

REGIONAL COOPERATION OF UZBEKISTAN FOR TOURISM DEVELOPMENT: CASES OF CIS AND SCO*

Özbekistan'ın Turizm Gelişimi için Bölgesel İşbirliği: BDT ve ŞİÖ Örnekleri

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Abstract

As a member of CIS and SCO, Uzbekistan cooperates with many countries within these organisations. This paper will examine various agreements and rules about tourism signed by the aforementioned institutions. Proposals for enhancing tourism and simplifying visa issues among participants are being deliberated among the participants. Therefore, the article highlights the signing of a special agreement between the members of the SCO for the abolition of visas and the establishment of regional agreements on the mutual acceptance of visas between CIS and Central Asian countries. In the study, various functions of these structures are criticised and solutions are proposed.

Keywords: Agreement, CIS, SCO, Tourism, Uzbekistan.

Öz

Asya'nın en önemli bölgesel örgütleri olan BDT ve ŞİÖ'ye üye olan Özbekistan, bu örgütlerdeki ülkelerle birçok konuda işbirliği yapmaktadır. Bu işbirliği alanlarından biri de turizmdir. Bu çalışmada da ilgili kuruluşlar tarafından imzalanan ve bugüne dek gelen turizme dair çeşitli anlaşmalar ve kurallar incelenecektir. Ayrıca bu kuruluşlarda turizmin gelişmesine yönelik antlaşmaların belirlenmesi ve katılımcılar arasında vize konularının basitleştirilmesiyle ilgili öneriler geliştirilmiştir. Makale bu bağlamda, SCO üyeleri arasında vizelerin kalkmasına yönelik özel bir anlaşmanın imzalanması ve BDT ile Orta Asya ülkeleri arasındaki vizelerin karşılıklı kabulü konusunda bölgesel anlaşmalar düzenlemesini öne çıkarmaktadır. Ayrıca makalede bu yapıların çeşitli işlevleri eleştirilmekte ve bunlara yönelik çözüm önerileri sunulmaktadır.

Anahtar Kelimeler: Anlaşma, BDT, SCO, Turizm, Özbekistan.

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Introduction

The origins of each development of cooperation begins with maintaining contractual-legal basis between the parties of this collaboration and the partnership. similar practice is implemented in the sphere of tourism. The integral role of regional organisations should be underlined to develop cooperation in this sphere.

Moreover, the Acapulco document on tourism reaffirmed once again that “world tourism can be a vital force for world peace and can provide the moral and intellectual basis for international understanding and interdependence among nations” and “can contribute to the establishment of new international economic order that will help to eliminate the economic gap between developed and developing countries”.¹ Hence, considering the integral role of tourism in maintaining peace and its integrative function among states, it should be emphasised that, the integration of states for developing tourism would possess an important role in growing their economy, promoting peaceful relations between countries and the sustainable development of the world society. International regional organisations play an important role in maintaining collaboration and partnership among states. Therefore, international-legal cooperation of Uzbekistan in the field of tourism constructed through both bilateral and multilateral contractual bases. The most notable regional organisations such as the CIS (Commonwealth of Independent States) and SCO (Shanghai Cooperation Organization) in which Uzbekistan participates as an equal member, among another issues pay attention to develop cooperation in the sphere of tourism. There are several agreements and rules on tourism which were signed by these organisations and are still expanding. Several of these agreements will be analysed in this article. Furthermore, this study outlines the role of multilateral cooperation of Uzbekistan in the sphere of tourism by analysing the signed agreements, practice of the state and proposing further development and improvement contractual basis of analysed regional organisations.

1 UNWTO, “Acapulco Document”, <https://www.e-unwto.org/doi/abs/10.18111/unwtodeclarations.1982.8.4.1>, (Date of Accession: 12.12.2018).

The Collaboration of Uzbekistan on Tourism Issues in the Framework of CIS

We argue that we now need a new way of thinking about international law that exhibits a principle of territorial distinction and self-restriction, which is more adequate to both vital dynamic trends towards “regionalism” within international law, relations and politics, and the emergent possibility of a pluralistic multipolar legal order.² With this regard, tourism could be considered as one of the tools for universal and regional integration of states. Integrative function of tourism was noted in a variety of international-legal norms, namely there were mentioned humanistic potential, ability of contribution in maintaining peace and mutual understanding of people, establishment of new international economic order, which is more justice and in the interests of all parties.

