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# ЮРИСТ АХБОРОТНОМАСИ ВЕСТНИК ЮРИСТА LAWYER HERALD

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## COMPARATIVE ANALYSIS OF LEGAL REGULATION AND PECULIARITIES OF THE INSTITUTE OF HONORARY CONSULS AT THE PRESENT STAGE

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### ANNOTATION

This article analyzes in detail the institution of honorary consuls in modern consular law, gives various approaches of scientists in defining an honorary consul, analyzed the norms of the 1963 Vienna Convention on Consular Relations defining the legal regime of honorary consular officers, the procedure for appointing honorary consuls, requirements for candidates for the post of honorary consul, identifies the features of the institution of honorary consuls at the present stage, conducts a comparative analysis of the legislation of foreign countries Australia, Bulgaria, Russia, Germany, Republic of Kazakhstan, Kyrgyz Republic and the Republic of Uzbekistan regulating the activities of honorary consuls, identifies shortcomings in legal regulation and activities of honorary consuls of the Republic of Uzbekistan, as well as proposals for improving the legislation of the Republic of Uzbekistan in the field of activities of honorary consuls.

**Keywords:** consular law, consular offices, honorary consul, honorary consular officials, international legal norms, legislation of foreign countries, legislation of the Republic of Uzbekistan, Ministry of Foreign Affairs.

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## ХОЗИРГИ ДАВРДА ФАХРИЙ КОНСУЛЛАР ИНСТИТУТИНИ ҲУҚУҚИЙ ТАРТИБГА СОЛИШНИНГ ҚИЁСИЙ ТАҲЛИЛИ ВА УНИНГ ЎЗИГА ХОС ХУСУСИЯТЛАРИ

### АННОТАЦИЯ

Ушбу мақолада фахрий консуллар институтига оид замонавий консуллик қонунчилик батафсил таҳлил қилинган, олимларнинг фахрий консулни аниқлашдаги турли хил ёндашувлари келтирилган, фахрий консулларнинг ҳуқуқий режимини, фахрий консулларни тайинлаш тартибини, фахрий консул лавозими учун номзодларга қўйиладиган талабларни белгилайдиган 1963 йилги Консуллик муносабатлари тўғрисидаги Вена конвенциясининг нормалари таҳлил қилинган, ҳозирги босқичдаги фахрий консуллар институтининг хусусиятларини аниқлайди,

қонун ҳужжатлари қиёсий таҳлилини олиб боради чет ел давлатлари Австралия, Болгария, Россия, Германия, Қозоғистон Республикаси, Қирғизистон Республикаси ва фахрий консуллар фаолиятини тартибга солувчи Ўзбекистон Республикаси, Ўзбекистон Республикасининг фахрий консуллари фаолиятини ҳуқуқий жиҳатдан тартибга солиш ва фаолиятидаги камчиликларни аниқлайди, шунингдек Ўзбекистон Республикасининг фахрий фаолият соҳасидаги қонунчилигини такомиллаштириш бўйича таклифлар консуллар.

**Калит сўзлар:** консуллик ҳуқуқи, консуллик муассасалари, фахрий консул, фахрий консуллик мансабдор шахслари, халқаро ҳуқуқий нормалар, хорижий давлатларнинг қонунчилиги, Ўзбекистон Республикаси қонунчилиги, Ташқи ишлар вазирлиги.

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## СРАВНИТЕЛЬНЫЙ АНАЛИЗ ПРАВОВОГО РЕГУЛИРОВАНИЯ И ОСОБЕННОСТИ ИНСТИТУТА ПОЧЕТНЫХ КОНСУЛОВ НА СОВРЕМЕННОМ ЭТАПЕ

### АННОТАЦИЯ

В данной статье подробно анализируется институт почётных консулов в современном консульском праве, даны различные подходы учёных в определении почётного консула, а также, проанализированы нормы Венской конвенции о консульских сношениях 1963 года определяющие правовой режим почётных консульских должностных лиц, порядок назначения почётных консулов, требования к кандидатам на должность почётного консула, выявлены особенности института почётных консулов на современном этапе, проведён сравнительный анализ законодательства зарубежных стран Австралии, Болгарии, России, ФРГ, Республики Казахстан, Кыргызской Республики и Республики Узбекистан регулирующих деятельность почётных консулов, выявлены недостатки в правовом регулировании и деятельности почётных консулов Республики Узбекистан, а также разработаны предложения по совершенствованию законодательства Республики Узбекистан в сфере деятельности почётных консулов.

