

TRAVEL COMPANY ACTIVITIES: COMPARATIVE LEGAL ANALYSIS OF THE NATIONAL LEGISLATION OF THE CENTRAL ASIAN COUNTRIES

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ABSTRACT

The relevance of this study lies in the investigation of the national legislation of the Central Asian countries governing the implementation of travel company activities in these countries, as well as the features, establishment, development, and problems. The purpose of this study is to analyze the legislative framework, as well as to investigate the level of the regulatory framework for governing the tourism sector and ensuring the rights of people who use tourist services as exemplified by particular Central Asian countries. Dialectical, formalization, legal recognition, formal legal, hermeneutic, logical legal, systemic, structural-functional, axiomatic, and inductive methods were among those used for this investigation. The definitions of “travel company activities” and “travel services,” as well as the features of the Central Asian tourism industry, the creation and evaluation of laws controlling the tourism industry, and the laws of certain Central Asian nations controlling the industry are the outcomes of this study. The provisions consolidated in this paper are of practical value primarily for authorized persons whose activities are directly aimed at regulating and ensuring the implementation of all subjects and participants of travel company activities.

Key words: *tourism sector, law regulation, travel industry, pandemic, governance.*

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1. INTRODUCTION

The tourism sector is an area that is always in great demand, despite no restrictions. Tourism is not only about visiting other countries and getting to know other cultures, tourism is also about getting to know interesting locations within each state. In this regard, every country in the world strives to develop the tourism sector in its state, and therefore, for the effective development of the travel industry, numerous regulations are being developed to help govern the relations emerging in it¹. Within the framework of this study, the authors investigated the national legislation of the Central Asian countries in the field of travel company activities. Central Asia today has five republics: Kazakhstan, Kyrgyzstan, Uzbekistan, Turkmenistan and Tajikistan. In the 21st century, tourism is not only a component of the economy, but also a political, diplomatic, and socio-cultural component of public life. It is thanks to the tourism sector that the interests of different cultures and the security of most states and regions of the world are intertwined. With its beauty and captivating history and culture, the Central Asian region attracts and delights more tourists every year². This region is a travel destination for many tourists and those who are seeking new experiences and willing to learn a lot. Central Asia has great tourism potential for further development under the single brand “The Great Silk Road”³. An important condition for the development of tourism in this region is the development of new regulations and the improvement of existing ones in each country of Central Asia. It is also vital to cooperate with all countries to accelerate the development of the tourism sector and for the effective use of cultural, historical, and natural heritage for the interest of many people.

Before the pandemic, which did not go unnoticed by any of the countries of the world, the tourism sector used to occupy one of the essential and most advanced sectors of the world economy. In many countries, it is the tourism sector that has been the sector responsible for the replenishment of the country’s budget. The entire amount that travel and tourism contributed to the global gross domestic product GDP (gross domestic product) in 2022 was 23% less than it was in 2019, the year before the coronavirus (COVID-19) pandemic started. In all, 7.7 trillion US dollars were contributed to the global GDP by

¹ Kala, N.: Chronological review of the adoption of the World Tourism Organization basic international regulatory acts on tourism, *Journal of Legal, Ethical and Regulatory Issues*, 24(Special issue 1) 2021, pp. 1-9.

² Tourism in Central Asia. 2020, <https://www.orexca.com/rus/central-asia/tourism.htm>, 03/07/2023.

³ Tsikhanovska, M., Kovalchuk, S.: Tendency of the world market tourist services development in the conditions of globalization processes strengthening, *Global and National Economic Problems*, 7 2015, pp. 86-89.

travel and tourism in 2022. According to forecasts, this amount would reach an estimated 9.5 trillion dollars in 2023, staying 5% below pre-pandemic levels⁴. The tourism sector gives a powerful development to about 50 spheres of the national economy, outstripping, for example, even the automotive sector. The pandemic, which occurred as a result of the spread of coronavirus disease, which currently holds sway all over the world, has led to global changes in the world and led to a crisis in many areas of people's public life. The pandemic has caused considerable damage to the tourism sector, since the total quarantine, and subsequently with adaptive quarantine, this sphere has experienced the most consequences due to the temporary closure of the borders of all countries of the world⁵.