Presidential Decree of the Republic of Uzbekistan “About measures for providing expeditious development of tourist industry in the Republic of Uzbekistan” emphasizes expansion of international cooperation in the field of tourism.³ Also, in the Conception of foreign-policy activity of the Republic of Uzbekistan it marks that one of priority directions of foreign

2 There has clearly been a regional delimitation of international law into specialized technical regimes in many fields including trade, human rights and the environment. See more: Mireille Delmas-Marty, *Trois Défis Pour un Droit Mondial*, Seuil, France 1998, p. 208; Michael Byers, *The Role of Law in International Politics: Essays in International Relations and International Law*, Oxford University Press, Oxford 2000, p. 354; Martti Koskenniemi, “International Law and Hegemony: A Reconfiguration”, *Cambridge Review of International Affairs*, <https://www.tandfonline.com/doi/abs/10.1080/0955757042000245852>, (Date of Accession: 12.12.2018); US National Intelligence Council and EU Institute of Security Studies, “Global Governance 2025: At a Critical Juncture”, 2010, www.iss.europa.eu/uploads/media/Global_Governance_2025.pdf, (Date of Accession: 12.12.2018); Roberto Bouzas, “Mercosur Ten Years After: Learning Process or Deja-Vu?”, ed., Joseph Tulchin, *Paths to Regional Integration: The Case of Mercosur*, Woodrow Wilson Center Reports on the Americas, 2002, p. 115; Geert Laporte-James Mackie ed., *Building the African Union : An Assessment of Past Progress and Future Prospects For the African Union’s Institutional Architecture*, European Centre For Development Policy Management, Maastricht 2010, p. 117.

3 “Указ Президента Республики Узбекистан “О мерах по обеспечению ускоренного развития туристской отрасли Республики Узбекистан (Ukaz Prezidenta Respubliki Uzbekistan “O Merax po Obespecheniyu Uskorennoy Razvitiya Turistskoy Otrasi Respubliki Uzbekistan)”, *LexUz*, <http://lex.uz/docs/3077023>, (Date of Accession: 12.12.2018).

policy of Uzbekistan is considered to be further development of relationships with the member-states of the CIS (Commonwealth of Independent States), with which our country is linked with historically formed political, economic, transport-communication and another connection. Uzbekistan continues to construct the relationships of collaboration with the CIS countries on the basis of equality of rights, mutual benefit, respect and account of interests of each other.

It should be noted that, the system of the universal-legal regulation of international tourism relations is substantially complemented by regional contractual and institutional mechanisms of cooperation. The legal framework of cooperation between CIS member states in the field of tourism begins its origin from 1993. In the CIS countries the coordination of the activities of the international tourism is seen in the framework of partnership in the humanitarian sphere. In the CIS Charter tourism is indicated as one of the main objectives in humanitarian partnership, the expansion of which contributes to the involvement of a wide range of humanitarian cooperation of the potential partners.⁴

While analysing these norms and forms of cooperation, researcher divided the following forms of collaboration in current sphere:

- Legal basis of cooperation, which collects treaties both in humanitarian and tourism spheres among CIS member states;
- Institutional cooperation in the framework of CIS, which is connected with touristic activities of member-states.

The first group of collaboration gathers several agreements and rules, which continues developing till now. Particularly, guided by the Manila Declaration on the World tourism of 1980, The Hague Declaration on Tourism of 1989 and other international agreements

⁴ "The Charter of the Commonwealth of Independent States", *UN*, <https://treaties.un.org/doc/Publication/UNTS/Volume%201819/volume-1819-I-31139-English.pdf>, (Date of Accession: 12.12.2018).

in this area, the states signed the agreement “On cooperation in the field of tourism” on December 23, 1993. According to the document, the states take over the obligation to promote to the creation of a joint tourist space, harmonization of legal and regulatory documents, and also the adoption of certain measures for the renewal of the traditional tourist routes and the opening of new ones. Next directions of strengthening of collaboration are envisaged by this treaty within the framework of the CIS: assistance to business connections in the area of tourism, simplification of frontier and custom formalities, exchanges in tourism, help in preparation of personnel, assistance in coordination of collaboration within the framework of international organisations, including WTO. Furthermore, according to this treaty parties pledged to assist forming of general tourist space, rapprochement of normatively-legal documents on tourism, and also acceptance of the concerted measures on renewal of traditional and opening of new tourist routes, expansion of social tourism, to simplification of frontier, custom and another formality, providing of social security and personal safety of tourists in country of stay.