**Ключевые слова:** консульское право, консульские учреждения, почётный консул, почетные консульские должностные лица, международно-правовые нормы, законодательство зарубежных стран, законодательство Республики Узбекистан, Министерство иностранных дел.

Despite the fact that the institution of honorary consuls is one of the oldest institutions of consular law, at the present stage this institution is one of the rapidly developing and key instruments in the development and intensification of contacts between states in the spheres of economic, social, scientific, educational and cultural life, as well as in the field of tourism, of states.

Acceleration of globalization processes, deepening of integration processes, and activity of non-state participants at the beginning of the XXI century influenced the active development of the institution of honorary consuls.

The fields of foreign relations, diplomacy and diplomatic and consular law have always been in the focus of national and foreign jurists. Along with the practical development of diplomatic and consular law of Uzbekistan, scientific research has been intensified, taking into account new aspects in the areas under consideration. In general, diplomatic law L.A. Saidova [1], N.R. Akramova [2], L.M.Abdullaeva [3], consular law I.A.Khamedov [4], G.Yuldasheva [5], [6], Sh.Rasulov [7], S.Gafurova [8], N.Kadirova [9] and diplomatic law of international organizations D.Vakhabov [10], Sh. Rakhmanov [11], [12], [13], is scientifically based.

Nevertheless, in the international legal and scientific literature there is still no single definition of an honorary consul. Attempts to form the concept of honorary consuls were made in scientific works by leading foreign scientists, as well as in acts of national legislation of different countries. For example, the prominent Dutch scientist Kevin D. Stinger, director of the School of Business and Management

at Webster University in the Netherlands, has repeatedly raised the issue of the Institute of Honorary Consuls in his research.

It specifies that honorary consuls are unofficial public administration performing consular functions in diplomatic missions and consular posts around the world. The main duties of an honorary consul are to promote trade and economic relations, provide consular assistance to businessmen of the sending state, and ensure the protection of the rights and interests of its citizens [14].

Such an official is usually a citizen or permanent resident of the receiving state and is not considered a member of the diplomatic service of the sending state. However, they enjoy the same privileges and immunities as consular officers of the sending state.

Professor A.N. Vylegzhanin believes that an honorary consul is a person who is not in the consular, diplomatic or other public service, but performs consular functions on behalf of the sending state and with the consent of the receiving state, the citizenship of which he most often has [15, P.568].

Honorary Consul of Malta in the Republic of Latvia Janis Zelmenis writes that the institution of honorary (non-staff) consuls (fr. Consuls electi, consuls marchands) can rightfully be considered one of the well-established institutions in international law [16].

Another description of the honorary consuls was given by Miroslav Deloa from Poland. According to him, honorary consuls can be a citizen of the receiving state in the receiving state, a citizen of the receiving state and a citizen of a third state. The legal status of honorary consuls is somewhat different from the legal status of consular officers. This difference is reflected in the narrow range of immunities and privileges they enjoy. Honorary consuls perform their duties on the basis of a document issued by the Ministry of Foreign Affairs of the sending state and determining the scope of their duties. These functions can be as broad as those of professional consuls, or narrow in scope. This is in the interests of the sending state and with the consent of the consul.

We agree with the definition of Professor A.N. Vylegzhanin, since we believe that a truly honorary consul is a person who is not in the civil service and performs consular functions on behalf of the sending state on the basis of the Vienna Convention on Consular Relations and national legislation, as well as in most cases they are citizens of the receiving state, although the honorary consul meets with the citizenship of the sending state.