However, not only the closure of borders, the prohibition of transport communication by any motor transport and rail, the prohibition of air travel or the introduction of other quarantine restrictions have affected the tourism sector during the pandemic – so did the introduction of quarantine restrictions in other areas tangent to the tourism sector, in particular, the hotel and restaurant business, the film industry, the sanatorium and medical sphere and many others also have a great impact⁵. The above suggests that the tourism sector is a certain system that has a connection with many elements and spheres when a restriction in one area can have adverse consequences for the tourism sector. The pandemic is also called the “black swan” because it is an event that could not have been predicted⁶. The tourism sector, was one of the first areas that took severe consequences of coronavirus disease 2019 (COVID-19) because it was the subjects of the tourism industry that had to overcome and adapt to new forms of tourism activities. They had to come up with new ways to retain customers, offer certain promotions and discounts, find new methods to increase their competitiveness, constantly improve the quality and safety of tourist services, and still be in constant uncertainty and wonder “What is going to happen next?”^{7,8}.

⁴ Total contribution of travel and tourism to gross domestic product (GDP) worldwide in 2019 and 2022, with a forecast for 2023 and 2033, <https://www.statista.com/statistics/233223/travel-and-tourism--total-economic-contribution-worldwide/>, 03/07/2023.

⁵ Kulinyak, I., Zhigalo, I., Yarmola, K.: Tourism industry in the context of the COVID-19 pandemic: Trends and support measures, *Economics of Trade and Services*, 1 2021, pp. 177-184.

⁶ Demkiv, Yu., Stukach, T.: Ukrainian tourist industry in the global environment: Adaptation to conditions the impact of the global international crisis COVID-19, *Business Navigator*, 4 2020, pp. 18-25.

⁷ Bigus, M., Galkiv, L., Dobushovsky, P.: Tourism business under the influence of modern changes due to global challenges, *Scientific View: Economics and Management*, 3 2020, pp. 7-12.

⁸ Sanginov, D.: Legal regulation of tourist activity in the Republic of Tajikistan, 2010.

There is limited research specifically comparing tourism legislation across all Central Asian countries. Most studies focus on single countries. Additional comparative legal analysis would contribute greater understanding of regional challenges and best practices. More data is needed on the practical outcomes of existing tourism regulations in Central Asia in terms of visitor numbers, revenue, infrastructure development, etc. This would help gauge the real-world effectiveness of legal frameworks. Research is lacking on harmonization of tourism regulations with international standards and global tourism codes of conduct within the Central Asian region. More insights are needed on integration barriers.

This study relies substantially on legal textual analysis. Incorporating perspectives from tourism administrators, company executives, and travelers within Central Asia could provide more context around implementation challenges on the ground. As the tourism industry evolves rapidly, the legislative landscape examined may quickly become outdated. Regular updating of legal analysis is necessary to match regulatory realities. The capacity to make “apples-to-apples” comparisons between countries is constrained by differences in reporting standards, data availability, governance regimes, and tourism products. Identifying truly equivalent metrics is hindered. Language barriers, publishing lags, database access, and geographical distances impose practical limitations around gathering comprehensive and current data from all Central Asian nations simultaneously for timely comparative study.

This study is aimed at analyzing the national legislation of the Central Asian countries governing the sphere of tourism activities to efficiently regulate the relations arising in it.

The main objectives of this study are as follows:

- clarification of the essence of the terms “travel company activities” and “travel services”;
- study of the level of legislative regulation of the sphere of travel company activities in Central Asia;
- the nature of certain Central Asian countries to establish similarities and differences in the regulation of travel company activities in these countries;
- identification of features and problems arising in the implementation of travel company activities and the establishment of ways to improve this sector.