Tourism issues are mentioned in the Declaration “On humanitarian cooperation of states - participants of the CIS”⁵ signed in May 2005, and the Agreement “On humanitarian cooperation of states - participants of the CIS”⁶ which was signed in August 2005 for the realization of that Declaration. According to the provisions of these documents, the country intends to guarantee the achievement of specific objectives in the fields of culture, science, education, information, sport and tourism.

And also, Agreement about the humanitarian collaboration of the CIS states from 2005 and another agreements both directly affecting on the whole to form the regional tourism of

5 “Декларация о гуманитарном сотрудничестве государств – участников Содружества Независимых Государств (Deklaratsiya o Gumanitarnom Sotrudnichestve Gosudarstv – Uchastnikov Sodrujestva Nezavisimых Gosudarstv)”, *Интернет Портал СНГ*, <http://e-cis.info/page.php?id=20302>, (Date of Accession: 12.12.2018).

6 “Agreement on Humanitarian Cooperation of the State Parties of the Commonwealth of Independent States”, *CIS Legislation*, <http://cis-legislation.com/document.fwx?rgn=9433>, (Date of Accession: 12.12.2018).

the states of Cooperation, conditionally may be broken on two groups which regulates separate parties and mixed directions of international relations in the field of tourism (visa, custom and another formalities, rest of certain social group of population, transportations, and etc.), which regulates independent areas of international cooperation (economic, cultural, ecological and etc.), influences on tourism development.⁷ Establishment of a new branch organ – institutional part of the CIS in 2006 (Council of humanitarian collaboration), taking into account the functions laid on him, must do an intergovernmental collaboration in the field of tourism within the framework of the CIS more plentiful.

As a legal form of regional collaboration of the CIS, mentioned Kazakov, it is necessary to include the conferences organised by Inter-Parliamentary Assembly of the CIS, during which recommendations are signed for further development of tourism in the framework of Cooperation⁸. “Development of tourist connections between the states - participants of the CIS” (conception)- the Intergovernmental special purpose program was accepted by the inter-parliamentary assembly of the CIS on May 29, 1997. One of basic tasks of this program counted on a period till 2003, which formed of modern normative-legal base and bases of the system of the intergovernmental, within the framework of the CIS, adjusting of tourist activity. Moreover, Inter-Parliamentary Assembly acts as an institutional organ which also participates in concluding several treaties in the sphere of tourism. In the decision “About a recommendation legislative act” About basic principles of collaboration of the states - participants of the CIS in the sphere of tourism” from October, 1994 it formulated the bases of legal mechanism and basic principles in tourism.

The next institutional body which acts as a main one for tourism development in the framework of CIS is Tourism Council.

7 Surayyo Adilkhodjaeva-Surayyo Usmanova, “Договорно-правовое сотрудничество Республики Узбекистан в рамках СНГ: в примере рынка туристских услуг (Dogovornopravovoye Sotrudnichestvo Respubliki Uzbekistan v Ramkax SNG: v Primere rynka Turistskix Uslug)”, *Экономика и право* (Ekonomika i Pravo), 9, 2017, p. 86-87.

8 Aleksey Kazakov, “Общее туристское пространство СНГ: первые шаги по трудному пути (Obsheye Turistskoye Prostranstvo SNG: Pervie Shagi po Trudnomu Puti)”, *Внешняя торговля*, 1992, 11(12), p. 29-35.

This institutional body was established in September of 1994, in accordance with the decision of heads of governments of the CIS countries for realisation of obligations of the states according to the Agreement about tourism from December 23,1993.⁹ Currently it consists of representatives of Azerbaijan, Armenia, Belarus, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Ukraine and Uzbekistan.

