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Improving the Legal Basis of Management of Tourism in the Republic of Uzbekistan

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ANNOTATION

This article discusses the issues of improving public administration in the field of tourism and tourism activities, ensuring the effective development of the tourism industry and optimizing the structure. The issues of improving management in the field of tourism in the Republic of Uzbekistan, related to the development and implementation of the effectiveness of ongoing reforms in the field of tourism and a radical increase in foreign citizens entering the republic by solving existing problems of tourism infrastructure, are highlighted.

KEYWORDS: tourism, tourism industry, tourism legislation, legal regulation, public administration.

Most countries of the world have made tourism the main industry that brings huge incomes to the country's economy. Tourism contributes to the creation of additional jobs, and, thus, employment of the population. It also has a huge impact on various sectors of the national economy, such as transport, construction, communications, and the development of handicrafts. According to the World Tourism Organization (WTO), it uses approximately 7% of the world's capital, every 16th job is associated with it, it accounts for 11% of global consumer spending and it generates 5% of all tax revenues.

The regulation of tourism development is a multi-level system, including:

- coordination and promotion of tourism development on a global scale is carried out through the World Tourism Organization with the participation of international financial organizations;
- coordination of tourism policy at the interstate level is achieved through regional tourism organizations and special bodies of interstate associations (e.g., EU);
- at the national and regional levels, regulation is also carried out through specially created bodies and public associations of tourist organizations.

The goal of the state policy of regulating the development of tourism in many countries, including the Republic of Uzbekistan, is to create a competitive tourist complex that meets the needs of its citizens and

foreign citizens in tourism services and contributes to the development of the country's economy by increasing the number of jobs, the inflow of foreign currency, preservation of cultural and natural heritage.

Uzbekistan has a huge tourist and recreational potential, which has 7.4 thousand cultural heritage sites, 209 of which are part of four museum cities "Ichan kal'a in the city of Khiva", "Historic center of the city of Bukhara", "Historical center of the city of Shakhrisabz" and "The city of Samarkand" are included in the list of UNESCO World Heritage Sites.

During the period of 2018-2019, the export of tourist services doubled and amounted to 546.9 million US dollars in 2020, and in 2021 - 1,041 million US dollars. The average annual growth rate of foreign visitors until 2018 was 8 percent, in 2021 - 7 percent and exceeded 2.69 million people. At the end of 2020, about 5.3 million foreign tourists visited the republic. The measures taken to support and protect the private sector contributed to an increase in the number of tourist organizations from 398 in 2020 to 950 by the end of 2021, and hotel facilities - from 661 to 900 units.

Determination of the role and place of tourism in the system of branches of the national economy; study of the regulatory framework for state regulation of tourism in Uzbekistan and the degree of its compliance with the economic nature and the current level of tourism development in the republic; generalization of modern methods of state regulation of tourism in foreign countries and the possibility of using this experience in the Republic of Uzbekistan is important.

The main directions of state policy in the field of tourism are defined in Art. 6 of the Law of the Republic of Uzbekistan "On Tourism", adopted on July 18, 2019. These include:

- ✓ the development of this area as a strategic sector of the country's economy;
- ✓ ensuring the rights of citizens to rest, freedom of movement and other rights when traveling;
- ✓ rational use and preservation of tourist resources;
- ✓ improvement of the regulatory framework;
- ✓ creation of the necessary conditions for the development of domestic tourism, including the organization of tourism and excursions for children, youth, the elderly, as well as persons with disabilities and low-income segments of the population as part of the development of social tourism;
- ✓ attracting investments and creating favorable conditions for investing in tourism;
- ✓ development of public-private partnership in this area;
- ✓ creation of equal opportunities in the market of tourist services for business entities;
- ✓ stimulation through the establishment of tax and customs benefits for the subjects of the tourism sector;
- ✓ ensuring the safety of tourists and sightseers, protecting their rights, freedoms and legitimate interests and property;
- ✓ organization and development of scientific research;
- ✓ training, retraining and advanced training of personnel;
- ✓ development of international cooperation;
- ✓ improving the image of the Republic of Uzbekistan as a country attractive for tourism;

- ✓ providing state support to the subjects of the tourism sector in promoting their national tourism product in the tourism markets;
- ✓ stimulating the introduction of advanced innovative and information and communication technologies;
- ✓ stimulating the development of tourist areas and tourist clusters.