2. LITERATURE REVIEW

Regulation of the tourism industry and travel company activities is vital for ensuring the sustainable development of this sector, protecting consumer rights, and facilitating economic growth. The subjects of the sphere of travel activities are obliged to adhere to them and constantly follow them when engaging in their activities. In turn, the Global Code of Ethics for Tourism⁹ stipulates that all representatives of the international tourism sector, including the global tourism organization, aim to ensure the development of the tourism industry and the exercise of the rights and interests of people to recreate and travel while respecting the public choice of all peoples. The Manila Declaration on World Tourism¹⁰ defined and established the place of the tourism sector in modern society. In addition, one of the essential postulates consolidated there is the inextricable link between human rights to recreation and tourism. Thus, travel activities are activities aimed at rendering a variety of travel services according to the regulations adopted in each country. In turn, travel services are services rendered by the subjects of travel activities for settlement, accommodation, transportation, catering, information, and advertising services, as well as services of cultural institutions, sports, everyday life, entertainment, etc., which are aimed at meeting the tourists' needs. The subjects of travel activities can be institutions, enterprises, organizations, and individuals offering and rendering travel services.

Several studies have analyzed the core regulations shaping tourism governance and travel company oversight across Central Asia. A historical overview of the legal evolution of the tourism industry in the Republic of Tajikistan has been studied, emphasizing the crucial importance of the adoption of the 1999 Law on Tourism in establishing a framework, although limitations remain in practical implementation⁸. Related analyses detail the seminal tourism laws passed in the Republic of Kazakhstan¹¹, Kyrgyz Republic¹², and Republic of Uzbekistan¹³ to facilitate industry growth amidst post-Soviet transitions. Collectively, these reviews reveal parallels in the legal underpinnings for tourism

⁹ Resolution of the Council of Ministers of the Tajik SSR No. 255 "On the formation of the tourism association of Tajikistan", 1990.

¹⁰ Constitution (Basic Law) of the Union of Soviet Socialist Republic, 1977.

¹¹ Smykova, M., Mutaliev, L., Baitenova, L.: Assessment of strategic economic zones of tourism development in Kazakhstan. World Science News, *Current Problems of Economy*, 10(136) 2012, pp. 508-517.

¹² Nikiforova, E.: Legal regulation of tourism activities in the countries of Central Asia, *Bulletin of the Tajik National University*, 2 2013, pp. 167-170.

¹³ Rahimov, F.: Main directions of development of legislation in the sphere of tourism in Uzbekistan, *Scientific Bulletin of Namangan State University*, 1(2) 2021, pp. 285-296.

regulation across Central Asian nations to promote synchronized economic development, ensure citizen access to recreation, and codify international co-operation principles.

However, scholarly examinations consistently note substantial obstacles in executing the tourism development visions and oversight duties outlined in these legal frameworks. Using Tajikistan as a case study, it is argued that embedded bureaucratic impediments arising from fragmented institutional responsibilities, lack of policy coordination, and over-reliance on external funding have hampered the realization of planned growth in the tourism industry¹⁴. Similarly, based on Kazakhstan's analysis, concludes that persistent legislative gaps and backlogs perpetuate inconsistency, quality control failures, and negligence on the part of tourism enterprises, actively discouraging standards of service and accountability¹⁵. Similar shortcomings are also documented in the Kyrgyz Republic, where poor enforcement of tourism regulations reportedly contributes to tax non-compliance and consumer rights violations becoming commonplace¹⁶. Hence, across multiple Central Asian states, scholarly analyses critique practical application barriers and limitations around existing tourism regulatory models.

In response to identified shortcomings, several research studies advocate targeted reforms to strengthen tourism governance capacity and efficacy. With a focus on the Republic of Uzbekistan, it is recommended to rationalize the oversight of the industry by consolidating relevant regulatory functions under a centralized national tourism committee to reduce fragmentation and improve policy coordination¹⁷. The article on Kyrgyz Republic¹³ advocates the introduction of enhanced ethical codes of conduct and training programs to directly raise standards among tourism companies and service providers. Studies of the difficulties of the Republic of Tajikistan¹⁵ specifically insist on the expansion of public-private partnerships to alleviate the financial and resource constraints that hamper the operation of state-owned tourism agencies. Collectively, proposed solutions concentrate on enhancing institutional oversight coherence, service provider accountability, and investment support to bolster tourism regulation implementation.