Uzbekistan takes part in activities of Tourism Council of participant- states of the CIS. According to the decision of Heads of governments' Council of the CIS from May 30, 2012, "Agreement about Tourism Council of participant - states of the CIS" was signed by Republic of Uzbekistan in 24.05.2012. Furthermore, the next decision of Council from November, 20, 2013 was "About ratification of Strategy for the development of collaboration of the CIS states in the field of tourism for a period till 2020".¹⁰ Due to the fact that 2014 year is declared the Year of Tourism in the CIS, special attention was paid to the International Economic Forum "CIS and new formats of cooperation" of this industry. Thus, the Tourism Council of CIS states held a roundtable in order to discuss the events and activities to be held ahead and the progress of the Strategy for development of cooperation of CIS countries in the field of tourism in the period up to 2020 approved by the Board of CIS Heads of governments of November 20, 2013.

The document envisaged specific measures in terms of effectively addressing the problems of tourism sector, including the development of related industries - transport and information services, health care, leisure and entertainment industry. The board also considered organisational issues.¹¹

There should be emphasized, that State Committee for tourism

9 Veniamin Vaxmistrov, *Правовое обеспечение туризма (Pravovoye Obespecheniye Turizma)*, Михайлова 2005, p. 109-112.

10 A decision is signed by the Republic of Uzbekistan with reservation: "Republic of Uzbekistan will take part in realization of those directions of Strategy that give practical interest for state". Strategy envisages the acceptance of corresponding plans not rare than once in three years.

11 Olga Kazantseva "Development of Tourism in CIS", *Казахстанская правда (Kazaxstanskaya Pravda)*, <https://www.kazpravda.kz/en/news/economics/development-of-tourism-in-cis>, (Date of Accession: 12.12.2018).

development of Uzbekistan takes part actively in organising project of Plans for 2018-2020 to realize the Strategy of cooperation development of CIS countries in the sphere of tourism till 2020¹² which was approved by CIS experts. On 11 – 12 July 2017 the meeting of the group of experts to approve the draft Action plan for 2018 – 2020 on the implementation of the Strategy of cooperation development of the CIS member nations in the sphere of tourism till 2020 took place in the CIS Executive Committee in Minsk. In the course of the meeting the experts finalized and approved the draft document taking into account the Decisions by the Council of the CIS Heads of State on the adaptation of the Commonwealth of Independent States to modern realities and came to the conclusion to approve it by the decision of the Council of Ministers of Foreign Affairs of the CIS.

The Strategy of cooperation development of the CIS member nations in the sphere of tourism till 2020 was adopted by the Council of the CIS Heads of Government in November 2013. At the same time, the CIS Council on Tourism was commissioned to develop a draft plan of measures for its implementation. The plan for 2015-2017 was approved in November 2014 and is being successfully implemented under the auspices of the CIS Council on Tourism.¹³

After considerations of contractual form of collaboration of the CIS states concluded, that on the whole a regional legal base and mechanism of regulating of relations was formed on economic connections of the CIS, and in particular in the field of tourism. And, at the same time rates of law-making process, a depth and scope of the international-legal binding dissatisfy to the necessities of modern development of regional tourism in the CIS space. Concerning the Republic of Uzbekistan, then in state's relationships with the CIS, mechanism of collaboration, allowing to form a legal base in the field of tourism is constructed. However, by analysing

12 Information gained from the Internship in the State Committee for Tourism Development of the Republic of Uzbekistan.

13 "CIS Experts Approve the Activity Plan for 2018 – 2020 in the Sphere of Tourism", *IACIS*, http://iacis.ru/eng/pressroom/news/partnery/cis_experts_approve_the_activity_plan_for_2018_2020_in_the_sphere_of_tourism/, (Date of Accession: 12.12.2018).

the policy of CIS concerning adoption and implementation of international-legal documents for tourism development, following drawbacks are observed:

1. Almost all treaties are considered to be “soft law” character; (which are written “will try”, “will influence” and etc.). Consequently, this character influences on implementation and execution of following norms.
2. Absence of concretization and definition of terms, which are used in the sphere of international tourism, or/and it is observed invalid use and implementation of them in signed by CIS countries agreements. For further development of mutuality in this sphere, it is advised to adopt a new legislative act of the CIS or to renew the old one (from 1994) by defining there the following definitions as “tourism”, “tourist”, “tourist activity”, “tourism industry”, “subjects of tourism industry” and “tourist service” and also, to classify different type and definition of tourism, regimentation of treaty relations, insurance of tourists’ risks, and financial responsibilities of tour firms; and other questions, which are connected with actualization of tourism issues.
3. Here at, considering peculiarities and uniqueness of each CIS member states, researcher considers, that there is no need to implement and continue to save the force of Model Legal Act “On tourism activity”, adopted in Petersburg form 16.11.2006.

