

## ANALYZING THE PROCESS OF IMPLEMENTATION OF WORLD TRADE ORGANIZATION AGREEMENTS INTO THE LEGISLATION OF THE REPUBLIC OF UZBEKISTAN

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**Abstract:** *the article reveals the essence and significance of the WTO, as well as the process of implementation of WTO agreements into national legislation*

**Key words:** *World Trade Organization, implementation, import, foreign trade*

The President of the Republic of Uzbekistan Mr. Shavkat Mirziyoyev in his speech at the 78th session of the United Nations General Assembly noted Uzbekistan's full membership in the World Trade Organization (WTO) as one of the priority tasks towards liberalizing the state's economy.<sup>31</sup>

Uzbekistan began the initiative to join the WTO back in 1994, but the process was frozen in 2005. The new government, taking a course towards development and liberalization of the economy, resumed the process in 2020 and in May 2024 the eighth meeting of the working group on Uzbekistan's accession to the WTO was held.

What is the World Trade Organization? The WTO is the only international body dealing with global rules of trade between nations. The organization provides assistance to member countries in streamlining the trade process based on established rules, objective settlement of trade disputes, and organization of trade negotiations. These activities are based on 60 WTO agreements.

These agreements are based on principles such as non-discrimination (most favored nation treatment and national treatment), freer terms of trade, promotion of competition and additional provisions for least developed countries. One of the goals of the WTO is to combat protectionism.<sup>32</sup>

The task of the WTO is to establish and consolidate the fundamental principles of international trade:

**Equality of rights.** It implies the absence of any privileges granted to one of the WTO members, and when they are granted to one member, they apply to absolutely all other members of the organization.

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<sup>31</sup> <https://president.uz/ru/lists/view/6679>

<sup>32</sup> <https://www.un.org/ru/wto/>

**Reciprocity.** If a compromise is sought, both parties must sacrifice their interests to conclude an agreement.

**Transparency.** All WTO members must have an “open” trade policy and be accountable to other WTO members

**Creation of existing obligations.** Only WTO bodies regulate tariff obligations between countries.

**Safety valves.** The WTO does not prevent the introduction of any trade restrictions by the state government<sup>33</sup>

One of the main conditions for a country to become a member of the WTO is the implementation of national legislation with WTO agreements. The main purpose of implementation is to ensure that all members enjoy treaty rights or benefits and comply with treaty obligations.<sup>34</sup>

Also, a large and important part being WTO member is to monitor how the agreements they have agreed to are implemented. Members of the organization periodically discuss their laws, measures taken and other issues in various WTO councils and committees.<sup>35</sup> All WTO members must also undergo periodic peer review<sup>36</sup> of their trade policies and practices.

When disagreements arise, WTO members refer them to a dispute resolution body. No member may unilaterally judge a violation of the WTO agreements by one member and then retaliate without resorting to dispute resolution procedures under the WTO Arrangement on Rules and Procedures Governing the Settlement of Disputes.

Uzbekistan, having set a course for joining the WTO, began an intensive process of implementing agreements. First of all, it was prohibited to develop regulations that contradict WTO agreements.<sup>37</sup> In order to ensure proper control over rule-making in accordance with the WTO agreements, the Ministry of Justice created the Department for the Harmonization of National Legislation with the WTO Agreements, which, among other things, conducts an examination of draft legal acts, as well as existing acts, for compliance with the WTO agreements.

Regarding the implementation of WTO agreements, today the following legal acts have been adopted in Uzbekistan:

Decree of the President of the Republic of Uzbekistan dated August 15, 2023 No. PD-140, which canceled the procedure for exemption from mandatory

<sup>33</sup> *Всемирная торговая организация как средство либерализации международной торговли. Россия в ВТО: преимущества и недостатки* Логинов Д. Р. (Российская Федерация)

<sup>34</sup> Xin Zhang, *Implementation of the WTO Agreements: Framework and Reform*, 23 *Nw. J. Int'l L. & Bus.* 383 (2003).  
<https://scholarlycommons.law.northwestern.edu/njilb/vol23/iss2/15>

<sup>35</sup> [https://www.wto.org/english/tratop\\_e/monitor\\_e/monitor\\_e.htm#councils\\_committees](https://www.wto.org/english/tratop_e/monitor_e/monitor_e.htm#councils_committees)

<sup>36</sup> *WTO members monitor how WTO agreements are being implemented by conducting peer reviews of countries' trade policies (known as trade policy reviews) and periodic reports on trade measures around the world.*

<sup>37</sup> *Clause 6 of the Decree of the President of the Republic of Uzbekistan dated June 2, 2023 No. PP-181 "On additional measures to accelerate the process of accession of the Republic of Uzbekistan to the World Trade Organization"*

conformity assessment of products imported from certain states, mandatory labeling of goods in the state language of imported goods, a customs clearance fee of 1.2% of the customs duty cost when importing medicines and medical products and other measures.

In addition, the document provides for the automation of the process of issuing a license for the import of goods and bringing the system for issuing subsidies to compensate for transport costs in accordance with WTO requirements.

These measures are fully consistent with the principles and agreements of the WTO, according to which technical regulations and standards should not create excessive barriers to international trade; goods of any WTO member should be treated equally as goods of national origin.

The Cabinet of Ministers also adopted Resolution No. 407 dated August 21, 2023, which provides for amendments to some resolutions of the government of the Republic of Uzbekistan in connection with the harmonization of national legislation with WTO agreements.

The Law “On Competition” was adopted, which complies with the requirements of such WTO agreements as GATT, TRIPS and GATS, which contain many provisions on market access and fair competition conditions. The adopted Law combined the Laws “On Competition” and “On Natural Monopolies” and creates a legal basis for preventing and suppressing anti-competitive actions, ensuring freedom of economic activity and movement of goods, as well as conditions for the effective functioning of commodity and financial markets.

The law prohibits providing assistance that has a negative impact on the competitive environment. The criteria for economic concentration transactions, which require the consent of the Competition Development Committee, are also being revised.

In accordance with the Decree of the President of the Republic of Uzbekistan dated June 3, 2024 No. PD-85, the exclusive rights of a number of state-owned companies are canceled. The unification of tariffs for export-import transportation services for rail freight transportation is provided.

Benefits and preferences provided to domestic manufacturers during purchases by corporate customers regulated by the Law of the Republic of Uzbekistan “On Public Procurement,” as well as subsidies and preferences provided to support exports, are cancelled. The Decree unifies excise tax rates on sugar, tobacco and alcohol products imported and produced in the Republic.

Thus, to ensure the speedy entry of Uzbekistan into full-fledged members of the WTO, intensive implementation of WTO agreements into national

legislation is being carried out, as evidenced by numerous regulatory legal acts adopted in recent years.

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