¹⁴ Kurbonov, A.: Barriers to tourism industry development in Tajikistan, *Central Asian Journal of Tourism Research*, 2(1) 2021, pp. 35-49.

¹⁵ Sabitova, N.: Problems of legal regulation of the tourism industry in the Republic of Kazakhstan, *Bulletin of the Karaganda Economic University*, 1(93) 2019, pp. 175-185.

¹⁶ Asanbaeva, A.: Problems of legal regulation of tourism activities in the Kyrgyz Republic, *Bulletin of the International Institute of Management LINK*, 3 2014, pp. 14-18.

¹⁷ Khojimatov, S.: Improving state regulation of tourism in Uzbekistan, *Economics and Innovative Technologies*, 1(8) 2019, p. 9-11.

In summary, scholarly analyses of Central Asian tourism governance consistently highlight the seminal significance of legislative frameworks in establishing visions and expectations for industry development but document substantial, ongoing enforcement and policy implementation problems that actively undermine realizing intended objectives. Achieving sector advancement rests critically upon governance capacity building and reforms to rectify limitations around regulatory efficacy, coordination, resources, and execution. Both public and private stakeholders must participate in strengthening the operational effectiveness of Central Asia's existing tourism regulation models. Tackling barriers around practical application stands imperative for the region's tourism industry to unlock its full economic and social potential.

3. METHODOLOGY

According to certain goals and objectives, the study employs a set of research methods of modern epistemology. Using synthesis and theoretical analysis methods, the study examined scientific papers covering the regulatory support for the implementation of travel company activities, as well as the specific features of the implementation of such activities by various entities. The dialectical method forms the basis of this study since it is used to cognize all the processes of the research activity of the subject under study. The use of this method in this paper leads to a theoretical and practical investigation of the issue of improving regulations, the effect of which is aimed at governing the implementation of travel company activities, and is also used to study the concept, content, and meaning of these legal acts to protect the rights and interests of persons entitled to rest and using travel services.

Using the formal legal method of research, the study analyzed the legal nature of regulations prescribing the implementation of travel company activities and the specific features of such activities in different countries of Central Asia; a systematic method helped identify the scope of issues under study and develop proposals for their solution. Sociological and statistical methods were employed to investigate the opinions of researchers on problematic issues arising from creating and improving the regulations in the field of tourism. In addition, for a more complete and more efficient study of this subject, the study applied the following methodology: the hermeneutic method was used to uncover the essence of the term "travel company activity", "travel services" and "subjects of travel company activities".

The axiomatic method should also be considered effective for investigating the national legislation of Central Asian countries in the field of tourism. Its task is to build a scientific theory wherein some statements (axioms) are accepted

without proof and used to obtain the rest of the knowledge according to certain logical rules. By the systemic-structural method, the authors uncovered the meaning of the term “travel activities” and considered the procedure for improving the national legislation of various countries used in the implementation of travel activities. The formalization method reflects meaningful knowledge in the well-known sign-symbolic content. The methods of system analysis, theoretical generalization, induction, and deduction are used to generalize the regulatory framework of different countries of Central Asia concerning the implementation of travel activities. The basis of this study is the regulations of the Central Asian countries, the action of which is directly aimed at governing the implementation of travel activities in such a country, as well as regulations that are designed to protect the rights of tourists, who have the right to recreation and use the presented travel services.