Moreover, Uzbekistan participated in the Agreement on mutual acknowledgment of visas of participant states of Cooperation of Independent States (13.11.1992), however exited since 23.03.2000. It would be expedient, to organize regional agreements on mutual acknowledgment of visas with CIS and Central Asian Countries. And it is time to promote legal and practical issues for multi-visa cooperation system in the regional basis, which were mentioned in previous paragraphs.

However, among the causes of encumber to construct a

single tourist space (zone) in the CIS, researchers considered, as instability of political situation, different economic status and development of CIS member-states, non-obedience of integrational agreements and others.¹⁴ In order to tackle these barriers, it would be plentiful to activate the role of legal cooperation bodies, to adapt them to modern realities, develop national legal norms in accordance with the agreements which are signed among CIS member states.

Shanghai Cooperation Organization-Asian style of cooperation for future of sustainable tourism

Regional Integration from a comparative perspective is perhaps one of the least explored fields in integration studies. The fragility of integration projects and their scarcity easily explain why there has been little comparative research in the past. In the 21st century, regional blocks remain complex, but they are less delicate and more numerous.¹⁵ One of complex regional organisations in which Uzbekistan continues its membership since 2005 is Shanghai Cooperation Organization (SCO).

Here, it would be considerable, if we put forward some ideas about this organization. Scholars recognized that while: “Europeans increasingly live in a post sovereign world, believing it to be more efficient and morally desirable; Asia remains firmly beholden to sovereignty, taking it as the fundamental basis of their stability and identity”.¹⁶ One of the examples of this Asian regional organisations with 8 member states, 4 observers, 6 dialogue partners and 4 guest attendances is considered to be Shanghai

14 Aleksandrina Strigulina, “Сотрудничество Российской Федерации в рамках СНГ по вопросам правового регулирования международного туризма (Sotrudnichestvo Rossiyskoy Federatsii v Ramkax SNG po Voprosam Pravovogo Regulirovaniye Mejdunarodnogo Turizma)”, *Туризм: право и экономика (Turizm: Pravo i Ekonomika)*, 4, 2005, p. 31.

15 Arianne Kössler-Martin Zimmek, “Elements of Regional Integration. A Multidimensional Approach”, *EJIL*, 20(3), 2009, p. 925-928. <https://academic.oup.com/ejil/article-abstract/20/3/925/402475>, (Date of Accession: 12.12.2018).

16 Stephen Aris, “The Response of the Shanghai Cooperation Organization to the Crisis in Kyrgyzstan”, *Civil Wars*, 14(3), 2012, p. 451-476; Amitav Acharya, “Europe and Asia: Reflections On A Tale of Two Regionalisms”, Bertrand Fort-Douglas Webber, ed., *Regional integration in East Asia and Europe: Convergence or Divergence?*, Routledge 2006, p. 312-322.

Cooperation Organization. As a result of this axiomatic political idea, the SCO adopts a different model of cooperation from the EU that is not based upon supranationalism. Instead, as noted by Narine with regard to the states of East Asia: “The regional attitude towards multilateral institutions is that they should assist in the state building process by enhancing the sovereignty of their members”.¹⁷ Therefore, in contrast to Western organisations: “Asian regional organisations are geared to sovereignty enhancement, not sovereignty pooling”.¹⁸

The SCO’s original purpose and rationale was to peacefully solve a number of actual and possible disputes on border issues. Its objectives are set out in part in the preamble and Art. 1 of this organization’s founding Charter. The other main political goals of the SCO defined in its founding Charter relate to both internal and external SCO policies, namely: “promoting effective cooperation in politics, trade and economy, science and technology, culture as well as education, energy, transportation, tourism, environmental protection and other fields; ... moving towards the establishment of a new, democratic, just and rational political and economic international order”.¹⁹ SCO members appear to recognize that economic security and political stability are closely linked with economic development and that regional cooperation is an important ingredient for regional economic development. The SCO has an ambitious economic integration agenda, including the creation of a free-trade zone and a set of rules for the free movement of goods, services and technologies. Indeed, it has deliberately sought to “deepen economic ties with one another in the economic field”.²⁰

17 Shaur Narine, “State Sovereignty, “Political Legitimacy and Regional Institutionalism in the Asia-Pacific”, *The Pacific Review*, 17(3), 2005, p. 423–450, <https://www.tandfonline.com/doi/abs/10.1080/0551274042000261524>, (Date of Accession: 12.12.2018).