It should also be noted that in the international legal documents, a single universally recognized term of honorary consul has not yet been developed. The 1963 Vienna Convention on Consular Relations divides consular officers into consular officers and honorary consuls. Although Chapter 3 of the Vienna Convention on Consular Relations, Article 11 establishes the legal regime for honorary consular officers and consular posts headed by such officers, it should be noted that it only defines general provisions regarding the privileges and immunities of honorary consuls, however, questions of legal status honorary consuls are not fully regulated.

International law does not oblige states to use honorary consuls. In particular, Article 68 of the 1963 Vienna Convention on Consular Relations states that each state decides on the appointment and reception of honorary consuls. However, almost all countries in the world, including the Republic of Uzbekistan, establish honorary consulates in addition to official diplomatic missions and consulates. Article 66 of the Convention states that honorary consular officers are not exempt from bonuses, customs duties, fees and taxes received by the state appointed to perform consular functions.

States undertake not to impose diplomatic and political duties on honorary consuls. The main functions of honorary consuls are trade mediation and assistance in the export of the products of the specified country to local markets.

There are more than 20,000 honorary consuls in the world today [17, P.52].

In particular, the countries of Scandinavia and Latin America make extensive use of the institution of honorary consuls. It is rarely used in Africa and Asia. The number of honorary consuls in Denmark, Norway, the Netherlands, Sweden and Belgium is 75-95% of the total number of consuls.

Honorary consuls are often appointed from among big businessmen, bankers, merchants, lawyers and others who do not need money from the state they represent, but they serve as a consul. Consular functions enhance the status of these people in society and help them in business (for example, in trade with the country they represent).

Honorary consuls are persons who are not in the civil service of the sending state, have social status in the receiving state and who do not receive remuneration from the sending state for the performance of their consular functions [18, P.671].

Honorary Consuls are appointed at the request of the host country. The state that appoints the non-state consul determines the consular district in which he performs his consular functions. Honorary consuls are issued a consular card, consular certificate or service passport. Unlike state consuls who hold diplomatic passports, honorary consuls are not always issued diplomatic passports

The national legislation of most countries contains provisions that provide for certain requirements for candidates for the post of honorary consul, some of which are summarized in the doctrine of international law. In the eighteenth century, E. de Wattel, and then in the nineteenth century, R. Phillimore argued that honorary consuls should be appointed from among the citizens of the authorized state, otherwise loyalty to the performance of consular duties cannot be expected [19, P.515].

Honorary consuls are appointed from among persons with a decent social status in the host country, personal privileges in the legislation of Belarus, Russia, and the Republic of Uzbekistan. The requirements of many states for honorary consuls state that they have a good reputation, as well as respect and dignity in business and politics. In some countries, recommendations from banks or chambers of commerce are taken into account when appointing honorary consuls.

It should be noted that, in general, the status of honorary consuls is governed by the national legislation of states, Consular Charters and the Regulations on Honorary Consuls.

Honorary Consuls of Australia today make up the majority of consular officials. The Australian government has a long tradition of hosting honorary consuls and more than half of the consular offices established in Australia are headed by honorary consuls. The Australian Department of Foreign Affairs and Trade said that honorary consuls can make a significant contribution to specific aspects of bilateral relations, especially if the country they delegate does not have a diplomatic representation in Australia [20, P. 306.].

In the 1999 instruction «On the appointment of honorary consular officials to other countries» of the Ministry of Foreign Affairs of Bulgaria, it is stated that «candidates for the post of an honorary consul must be local residents and capable of effectively performing the functions of diplomatic missions and consular post». The appointment of honorary consuls is the responsibility of the Bulgarian Ministry of Foreign Affairs, and the selection of candidates for the post of honorary consul is the responsibility of the diplomatic mission and consular post.

In Russia, the institution of honorary consuls is quite well developed both in legal and practical terms. There is a special normative legal act Decree of the Ministry of Foreign Affairs of the Russian Federation of October 13, 1998 “On the Honorary Consul of the Russian Federation”, which gives the following definition: “Honorary Consul of the Russian Federation” means any person who is not a full-time consular officer entrusted with performing certain consular functions on the territory of the receiving state on behalf of the Russian Federation [21].