4. RESULTS

4.1. TRAVEL ACTIVITIES IN THE REPUBLIC OF KAZAKHSTAN

Travel activities should be understood as activities aimed at rendering a variety of travel services according to the regulations adopted in each country. In turn, travel services are services rendered by the subjects of travel activities for settlement, accommodation, transportation, catering, information, and advertising services, as well as services of cultural institutions, sports, everyday life, and entertainment, which are aimed at meeting the tourists’ needs. The subjects of travel company activities should be considered institutions, enterprises, organizations, or individuals engaged in activities related to the rendering of travel services. The Republic of Kazakhstan is a country of extraordinary contrast, starting from nature and ending with the lifestyle of the people in this country. Despite highly developed country, where tourism is one of the areas that bring more profit to the country’s economy, tourism in the Republic of Kazakhstan is not as developed. One of the main problems is the lack of real financial backing from the state and the inefficiency of statutory regulation of the sphere of tourism activities.

Tourism in the world is developing rapidly, while bringing considerable profits and increasing the economy, and is one of the most developed economic sectors. This provision allows tracing the substantial impact of the travel industry on other spheres of public life in the world. However, despite this pattern, the development of the tourism sector in the Republic of Kazakhstan is quite slow, despite the potential of recreational resources and monetary opportunities. With the gradual development of market relations in the Republic of Kazakhstan and an increase in the level of production, which in turn leads

to an increase in the standard of living of people, it will allow people to travel more both abroad and within the country, which will positively affect the development of the tourism sector¹¹. As the international development of the sphere of tourism activity demonstrates, it is essential in tourism not as the demand for travel services itself, but as effective management of the tourism sector. For effective management of the industry, it is also necessary to have a high-quality regulatory framework, and, accordingly, regulations governing the implementation of tourism activities. Travel activities in the Republic of Kazakhstan are regulated by the Law of the Republic of Kazakhstan No. 211-II “On travel activities in the Republic of Kazakhstan”¹⁸, the Constitution of the Republic of Kazakhstan¹⁹, the Civil Code of the Republic of Kazakhstan²⁰ and other regulations that govern activities related to the sphere of tourism to a certain degree. International treaties ratified by the Republic of Kazakhstan are also used to govern the scope of tourism activities.

The Law of the Republic of Kazakhstan No. 211-II “On travel activities in the Republic of Kazakhstan”¹⁸ is intended to govern the legal, social, economic, organizational, and other foundations of tourism activity as one of the branches of the economy. According to this Law, the state bodies of the Republic of Kazakhstan must contribute to the development of the tourism industry. Regulation of this sphere should be carried out based on several principles, which include:

- establishment of the main development vectors of travel activities and assistance in their establishment;
- creation of conditions for effective implementation by all subjects of travel activities;
- assistance to citizens when they travel;
- ensuring the safety of persons and ensuring their rights in traveling and travel activities¹⁸.

4.2. TRAVEL ACTIVITIES IN THE REPUBLIC OF TAJIKISTAN

Within the framework of this study, one more of the Central Asian countries should be mentioned, namely the Republic of Tajikistan. After the transition of the Republic of Tajikistan to a market economy, certain configurations occurred in all spheres of public life. The changes have not bypassed the sphere

¹⁸ Law of the Republic of Kazakhstan No. 211-II “On travel activities in the Republic of Kazakhstan”, 2001.

¹⁹ Constitution of the Republic of Kazakhstan, 1995.

²⁰ Civil Code of the Republic of Kazakhstan, 1994.

of tourism activity as one of the important spheres of the economy. Tajikistan is a country with a rich historical and cultural heritage. It is also rich in natural and recreational resources, which leads to the development of both internal tourism and the arrival of foreign tourists. According to the Concept of tourism development in the Republic of Tajikistan for 2009-2019²¹, which states that “The main purpose of implementing the national policy in the tourism sector should be to provide favorable legal conditions for the implementation of effective travel activities by various entities, and therefore, the creation of a competitive market of travel services in the Republic of Tajikistan to meet the interests of both citizens of the country and foreign citizens by rendering them quality services”. However, despite many histories and cultures and the existence of grounds in the form of a Concept of tourism development in the Republic of Tajikistan for 2009-2019²¹, its development is very slow and one of the main problems of this is the inefficient legal framework for regulating the implementation of tourism activities.