The government of the republic carries out general management of all spheres of life, including ensuring the implementation of a unified state policy in the field of tourism;

- ensures the development and implementation of state and other programs in the field of tourism;
- establishes the procedure for the creation of tourist zones, tourist clusters and the implementation of the activities of tourism entities in them;
- establishes the procedure for licensing tourism activities;
- establishes the procedure for certification of services in the field of tourism;
- establishes the procedure for insuring tourists and sightseers, providing them with medical, legal and other types of assistance;
- determines the procedure for the formation and use of funds from the off-budget Tourism Support Fund under the authorized state body;
- takes measures to ensure the rational use and conservation of tourist resources, natural and cultural heritage sites, as well as environmental protection;
- defines objects and territories prohibited for visiting by tourists and sightseers;
- coordinates interagency cooperation to attract investment in the tourism sector and implement tourism development projects;
- approves the rules for the provision of hotel services (accommodation services), as well as the services of tour operators and travel agents;
- establishes the procedure for granting benefits to certain categories of tourists and sightseers;
- establishes the procedure for training, retraining and advanced training of personnel in the field of tourism;
- carries out international cooperation and concludes intergovernmental agreements in the field of tourism.

In accordance with Article 8 of the Law of the Republic of Uzbekistan “On Tourism”, the authorized state body in the field of tourism is the State Committee of the Republic of Uzbekistan for the development of tourism. It is entrusted with the authority to implement a unified state policy in the field of tourism; participation in the development and implementation of state and other programs in the field of tourism. The State Committee is developing proposals for improving and simplifying the visa regime in the field of tourism; determines the procedure for maintaining the Unified Registers in the field of tourism; carries out licensing of tourist activities, certification of services in the field of tourism, control over the compliance of tourist services with established requirements and standards.

In addition, he participates in the development of projects and adopts, within his powers, regulatory legal acts in the field of tourism; develops regulatory documents in the field of technical regulation in the field of ensuring the safety and health of tourists and sightseers in the organization of tourist services.

The State Committee of the Republic of Uzbekistan for Tourism Development develops international cooperation and represents the interests of the Republic of Uzbekistan in international tourism organizations, as well as establishes relationships with tourism and other organizations of other countries; attracts foreign investments, as well as loans and grants from international financial institutions and other organizations in the development of tourism.

Decisions of the authorized state body in the field of tourism, taken within its powers, are binding on state and economic management bodies, local government bodies, business entities.

The organization of a system of state support for innovative activities in the field of tourism in the Republic of Uzbekistan is in the process of formation. To date, there are a number of problems, the main of which include:

- imperfection of legislation in the field of regulation of tourism activities;
- insufficient level of state support in terms of tax benefits from the budgets of all levels of the budget system; insufficient level of state financial support (subsidies, budget loans, state guarantees, etc.);
- insufficient level of state organizational and information support (underdevelopment of the innovation infrastructure, poor information support, lack of consulting and expert assistance, etc.);
- certain administrative barriers (duration, complexity of business registration procedures, licensing, certification, standardization, etc.).

Therefore, a set of legislative, economic and organizational actions of public authorities aimed at creating favorable conditions for the implementation of innovative activities in the field of tourism is necessary.

In recent years, the state has paid great attention to the development of this sphere. I would like to dwell on the main forms of state support for the tourism sector:

1. Provision of educational services. The specificity of the leading role of scientific knowledge in innovation processes makes higher demands on the level of qualifications of workers, and hence on the quality of training. In this regard, today the training of personnel in the field of tourism activity comes to the fore. Thus, the Decree of the President of the Republic of Uzbekistan dated August 13, 2019 No. UP-5781 "On measures for the further development of tourism in the Republic of Uzbekistan" provides for the creation on the basis of the State Unitary Enterprise "Training and Consulting Center for Tourism" of the Tourism Development Institute under the State Committee of the Republic of Uzbekistan for the development of tourism. The main activities of the Institute include:

- implementation of research activities in the field of tourism, coordination of scientific research and scientific and applied developments in this area, identification of systemic problems and development of proposals for their solution;
- development and implementation of new educational programs and forms of education aimed at improving the system of training for the tourism industry;
- organization of retraining and advanced training of tourism workers with the involvement of foreign specialists and teachers;
- scientific and methodological coordination of the activities of educational institutions that train personnel for the tourism industry, support for the activities of consulting and training centers;

- issuance of a qualification certificate for guides, tour guides and guide instructors based on a unified testing system.