The 1998 consular charter on the citizenship of honorary consuls states that the honorary consul is a citizen of the Russian Federation or holds a worthy position in the host country, has the necessary personal qualities, as well as the ability to properly perform consular duties assigned to him.

The Federal Republic of Germany adopted the Law on Consular Officers, Their Functions and Powers (Consular Law) of September 11, 1974, in Article 1 of which it is determined that consular functions in general Consular officers (career consular officers or honorary consular officers) are mandatory assistance:

- cooperation between the Federal Republic of Germany and the host state, especially in the field of foreign trade and development policy, transport, culture and the administration of law,
- providing Germans and government agencies with corporate advice and assistance at their own discretion.

In accordance with this article, as we see in the consular functions of career consular officers and honorary consular officers, no distinction is made.

In Art. 20 of this law, a definition is given to honorary consuls, according to which honorary consular officers are honorary officials who, based on the law, carry out civil service to perform consular functions in the host country [22].

Also, according to German law, honorary consuls receive payment for services rendered, depending on their official position, to perform consular functions. If the remuneration received by the honorary consuls is insufficient to cover the administrative costs, they have the right to demand additional payment from the sending state. Section 26 of German law sets out the following procedure: “1. Honorary Consular Officers shall withhold payment for the performance of their official duties. They can only reduce or abandon them in accordance with the general rules applicable to payments for special missions and services

abroad. 2. If the fees are insufficient to cover the administrative costs, additional fees may be paid to the honorary consular staff. 3. The honorary consulate may, if necessary, bear special expenses incurred in the performance of official duties» [22].

First, I would like to analyze the situation in the Republic of Kazakhstan. A national union of honorary consuls has not yet been created in the Republic of Kazakhstan, this is a matter for the future, as M.A. Sarsenbayev writes. However, the beginning of its creation, one might say, has already been made, since at present there are about «fifteen honorary consuls of the Republic of Kazakhstan» working in foreign countries [23, P.111]. Three honorary consuls of foreign states are currently accredited in Kazakhstan (Cyprus, the Republic of Latvia and Sweden).

In the Republic of Kazakhstan, a number of basic normative legal acts were adopted to regulate the activities of honorary consuls. On December 9, 1996, the Minister of Foreign Affairs of the Republic of Kazakhstan approved the Regulation on the honorary (non-staff) consul of the Republic of Kazakhstan. As Professor M.A.Sarsenbayev notes, «This event was of great importance in the consular service of the Republic of Kazakhstan» [23, c. 115]. Chapter 9 of the Consular Charter of the Republic of Kazakhstan is also devoted to the activities of honorary consuls. These documents, defining the main directions of activities of honorary consuls, provide an opportunity for this institution to function in the Republic of Kazakhstan.

Normative acts on the activities of honorary consulates and honorary consuls were adopted in almost all CIS countries. So, for example, in order to coordinate the work of the honorary consuls of the Kyrgyz Republic and regulate their activities, the Government of the Kyrgyz Republic adopted a resolution on approving the Regulations on the Honorary Consul of the Kyrgyz Republic.

The regulation provides: general provisions; tasks and organization of activities of the honorary consul of the Kyrgyz Republic; the procedure for the appointment of an honorary consul and the termination of his activities; the procedure for the honorary consul to perform his functions; functions of the honorary consul of the Kyrgyz Republic in relation to citizens and legal entities; functions of an honorary consul in relation to guardianship and trusteeship; functions of an honorary consul in relation to the property of citizens of the Kyrgyz Republic; functions of an honorary consul in relation to citizens of the Kyrgyz Republic, missing, under arrest, detainees, imprisoned in any other form or serving a sentence; functions of the honorary consul on the issues of document retrieval; consular fees and reimbursement of actual costs associated with the performance of consular functions; functions of an honorary consul in relation to ships and aircraft of the Kyrgyz Republic; functions of an honorary consul for sanitary protection; functions of the honorary consul for phytosanitary and veterinary protection; the procedure for financial reporting of the honorary consul of the Kyrgyz Republic.

26 honorary consulates of foreign states are open on the territory of the Kyrgyz Republic [24].