Tourism activities in the Republic of Tajikistan are understudied, with researchers of this country generally conducting research in this area rarely. This can be called one of the shortcomings of the legal support of the tourism industry. The adoption of the Law of the Republic of Tajikistan No. 824 “On tourism”²² did not give the expected results, since there are contradictions between the norms of this Law, which leads to its ineffective application. In addition, this Law is associated with some regulatory provisions of other legislative acts of the Republic of Tajikistan and as a result, leads to violations of the constitutional rights of citizens to recreation. The establishment and development of the regulatory framework for governing the implementation of tourism activities in the Republic of Tajikistan differed from the general development of the legislative framework for governing other spheres of public life in the Republic of Tajikistan since the development of the legislative framework of this sphere is divided into two stages.

The first period began in 1917 and ended in 1990. The first regulation to govern tourism relations in Tajikistan, which also extended its effect to the entire territory of the USSR (Union of Soviet Socialist Republics), was the Decree of the Council of People’s Commissars “On the removal of monuments erected in honor of the tsars and their servants, and the development of projects for the monuments of the Russian Socialist Revolution”²³. Specifically, after the

²¹ Concept of tourism development in the Republic of Tajikistan for 2009-2019, 2009.

²² Law of the Republic of Tajikistan No. 824 “On tourism”, 1999.

²³ Decree of the Council of People’s Commissars “On the removal of monuments erected in honor of the tsars and their servants, and the development of projects for the monuments of the Russian Socialist Revolution”, 1918.

adoption of this regulation, tourism began to be divided into internal and external. The first body, whose powers included the implementation of activities in this area, was the trade union represented by the All-Union Central Soviet of Trade Unions, wherein the Central Tourist and Excursion Department was established with offices in the republics and cities of the country. Between 1917 and 1990, tourism was constitutionally recognized and consolidated in Article 41 of the Constitution (Basic Law) of the Union of Soviet Socialist Republic¹⁸. Further regulation of travel activities did not receive the proper level and was prohibited only in regulations approved by the Central Council for Tourism and Excursions. During the first period of developing the legislation governing the sphere of tourism activities, some researchers and organizations also made great efforts. Summarising the first stage of developing the legislative framework for the implementation of travel activities, during these years the development of the regulatory framework was inefficient and low, although the first steps were taken towards the development of the travel industry. In addition, one of the substantial drawbacks of the tourism industry development and its regulatory support was the increased activity of the trade union, which had a pronounced ideological vector.

The second period began in 1990 and continues until now. It is described by the adoption of regulations of the highest power governing the sphere of travel activities. Thus, during 1990-1998, the following regulations were adopted in the field of travel activities: Resolution of the Council of Ministers of the Tajik SSR No. 255 “On the formation of the tourism association of Tajikistan”¹⁹, according to which the Council of Ministers of the Tajik SSR established the Association of Tourism of Tajikistan. In addition, the fundamental law in the field of tourism activities was adopted – the Law of the Republic of Tajikistan No. 824 “On tourism”²², which establishes and governs the main features of tourism activities in the Republic of Tajikistan. The Law of the Republic of Tajikistan defines the concept of a “tourist”. According to this Law, a tourist is a person who consumes travel services while being outside the country of his or her citizenship, and who came to another country for religious, cultural, recreational, educational, sports, professional, and other purposes. Tajikistan makes provision for liability for violation of the norms governing the scope of tourism activities. One of the types of liability is contractual liability, according to which liability occurs for non-performance or improper performance of the contract by its participants. However, non-performance or improper performance of the agreement may be either intentional or unintentional, but in the vast majority of cases, the parties to this agreement are liable if there is a fault in their actions.