18 Richard Higgott, Defacto and Dejure Regionalism: The Double Discourse of Regionalism in the Asia Pacific, *Global Society*, 11(2), 1997, p. 65–83, <https://www.tandfonline.com/doi/abs/10.1080/13600829708443128>, (Date of Accession: 12.12.2018).

19 The Shanghai Cooperation Organization, *Charter of the Shanghai Cooperation Organization*, <http://eng.sectsc.org/load/203013/>, (Date of Accession: 12.12.2018).

20 Michael Salter-Yinan Yin, *Analyzing Regionalism within International Law and Relations: The Shanghai Cooperation Organization as a Grossraum?*, Oxford University Press, Oxford 2014, <https://academic.oup.com/chinesejil/article-abstract/13/4/819/2755687>, (Date of Accession: 12.12.2018).

Partnership in the field of tourism is showed as one of the goals of this organization, however this economic and humanitarian sphere plays a noticeable role in connecting people of member states of the SCO. Therefore, researcher considers to analyse the role of this organisation for tourism development by emphasizing the participation and cooperation of Uzbekistan with the SCO, as an important regional organisation in Asia.

Based on the provisions of article 3, the Charter of the Shanghai Cooperation Organization (07.06.2002) and article 19 of the Treaty on long-term good-neighborliness, friendship and cooperation of the Shanghai Cooperation Organization member States (16.08.2007).), the parties will endeavor to expand and develop equitable and mutually beneficial bilateral and (MFERIT (ex-Ministry of Foreign Economic Relations, Investments and Trade (now: The Ministry of Foreign Trade)) of Uzbekistan №PCS-in-01/16-7937 from 26.11.2015) multilateral cooperation in the field of tourism with the purpose of formation on the basis of the prevailing cultural-historical and economic relations of common tourist space in the interests of intensification of tourist exchanges, the growth of revenues from this sector by all States' members of the SCO, creation of new workplaces, increase of level and quality of life of citizens.

Regional regulation of relations in the field of tourism is carried out both on the basis of special norms and common for different areas of cooperation and adjacent to tourism in the statutory documents and international legal norms on partnership and cooperation, trade-economic, socio-cultural agreements, simultaneous solution of international security issues, as well as expansion of transport cooperation. The international legal regulation of tourism within the framework of the SCO is defined by two basic and new norms:

Strategies for the development of the SCO until 2025 - a document that defines the guidelines and parameters for the further development of the Organization. The strategy was developed in accordance with the Decision of the Council of

the Heads of State of the SCO No. 3 from 12 September 2014 in Dushanbe on the draft strategy for the development of the Shanghai Cooperation Organization until 2025 and taking into account the provisions of the "Guidelines for the SCO Development Strategy for the Medium-Term Perspective" at a meeting of the Council of Heads of State of the SCO in 2012 in Beijing. It is based on the provisions of the SCO Charter and the Treaty on Long-Term Good-Neighborliness, Friendship and Cooperation of the SCO Member States.

The joint tourism development program developed by Russia tourism was adopted by the leaders of the states of the Shanghai Cooperation Organization on June 24, 2016. The main goal of the document is to promote the expansion and development of equal, mutually beneficial cooperation in the field of tourism in order to form a common tourist space based on the existing cultural, historical and economic connections. These measures will contribute to the intensification of tourist exchanges, the growth of incomes received from this sphere by all the SCO member states, the creation of new jobs, the improvement of the level and quality of life of citizens.