2. Another area of state support in the field of tourism development is the provision of information support.

This is especially relevant in terms of providing information on world scientific experience, information on market conditions in the relevant segments, the implementation of full-fledged information support and information support for tourism activities. So, from January 1, 2020, part of the costs ("rebate") of foreign film companies when creating audiovisual products (film, television and video films, clips, cartoons, anime) on the territory of the Republic of Uzbekistan is compensated from the State budget of the Republic of Uzbekistan in the amount of up to 20 percent of the costs incurred on the territory of the Republic of Uzbekistan, but not more than 300 thousand US dollars per unit of production;

- at the expense of the non-budgetary Tourism Support Fund under the State Committee for Tourism Development, grants are allocated for the filming of full-length feature films, feature short films, documentaries and newsreels about historical and legendary figures of Uzbekistan in the amount of 30 percent of the project cost, but not more than 3 billion soums.

3. An important role in stimulating tourism activities is played by financial support (including subsidies, grants, loans, loans, guarantees). Separate measures in the direction of providing financial support measures are already being actively implemented. Undoubtedly, this is an important measure for the development of innovation, stimulates research and development in the tourism industry.

4. Providing benefits for the payment of taxes, fees, customs payments. Of course, the direct implementation of government support in the form of tax benefits, fees, customs payments contribute to the further development and improvement of legal mechanisms for financial incentives and innovative tourism activities.

Tax incentives have proven their effectiveness in the leading world powers that have achieved significant results on the path to building an innovative economy. Separate measures in this direction are also being taken in our country. This is confirmed by the norms of the above-mentioned presidential decree, which provide for the introduction of tax and customs benefits. So, until January 1, 2023:

a) legal entities providing tourist services for organizing camping and safari tourism in hard-to-reach remote areas (at least 10 kilometers from settlements or 5 kilometers from paved roads), from paying income tax, land tax and property tax, as well as a single tax payment for this type of activity, subject to the creation of an autonomous infrastructure;

b) legal entities, their design organizations, general contractors and subcontractors within the framework of the project to create golf complexes that meet international standards and include the necessary cultural and entertainment infrastructure of golf complexes from payment:

- income tax, land tax and property tax;
- a single social payment - from the wage fund of foreign specialists involved in the implementation of the project;
- customs duties and excise tax when importing goods necessary for the implementation of the project, including in the customs regime of "temporary import".

c) legal entities engaged in the construction and (or) organization of the activities of modern sanitary and hygienic facilities according to standard designs, from the payment of income tax, land tax and property tax, as well as a single tax payment for this type of activity;

d) equipment imported into the territory of the Republic of Uzbekistan for the construction of ropeways and attractions "bungee jumping", "zipline", controlled (airship, balloon) and uncontrolled (free flight) balloons, gondolas, equipment for "rafting" and "flyboarding", as well as "buggy car", phaetons, land vehicles converted into accommodation for the night (motorhomes) or cafe-vans ("food truck") from customs duties and excise tax.

As you know, the Coordinating Council for Tourism Development was formed by the Decree of the President of the Republic of Uzbekistan dated August 16, 2017 No. PP-3217. The State Committee of the Republic of Uzbekistan for the development of tourism was granted the right to submit proposals to the Coordinating Council on the organization of territories for the development of tourism infrastructure facilities in the regions based on the study of potential territories on the ground; as well as to negotiate with investors to attract investment in the tourism sector, sign investment agreements and contracts with investors, as well as initiate the issue of providing them with land through the electronic trading platform "E-IJRO AUKSION" in the prescribed manner with the acceptance by investors of obligations to implement the project.

It is important to create in the structure of the central office of the State Committee of the Republic of Uzbekistan for the development of tourism the Office for the Development of Tourist Zones and Clusters, consisting of architects, cartographers, urban planners and civil engineers, with the task of organizing work on planning and designing the placement of tourist infrastructure facilities.

Thus, today a lot is being done in the republic to support the tourism industry. But there are a number of problems that need to be resolved.

1) First of all, it should be noted that the tourism legislation should develop as a complex institution of administrative civil law. At the same time, two components of tourism should be taken into account: economic and social. To do this, the powers and structure of the State Committee of the Republic of Uzbekistan for the development of tourism should include units dealing with social issues in the field of tourism.

2) As mentioned above, when managing the tourism sector, it is necessary to take into account the social factor, in connection with which it is necessary to strengthen state supervision over the organizations of the sanatorium-resort complex of the republic.

3) In the legislation of the Republic of Uzbekistan on tourism issues, it is necessary to fix issues that should be resolved at the level of the Republic of Karakalpakstan.

4) There are various types of tourism in the world. In our republic, along with such types of tourism as international, youth, ecological tourism, family tourism, it is necessary to introduce more widely, ethnic tourism, pilgrimage tourism, tourism for the disabled.

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