4.3. TRAVEL ACTIVITIES IN THE KYRGYZ REPUBLIC

Another Central Asian country that should be considered in this study is the Kyrgyz Republic. The Kyrgyz Republic is rich in historical and cultural heritage and has a unique nature. It is the sphere of tourism activity in Kyrgyzstan that is recognized as one of the top-priority areas in the economy and public life of people. Based on this provision, it is advisable to investigate the legislative framework that governs the tourism industry. The main regulations governing travel activities are the Constitution of the Kyrgyz Republic²⁴ and the Law of the Kyrgyz Republic No. 34 “On tourism”²⁵. The Law of the Kyrgyz Republic No. 34 “On tourism”²⁵ is aimed at governing relations arising when citizens exercise their rights to recreation, leisure, and business development, and also establishes the main components of the tourism sector. According to this Law, travel activities should be interpreted as the activities of travel agencies and travel operators, as well as the activities of other entities aimed at organizing travel. The effect of all regulations governing the implementation of travel activities in a certain way should be aimed at the development of Travel activities, and the creation of reliable and efficient conditions for the implementation of these activities, as well as such regulations, should protect the rights and interests of all people exercising their rights to recreation and other constitutional rights and other regulations.

In addition, it is legislatively established that the state bodies of the Kyrgyz Republic must ensure the rights of citizens to recreation, freedom of movement, and other rights related to the tourism sector; coordinate the activities of authorized persons whose powers include ensuring the implementation of travel activities; develop new and improve the available legal regulations aimed at governing the implementation of travel activities; develop international cooperation to improve the travel industry. Among the countries of Central Asia, Uzbekistan should also be singled out, where the main legislative act in the field of tourism activities is the Law of the Republic of Uzbekistan No. ZRU-549 “On tourism”²⁶. The main purpose of this Law is to govern relations arising from the implementation of travel activities. The main principles used by the subjects of travel company activities are as follows:

- transparency and openness in the implementation of travel activities;
- priority of protection of human rights arising during travel or other activities;
- state support in the field of tourism.

²⁴ Constitution of the Kyrgyz Republic, 2021.

²⁵ Law of the Kyrgyz Republic No. 34 “On tourism”, 1999.

²⁶ Law of the Republic of Uzbekistan No. ZRU-549 “On tourism”, 2019.

The State Committee of the Republic of Uzbekistan for Tourism Development is the authorized state body that carries out activities aimed at and embodying tourism activities. The powers of this body primarily include the implementation of a unified policy for the development of tourism in the Republic of Uzbekistan; the determination of the procedure for maintaining unified registers in the field of tourism; taking part in the development of national programs to improve the travel industry; develops international cooperation in the field of tourism and other powers prescribed by the Law of the Republic of Uzbekistan No. ZRU-549 “On tourism”²⁶. In addition, among the regulations that contributed to the improvement of the legal framework for regulating the implementation of tourism activities, it is possible to single out the Resolution of the President of the Republic of Uzbekistan No. PP 3217 “On priority measures for the development of tourism for 2018-2019”²⁷. This Resolution determines the main development vectors for the tourism sector, as well as the improvement of the country’s economy and the improvement of other spheres of people’s lives, on which the tourism sector has a direct impact.

Eleven countries have established the CAREC (Central Asian Regional Economic Cooperation) Programme, which is a partnership program of these countries, including the Republic of Azerbaijan, Georgia, Afghanistan, the Republic of Kazakhstan, Pakistan, the People’s Republic of China, the Kyrgyz Republic, Republic of Uzbekistan, Mongolia, Turkmenistan, and the Republic of Tajikistan. This partnership is a necessity for the development of the economy in the region, improving people’s living standards and reducing poverty. The purpose of CAREC is to cooperate with all 11 countries in the field of tourism to maximize economic opportunities while protecting ecosystems, as well as to accelerate poverty reduction in the region. Tourism development itself is one of the operational priorities within CAREC 2030. This cooperation is one of the key steps and ways to develop the tourism sector in the region and bring the legislative framework in line with the needs of the current state of international tourism and the needs of tourists²⁸. To improve the regulations in the field of tourism activities in Central Asian countries, international legal acts governing the tourism sector should also be considered. Such international acts include the Hague Declaration on Tourism²⁹, the Manila Declaration

²⁷ Resolution of the President of the Republic of Uzbekistan No. PP 3217 “On priority measures for the development of tourism for 2018-2019”, 2017.