The program of development of tourism is sent to the formation of single tourist space and increase of tourists' safety. Shanghai Cooperation Organization became firmly established as one of the influential participants of the modern system of international relations. A solid normatively-legal base is formed, the mechanisms of multilateral cooperation function successfully. Partner relationships are set with the states, international organisations and structures, dividing principles and values of SCO. A main task in area of tourism is to the further raise of mutual tourist streams and upgrading of the rendered services in this sphere. For this purpose, member states will interchange experience of realization of public policy in this area, extend contacts on the line of profile organisations and professional associations, organization of tourist fairs, create new tourist routes, carry out a regular exchange information about the market of tourism and resources. Member states will develop cooperation within the framework of meeting

of leaders of national tourist administrations, will work out a corresponding document about a collaboration in this area²¹.

As a full member of the SCO, the Republic of Uzbekistan supports the implementation of the SCO development Strategy until 2025 and the joint program for the development of tourism, which was signed in Tashkent. Therefore, it would be noticeable to pay more attention to the development and implementation of normative-legal base in the sphere of regulation of tourist activity in the country.

In particular, in order to further develop cooperation in this area appears appropriate the adoption of a new recommendatory legislative act of the SCO, like mentioned below in the CIS framework, by defining it such concepts as "tourism" and "tourist", "tourist activity", "tourism industry" and "tourist service", the classification and definition of different types of tourism and other issues related to the implementation of tourist activities. And also, providing a stable organisational and material base of a special body in the field of tourism (tourism Council), the consolidation of the SCO member States in the adoption of agreements regulating relations in the field of tourism.

Except before mentioned documents, followings are considered as "draft" and "study" of the Committee for Tourism Development of Uzbekistan:

- Draft Regulations of the SCO member States permanent expert group on cooperation in the sphere of tourism;
- The draft Program for the development of cooperation on tourism of the Shanghai cooperation organisation member States was submitted to the Cabinet of Ministers of the Republic of Uzbekistan dated 14.07.2015.

²¹ Surayyo Usmanova, "Международно-правовое регулирование туризма в рамках ШОС (*Mejdunarodno-Pravovoye Egulirovaniye Turizma v Ramkax ShOS*), ТДЮУ, Tashkent 2017, p. 34-36.

Here, it should be noted that, according to the Draft Regulations the main tasks and functions of the Expert working group should be:

- preparation of materials for consideration at Meetings of heads of ministries and departments of tourism of the SCO member States and monitoring of implementation of decisions and recommendations made at these Meetings;
- preparation of proposals for the expansion of multilateral cooperation between the SCO member States in the field of tourism, improvement of its legal framework;
- making proposals on the conclusion of agreements on the implementation of joint projects in the field of tourism and other activities aimed at the implementation of decisions of the SCO bodies;
- implementation of measures aimed at the establishment of a mechanism for inter-state exchange of information and data in the field of tourism;
- preparation of an annual report to the heads of the Meeting of heads of ministries and departments of tourism on the state of cooperation of the SCO member States in the field of tourism.²²

Among the latest documents on tourism which were signed at the meeting of the council of Heads of State of the Shanghai Cooperation Organisation from 9-10 June 2018:

1. Plan of Joint Action to implement the Programme of Cooperation between Member States of the Shanghai Cooperation Organization in the Area of Tourism for the period from 2019 to 2020;

²² Information Gained from the Internship in the State Committee for Tourism Development of the Republic of Uzbekistan.

2. Memorandum of Understanding for cooperation between the Secretariat of the Shanghai Cooperation Organisation and the United Nations Educational, Scientific and Cultural Organisation (2018-2020).²³

From our point of view, the cooperation of the UNESCO and the SCO opens new linkages for further collaboration, emphasizing the role of the UNESCO in sustainable tourism, legal framework of cooperation among these organisations lead to develop related spheres as tourism, education in the field of tourism and preserving cultural heritage.

Uzbekistan has a huge tourism potential in Central Asia, and is one of the key countries of tourism development among the SCO member States. The main partners of the Uzbek tour operators are travel organisations of Western Europe, South-East Asia and the Pacific region. They maintain direct links with the Uzbek side and use their services directly. There it should be noted that, the initiative of establishment the nongovernmental organisation among the SCO member states' tour operators- the Union of the Association of tour operators, was rejected by government bodies of Uzbekistan.

