested in investing in our country, so we had to take additional measures to attract them. The introduction of English law is one such measure.

Also, if we take a critical approach to the situation in our country, we can see the main problems in the activities of free economic zones - bureaucracy, corruption and lack of information. Of course, the situation has changed for the better in recent years. But it will take time to change the tube and show it to the world community.

If we analyse the issue of the introduction of a separate legal regime in the Navoi Free Industrial Zone, which stems from the above, **first of all**, the lack of English law will lead to a sharp decline in investment flows. This is especially true of free economic zones, which, as noted in the Presidential Decree, apply to special industrial zones and other special zones that await foreign investors.

Secondly, English law is an important factor in enhancing Uzbekistan's image in the international arena, as well as in reaching financial agreements with various international financial institutions, investors and creditors. Much of this relationship is based on English law. It should be noted that these agreements, although they contain elements of English law, are governed by international law.

Third, English law is an important factor in attracting direct investment from foreign commercial banks and businesses. To do this, it is necessary to introduce a special territory in the country, and in this area to introduce English law and bring it into line with the law. It is much easier to manage investments and financial relations with elements of English law.

Fourth, legislation based on the principles and norms of English law is the most acceptable system for regulating the relationship between national and foreign investors and the state. In particular, the introduction of parts of English law, such as financial law, corporate law, banking law, into free economic zones, asset management, and the improvement of relations between participants and free economic zones are crucial.

IV. DISCUSSIONS

As mentioned above, the introduction of English law in the territory of the Republic of Uzbekistan, in particular, in the Navoi Free Economic Zone, not only raises our country in the international business and financial arena, but also attracts local and foreign investment. But the fact that we are directly introducing English law will cause some problems. Therefore, it is expedient to gradually introduce English law in the Navoi Free Economic Zone.

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