

Legalization of Government in the Field of Privatization of Land Plots in the Republic of Uzbekistan

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Abstract: *This article addresses the issues of improving the legislation on the process of land privatization in the Republic of Uzbekistan and the attraction of foreign investment. In particular, issues such as the legal status of private land, ensuring the inviolability of the rights of owners of private land, improving the investment climate in the process of privatization of land have been studied.*

Keywords: private land plot, land privatization, investment, investor, foreign investment, land legalization, privatization, Uzbekistan land policy.

I. INTRODUCTION

The ultimate goal of the reforms being implemented in our country is to ensure the well-being of citizens, increase the living standards of the population, while protecting the rights and legitimate interests of entrepreneurs and private property owners.

At present, as a result of economic changes in agriculture of the country, a consistent order of civil rights to land as an object of property and the subject of legal relations has been established. The adoption of the Civil Code and the Land Code of the Republic of Uzbekistan and the establishment in them of the rights of landowners and the rights of non-owners of land became the legal basis for these reforms.

President Sh.M.Mirziyoev signed a number of normative and legal documents on the efficient use of land and protection of the rights and legitimate interests of landowners.

II. METHODOLOGY

The main source in the regulation of land relations is the normative legal document is the Land Code of the Republic of Uzbekistan. It includes land ownership, rights of legal entities and individuals to land plots, rights and obligations of landowners, land users, lessees and landowners, land users, lessees and lessees of land plots. issues of compensation for losses.

Each country will increase the level of its economy and the material well-being of its population through direct investment. Investment will be aimed at the development of any sector of the economy at the level of modern requirements. It requires the state to attract investment and direct it to a certain sector of production, to guarantee certain conveniences and benefits to the investor.

In particular, the Land Code of the Republic of Uzbekistan provides for the procedure for allocating land plots to investors. Article 20 of this Code provides for permanent and temporary (temporary) possession of land plots and permanent and temporary (temporary). In accordance with paragraphs 3-4 of the third part of this norm, land plots are provided to enterprises, international associations and organizations with foreign investment, foreign legal entities and individuals for permanent or temporary use.

III. ANALYSIS AND RESULTS

It should be noted that the allocation of land to investors is determined by law. However, the exact procedure and mechanism for allocating and privatizing land plots to investors is not reflected in the code. Therefore, with regard to the allocation of land to foreign investors in the lease of land under Article 24 of the Land Code, the second part of this norm is based on paragraph 2 of the law on enterprises with foreign investment, international associations and organizations, foreign entities and organizations. It has been determined by the Cabinet of Ministers that it will be leased.

As for the list of benefits in this area related to the allocation and use of land to foreign investors, the law of the Republic of Uzbekistan "On investment and investment activities" stipulates that the state has the right to invest in the Republic of Uzbekistan. Taking into account the implementation of international agreements, the Republic of Uzbekistan has a small number of foreign investors, regardless of their citizenship, place of residence, religious beliefs, economic activity, as well as investors or the country to which the investment belongs.

Legislative documents, including administrative regulations, are not retroactive if their implementation is detrimental to a foreign investor or foreign investment.

If the subsequent legislation of the Republic of Uzbekistan worsens the investment conditions, then the legislation in force on foreign investors will apply for a period of ten years from the date of investment. At the discretion of the foreign investor, he has the right to apply the provisions of the new legislation that improve the investment climate.

In addition, benefits and legal protection measures for foreign investors are provided by this Law, additional guarantees and protection measures for foreign investors are provided by the President of the Republic of Uzbekistan or the Government of the Republic of Uzbekistan. Approve the terms and conditions of their reimbursement and (or) strengthen investment agreements concluded between the Government of the Republic of Uzbekistan and a foreign investor in the manner prescribed by the legislation, including the investment obligations of a foreign investor.

Any investor who invests in the territory of our country, first of all, intends to make a profit, provide employment, as well as to introduce internationally recognized projects. Therefore, the state should help them to exercise their rights in the manner prescribed by law, to provide them with land plots and benefits in the field of land use.

Therefore, in accordance with the Decree of the President of the Republic of Uzbekistan dated August 1, 2018 "On measures to radically improve the investment climate in the Republic of Uzbekistan" No. 5495, adopted in order to develop investment activity in our country.

In particular, the Decree of the Cabinet of Ministers of the Republic of Uzbekistan provides district (city) governors with land plots for non-agricultural use to enterprises with foreign investment for up to 50 years, but for less than the term specified in the application. Procedures for concluding investment agreements with foreign investors in the implementation of investment projects with a share of foreign investment in the equivalent of not more than 10 million US dollars within the powers and in the manner prescribed by law to the Chairman of the Council, governors of regions and the city of Tashkent.

On the basis of the above, it should be noted that in case of foreign investors investing in agricultural land, the land plots will be allocated within the limits of their contributions. This procedure is implemented in order to fulfill the tasks set by the Decree of the President of the Republic of Uzbekistan dated August 1, 2018 No. 5495, and the Land Code of the Republic of Uzbekistan does not provide for such a procedure for allocating land plots to foreign investors.

One of the main functions of improving the use of land is to regulate the process of its distribution and redistribution among land users, taking into account the needs of society and the targeted use of land. It is no coincidence that the legislation of different countries pays great attention to this issue.

IV. DISCUSSIONS

In foreign countries, it is allocated for the purpose of efficient use of land. This process is related to the planning of their use and is described in different terms. In the United Kingdom, the terms "urban and rural zoning" are used, in Germany "zoning", in France "zoning", in the United States "zoning". In France, as a result of the creation of territories, urban zones, forest and reserve zones, special activity zones are distinguished. In Italy, in accordance with the Law on Green Plans, zones of agricultural land suitable for the cultivation of certain crops are allocated according to the quality of the soil and natural conditions. In the United States, there are urban, agricultural, and ecological zones.

In developed countries, the state strictly controls the purposeful use of land by landowners and their compliance with the rule of law. The French Civil Code provides for the confiscation of land from landowners if land use is not used or if it is detrimental to the public interest. The main purpose of the French cadastral system is to ensure that the main targets are taxed. To date, it serves as a fiscal system: its data is the basis for the calculation of property taxes on various land and real estate. However, in France, along with all legal entities, the land list does not provide complete systematic data for the entire territory of the country. Major cities such as Paris, Lille, and Marseille have created their own multi-purpose cadastral systems.

As a result of communication between various information services in Germany, a multi-purpose automated database on land and real estate will be formed. Together with other automated data banks, this bank forms a national information system. This system solves a wide range of problems related to land use, territorial planning of real estate and the economy.

In conclusion, it can be said that the solution of the above-mentioned issues not only serves to fill a certain gap in the legal system of our country, but also serves as a basis for raising the living standards and prosperity of citizens. Because in the current conditions of Uzbekistan based on market relations, it is extremely important to improve the procedure for private land use for business purposes, to create an investment climate for the privatization of land, as well as to establish clear procedures and mechanisms for privatization of land in Uzbekistan. important.

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