According to the Committee for tourism development of Uzbekistan, the creation of the Union of the Association of tour operators of the SCO member States will increase competition among the tourist companies of Central Asia, which can cause a decrease in the income of Uzbek tour operators, as well as limit the revenues from the tourism sector in the economy of the Republic of Uzbekistan. From the researcher's theoretical point of view, this type of cooperation helps to construct "near" relationships between nongovernmental tourism sector of member states. It would help to develop *face-to-face dialogue* of tour operators and competition between them would lead to progress and cooperation of tour operators in near future. Therefore, it would be noticeable to rethink this initiative to implement into national tourism sphere.

23 The Shanghai Cooperation Organization, *List of Documents Introduced for Signing at the Meeting of the Council of Heads of State of the Shanghai Cooperation Organization*, <http://eng.sectsc.org/load/455770/>, (Date of Accession: 12.12.2018).

The SCO continues to set ambitious targets including medium and long term: “development strategy to promote the well-being of the peoples of SCO states and turn the SCO into a model for regional cooperation organisations”.²⁴ As Urrahman notes: “If the SCO expands and encompasses not only security issues, but also addresses economic and social concerns, then it will be a powerful regional player indeed”.²⁵

As a member state of the SCO and the CIS, Uzbekistan should use its tourism potential through these organisations. Political role of organisations influences the economic stabilization of member states, therefore it is important to save political power of organization, so sustainable tourism may be guaranteed in only peace and political stable countries.

It also advisable, to pay more attention to different types of tourism, as youth tourism, child, family and agro, ecotourism between member states in the framework of CIS and SCO. Surely, legal basis in the form of agreements, memorandum of understanding and/or programs are required to elaborate for implementing above mentioned initiatives.

It would be plentiful, to organize visa- free regime (or short term visa- free at least 30 days) for the citizens of the SCO member states, which opens new opportunities to tourists and business authority of these countries to move without visa for short period of time. In order to realize this proposal, a special agreement on visa free regime between SCO state members should be signed. Here, the parties’ rights and duties would be written and the rules for obtaining for visa free regime are also would be included, otherwise maintaining of security issues for this regard cannot be provided.

24 “Chinese FM Raises Five-Point Proposal on Boosting SCO Cooperation”, *People*, 2014, <http://en.people.cn/n/2014/0801/c90883-8763615.html>, (Date of Accession: 12.12.2018).

25 Timur Dadabaev, *Japan in Central Asia Strategies, Initiatives, and Neighboring Powers*, Palgrave Macmillan, New York 2016, p. 121

Conclusion

After analysing these norms and forms of cooperation, researcher divided the following forms of collaboration in current sphere:

1. Legal basis of cooperation, which collects treaties both in humanitarian and tourism spheres among CIS member states;
2. Institutional cooperation in the framework of CIS, which is connected with touristic activities of member-states.

The similar analyzes in the framework of the SCO was executed by underlining the last tendencies and agreements concerning tourism issues. The researcher announces some critics and proposals regarding both regional organisations' functioning for tourism development. Namely:

- Almost all treaties are considered to be “soft law” character; (which are written “will try”, “will influence” and etc.). Consequently, this character influences on implementation and execution of following norms.
- Absence of concretization and definition of terms, which are used in the sphere of international tourism, or/and it is observed invalid use and implementation of them in signed by the CIS countries agreements. For further development of mutuality in this sphere, it is advised to adopt a new legislative act of the CIS or to renew the old one (from 1994) by defining there the following definitions as “tourism”, “tourist”, “the sphere of tourism”, “tourism industry”, “subjects of tourism industry” and “tourism service”, “tourism product” etc., and also, to classify different type and definition of tourism, regimentation of treaty relations, insurance of tourists' risks, and financial responsibilities of tour firms; and other questions, which are connected with actualisation of tourism issues;
- It would be expedient, to adopt regional agreements on mutual acknowledgment of visas within CIS and Central

Asian Countries. And it is time to promote legal and practical issues for multi-visa cooperation system in the regional basis. Furthermore, a special agreement on visa free regime between the SCO state members should be signed, which opens new opportunities to tourists and business authority of these countries to move without visa for short period of time;

- The creation of the Union of the Association of tour operators of the SCO member States, which would help to develop face-to-face dialogue of tour operators and competition between them would lead to progress and cooperation of tour operators in near future;
- Agreements, Memorandum of Understanding and/or Programs are required to sign as youth tourism, child, family, agro andecotourism between member states in the framework of the both CIS and SCO.

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