²⁸ Promotion of regional cooperation in the field of tourism within CARES 2030 Preliminary study, 2019.

²⁹ Hague Declaration on Tourism, 1989.

on World Tourism³⁰, and the Global Code of Ethics for Tourism³¹. The Hague Declaration on Tourism³¹ was adopted by the Inter-Parliamentary Conference on Tourism. This Declaration establishes 10 basic principles that all participants in travel activities should adhere to.

This comprehensive study addresses the development and regulatory framework of the tourism industry in Central Asian countries, focusing on Kazakhstan, Tajikistan, the Kyrgyz Republic, and Uzbekistan. It highlights that while these countries possess significant potential in terms of historical, cultural, and natural resources for tourism, their tourism sectors are not fully developed due to various challenges, including inefficient legal frameworks and a lack of substantial state support. The study emphasizes the importance of effective management and robust regulatory frameworks, as demonstrated by the specific tourism laws in each country, which aim to foster the tourism sector as a crucial part of the economy. Additionally, it acknowledges the role of international cooperation, particularly through the CAREC Programme, in enhancing regional tourism by promoting economic opportunities and sustainable practices. The study thus underscores the need for improved regulatory structures and international collaboration to unlock the full potential of tourism in Central Asia, contributing to economic growth and cultural exchange.

5. CONCLUSION

This study conducted a comparative legal analysis of the national legislation governing travel company activities and tourism regulation across Central Asian countries. First, the analysis reveals common foundational pillars shaping tourism governance, including constitutional provisions protecting citizen recreation rights and specific tourism laws passed in the 1990s-2000s during post-Soviet transitions. These seminal regulations espouse complementary visions for tourism development as an economic priority, aimed at facilitating growth, investment, and global integration. However, the examination also exposes substantial practical challenges in implementing the regulatory visions enshrined on paper. Recurring issues like institutional fragmentation, policy inconsistencies, underfunding, and reliance on international entities hamper the actual manifestation of intended legal frameworks in many Central Asian nations. Consequently, despite similar foundations, legislative effectiveness diverges considerably. Nonetheless, shared obstacles present openings for cooperative remedies Regionally coordinated efforts on governance reform offer

³⁰ Manila Declaration on World Tourism, 1980.

³¹ Global Code of Ethics for Tourism, 1999.

the potential to pool insights and resources toward addressing implementation barriers, an imperative for unlocking sustainable tourism expansion. Alignment to global codes and standards further enables progress.

In summary, while Central Asian countries exhibit common starting points around tourism regulation, the realization of economic and social goals relies upon reconciling intentions with capacities. Tourism development necessitates not just policy renewal but enhanced execution. Collaborative efforts to transform Central Asian tourism governance can help construct frameworks that are not merely legislated but delivered in practice. The path forward rests in converting formalized ambitions into tangible outcomes through consolidated reforms. Regionalism and global integration constitute prospective mechanisms toward that vital transition.

The research implies collaborative advancement of oversight capabilities, private sector engagement, consumer protections, and coordination mechanisms could aid the realization of framework objectives. Standardization of metrics and information exchange would enable ongoing benchmarking. Also suggested is the integration of informal dimensions like customs, attitudes, and practices to enhance system-wide comprehension of development patterns.

At the functional level, analysis spotlights the need for competence building within tourism administrations and companies to align behaviors to policies. Results could guide education campaigns, training programs, and advisory resources. Assessment of real-world outcomes must inform continuing regulatory overhaul. Broader implications relate to regional platforms like CAREC that can harmonize best practices while respecting national sovereignty. Embedding tourism growth within an economic cooperation strategy has resonance for local communities, governments, and private investors. Thus, connecting analytical insights to policy networks builds enabling environments for inclusive advancement. This concludes by underscoring applications in capacity building, system strengthening, and regional connectivity to make tourism development through law a practical reality matching Central Asia's immense promise.

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