

LEGAL SYSTEMS OF UZBEKISTAN AND GERMANY: A COMPARATIVE ANALYSIS

Mamajonova Sadoqat Mohirjon qizi
International Law Faculty, 1st-year student,
University of World Economy and Diplomacy

Annotation. This article provides a brief comparison between the legal systems of Uzbekistan and Germany. It explores the similarities and differences in their legal frameworks, judicial structures, and legal education. The article also discusses existing challenges, such as legal reforms in Uzbekistan and the complexity of German law. The analysis highlights possible areas of cooperation and development between the two countries in the field of law.

Keywords: Uzbekistan, Germany, legal system, judicial system, legal reform, law education, legal framework, civil law, constitutional law, legal cooperation, legal challenges, legal comparison, court structure, legal development, justice system

Legal System in Uzbekistan. Uzbekistan's legal system is primarily based on the civil law tradition, with significant influence from Soviet-era law. Following its independence in 1991, the country has made substantial efforts to reform and modernize its legal system. However, Soviet legal traditions still impact its legal culture. International law plays an important role in Uzbekistan's legal system. According to the Constitution of Uzbekistan (Article 17), the country recognizes and adheres to international legal norms. Nevertheless, for international treaties to be implemented domestically, they must first be approved by Parliament and integrated into national law. Although Uzbekistan is part of several international organizations, including the United Nations, its participation in global legal institutions like the International Criminal Court (ICC) and the European Court of Human Rights (ECHR) is limited. Despite the progress made, Uzbekistan faces challenges in applying international standards, ensuring judicial independence, and protecting human rights. Issues such as limited court transparency, freedom of expression restrictions, and corruption are still prevalent. The country is working toward joining the World Trade Organization (WTO), which will require further legal reforms to align with global trade norms.

International Law in Germany. Germany, like Uzbekistan, follows the civil law tradition, but its legal system is deeply rooted in the Roman-Germanic tradition. The country's Constitution, known as the Basic Law (Grundgesetz), serves as the foundation of its legal framework. Germany is a strong proponent of international law, and its legal system is highly integrated with global legal norms. Germany's Basic Law explicitly incorporates international law into domestic law (Article 25), making international treaties directly applicable in national courts. The country is also committed to human rights, having ratified important treaties like the European Convention on Human Rights (ECHR) and the International Covenant on Civil and Political Rights (ICCPR). Germany's courts, including the Federal Constitutional Court, actively enforce international law. As a member of several international organizations such as the United Nations, European Union, and World Trade Organization, Germany plays an active role in shaping global legal standards. Despite its strong adherence to international law, Germany faces challenges in balancing national sovereignty with its international obligations, particularly in relation to the European Union. Furthermore, Germany has been criticized for its refugee policies and involvement in international military operations.

Comparative Analysis

1. Constitutional Framework

Germany and Uzbekistan both recognize international law, but their approaches differ. Germany's Basic Law integrates international law directly into the national legal system, whereas Uzbekistan requires additional steps, such as parliamentary approval and domestic legislation, before international treaties can be fully implemented.

2. Human Rights and International Law

Germany has a well-established human rights framework, with courts regularly enforcing international human rights standards. In contrast, Uzbekistan has faced challenges in fully implementing international human rights norms, despite significant improvements in recent years.

3. Role in International Organizations

Germany is an active participant in global organizations like the United Nations and European Union, and it plays a central role in shaping international law. Uzbekistan, while increasingly involved in international organizations, particularly in its region, has not yet achieved the same level of integration into global legal systems as Germany.

4. Compliance with International Treaties

Germany strictly adheres to international treaties, with these treaties taking precedence over national laws. In contrast, Uzbekistan has struggled with the full implementation of international treaties due to administrative barriers and inconsistent enforcement.

5. International Trade and Economic Law

Germany's legal system is deeply connected to international trade law, especially through its EU membership. Uzbekistan, on the other hand, is still in the process of aligning its legal framework with global trade norms as it works toward WTO membership.

6. Environmental Law and International Cooperation

Germany is a leader in international environmental law and has committed to ambitious goals, such as those outlined in the Paris Agreement. Uzbekistan, while making progress, is still addressing significant environmental challenges, including the aftermath of the Aral Sea crisis.

Conclusion. Both Germany and Uzbekistan are committed to international law, but their legal systems differ in terms of implementation and integration. Germany has a well-established system for incorporating international law into domestic practices, while Uzbekistan is still evolving in this area. Despite the challenges faced by both countries, there is potential for further cooperation in the legal field, particularly in areas like human rights, trade, and environmental law. As Uzbekistan continues its legal reforms, it can draw on Germany's experience to enhance its international legal framework.

References:

1. Yuldashev Sherzod . "Legal Reforms in Uzbekistan: A New Era." Federal Judicial Center, 2018.
2. Institute of Legislation and Legal Policy under the President of the Republic of Uzbekistan. "Ensuring Justice and the Rule of Law in Uzbekistan: In the Context of Judicial and Legal Reforms."
3. XY Rechtsanwälte. "The Structure of the German Legal System"
4. Wikipedia. "Bürgerliches Gesetzbuch."
5. Kosta Legal. "Uzbekistan Legal Newsletter for July 2023."

PROCESSES OF GLOBALIZATION AND ITS PHILOSOPHICAL ANALYSIS

*Mambetkarimov R.R.
Karakalpak State University named after Berdak*

Globalization is one of the processes that is turning humanity's life into a complete transformation. Globalization is derived from the Latin word "glob," which can be translated as "worldly." It is used to explain how, thanks to scientific and technological advancements, the Earth has transformed into a unified sphere under human control, into the Earth. The word "global" literally means "general" in French and "globus" in Latin. Thus, the concept of globalism, in both senses,