

## CONSTITUTION - THE BASIC LAW GUARANTEEING THE RIGHTS OF ENTREPRENEURIAL FARMERS

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### Abstract:

The article examines the role, content and essence of the Constitution of the Republic of Uzbekistan, the Law "On Farming" in improving the activities of farms in Uzbekistan. The adoption of laws regulating the agricultural sector in our Republic from the first days of independence and their significant aspects are analyzed.

**Key words:** farmer, farm, rights and obligations of farms, farming activity, sectoral legislation, creation of legal framework for farms, guaranteeing state support for farms.

At the present time, when the relations of the market economy are developing in our country, special attention is being paid by the state to entrepreneurship, in particular, to the creation of a legal basis for the farmers who organize farms and operate in the field of agriculture, and to create ample opportunities and conditions for their activities. In particular, as a result of special attention to the development of farms in the reforms in the agricultural sector of our country, the farming movement has become the locomotive of the sector in the country.

The first part of Article 65 of the Constitution of the Republic of Uzbekistan stipulates "The state creates conditions for the development of market relations and fair competition, guarantees the freedom of economic activity, entrepreneurship and labor, taking into account the priority of consumers' rights". Also, in addition to the Basic Law, the Civil Code of the Republic of Uzbekistan, Laws and legal documents "On Farming", "On Farming", "On Guarantees of Freedom of Entrepreneurial Activity" and "On Protection of Private Property and Guarantees of Owner's Rights" the main rules that strengthen the property bases of entrepreneurship and farms have been established. According to Professor O. Okyulov, "economic relations that need to be regulated by legal norms should be regulated by laws with the highest legal force".

In fact, it should be noted that the Constitutions of foreign countries also contain a number of norms related to business activities and their protection. For example, the fourth part of Article 26 of the Constitution of the Republic of Kazakhstan stipulates that "Everyone has the right to freely engage in entrepreneurial activities, to freely



use their property for any legal entrepreneurial activity", while Article 34 of the Constitution of the Russian Federation states that "Everyone has the right to use his ability and property has the right to freely engage in entrepreneurship and other economic activities not prohibited by law. Therefore, if we analyze these norms, it is assumed that anyone can engage in business activities.

For example, for the first time in the Russian Federation, the Law "On Peasant (Farmer) Economy" was adopted on November 22, 1990, and in the Republic of Kazakhstan, the Law "On Peasant (Farmer) Economy" was adopted on May 21, 1990, and their legal status was regulated by these laws.

As a result of the study and analysis of these sectoral laws, their similarities can be clearly seen in the definition given to the farm. It is no exaggeration to say that the emergence of a new economic entity for the agricultural sector, especially the concept of a farmer's (farmer's) economy, its legal status, and in general, serves the legal regulation and development of economic activities.

In our opinion, the study of the basic and sectoral laws of these countries is important in improving the legal basis of the activities of farms in our republic, in their functioning and development as an equal entity with other agricultural enterprises.

The new version of the Law of the Republic of Uzbekistan "On Farming" was adopted on August 26, 2004. This law is the main source for the operation of farms as subjects of business activity in our republic. According to the current legislation, this law consists of general rules, the organization of a farm, the allocation of land plots for the management of farms, land use and water consumption, the rights and obligations of a farm, and the norms related to the organization of farm activities.

As stipulated in the first part of Article 29 of this Law, "the state guarantees the observance of the rights of farms and the protection of their legal interests." According to statistics, "as of April 1, 2023, about 5,642 lawsuits were submitted to the courts to protect the interests of a total of 90,774 farms in all directions." 1,324,761 mln. for collecting the fees of farms from preparation, product suppliers and service organizations. 23,215 lawsuits were submitted to the courts and 651,202 mln. the decisions of the courts on recovery of 1,995,004 million soums were made through 1,398 enforcement orders. sums of money were collected from farms." Therefore, in our republic, the rights and legal interests of our entrepreneurial farmers are protected through the courts.

Farming is the main subject of agricultural production of the Republic of Uzbekistan, and this status was confirmed in Article 3 of the Law "On Farming". According to



statistics, "31.4% of the production of agricultural products corresponds to farms (increase - 103.5%).

In our opinion, there is a need to simplify the existing legislation in the field along with improving the legal documents regulating business activities, creating favorable conditions for entities engaged in business activities in the market economy.

Based on the above, we consider it appropriate to consider the following:

firstly, improving and developing the activities of farms, turning them into fully multi-sectoral modern farms;

secondly, in parallel with the modernization of the agricultural sector, systematically research the farming activities of developed foreign countries;

thirdly, revision of the legal documents regulating the current farming activities;

fourth, to attract foreign investments for further economic development and improvement of farm activities.

In addition, the best way to find a solution to the problems related to farms in the field is to regularly exchange experiences with foreign countries based on existing experiences, to organize continuous training and retraining of farmers, to conduct surveys among them, as well as to organize them in developed foreign countries. It is desirable to regularly organize experience gatherings, to scientifically justify and implement problem solutions, and to improve laws related to the field.

In fact, reforms are being implemented in our country so rapidly that the current norms do not meet market requirements. That's why he should pay attention to excellence in the development of legislative laws in any field. We want to say that, in general, according to our current laws adopted in the field of entrepreneurship, it is necessary to develop and adopt new ones in time.

After all, it would be appropriate to further increase the effectiveness of the reforms in the field of agriculture in our republic, especially if they serve to develop the activities of farms.

Time has shown that the laws governing each sector are not without loopholes and shortcomings.

Therefore, based on the above-mentioned considerations, it can be concluded that: first, to create the necessary conditions and facilities for farms, to increase their social and political activity, and to inculcate national values in the minds of farmers; secondly, in order to ensure the economic and financial freedom of farms, to revise and improve their privileges and opportunities in the current laws;



thirdly, in order to find a solution to the existing problems in the field, improving the economic reforms in agriculture along with constantly researching the legislation of developed foreign countries;

fourth, to ensure that farms operate in market conditions under the influence of equal competition with agricultural enterprises in the field.

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