Thus, international practice shows that with the increase and development of various kinds of ties between states, the number of honorary consuls also grows. This institute was widely used and used by the USA, Great Britain, Spain, Norway, Sweden, Denmark, Finland, etc [14, P. 79-91].

Previously, honorary consuls often replaced diplomatic representatives and state consuls for states between which diplomatic relations were not established or were severed. Nowadays, micro-states of Luxembourg, San Marino, Monaco, Liechtenstein are using the opportunity to appoint honorary consuls to expand their presence [14, P. 77-79].

An analysis of the institution of honorary consuls made it possible to identify a number of features of this institution.

The first feature of the institution of honorary consuls is that in most cases honorary consuls are appointed from among the citizens of the sending state permanently residing in the host country, or from among the citizens of the host state and any other third country. This, in turn, allows the sending state to save on the costs of maintaining an honorary consulate and officials in the territory of another country.

For example, in Uzbekistan, in Tashkent, 8 honorary consulates of foreign states have been opened [25], of which 2 honorary consuls were appointed from the citizens of the sending state, and 6 from among the citizens of Uzbekistan, that is, the host state, also the first honorary consulate of France in Central Asia was opened on April 16 in Samarkand, which was also headed by a citizen of Uzbekistan [25], as we can see from 9 honorary consuls, 7 honorary consuls were appointed from citizens of the host state, that is, from citizens of the Republic of Uzbekistan.

The second feature is that the institution of honorary consuls is optional, which is enshrined in the 1963 Vienna Convention on Consular Relations. In accordance with this, states are given the right to

independently decide, in each specific case, the appointment of an honorary consul, that is, whether to accept him or not.

The third feature of the institution of honorary consuls is that, as a general rule, they do not receive remuneration from the sending state for the performance of their consular functions. This feature, from an economic point of view, is very beneficial for the sending state, since in those places where it is difficult for the state to financially maintain diplomatic missions and consular offices, but nevertheless, there is a need for assistance to their citizens in the host state, in such cases honorary consuls are appointed. It should be noted that this feature of the institution of honorary consuls is considered fundamental in the doctrine of international law.

From the second half of the XX century. The growing role of honorary consuls, as we noted above, has been fueled by the trend towards outsourcing a number of official consular functions, as well as by the trend towards outsourcing administrative consular functions to non-governmental institutions such as visa centers and travel agencies.

In recent years, such a phenomenon and legal institution as the honorary consuls of the Republic of Uzbekistan in foreign states and honorary consuls of foreign states on the territory of our country have actively entered the political life of our country and the legal system of the state, which is, of course, both evidence and consequence expanding and deepening various ties of Uzbekistan with the outside world.

The legislative acts regulating consular activities in the Republic of Uzbekistan include the Constitution of the Republic of Uzbekistan, the Law «On the Concept of Foreign Policy of the Republic of Uzbekistan», the Law «On International Treaties of the Republic of Uzbekistan», the Consular Charter of the Republic of Uzbekistan and a number of regulatory legal acts.

The activities of consuls of the Republic of Uzbekistan in foreign countries are regulated by the Consular Charter of the Republic of Uzbekistan, adopted on January 17, 2019 in a new edition. One of the innovations in the «Consular Charter of the Republic of Uzbekistan» was the introduction of the term «Honorary Consul of the Republic of Uzbekistan».

The fifth chapter of the Consular Charter directly concerns the Honorary Consul of the Republic of Uzbekistan, his legal status and functions.

If you look at the previous Consular Charter of the Republic of Uzbekistan, adopted in 1996, it used the term «not a full-time consul», and not the term «honorary consul». The new charter does not specify the concept of an honorary consul. However, paragraph 1 of Article 40 of Chapter 5 of the Charter, entitled «Honorary Consul of the Republic of Uzbekistan», states that «The Ministry of Foreign Affairs of the Republic of Uzbekistan may, with the consent of the host country, delegate certain consular functions to the Honorary Consul of the Republic of Uzbekistan».

An honorary consul can be a citizen of the Republic of Uzbekistan or a foreign citizen who occupies a worthy position in the country where the consular point is located, has the necessary personal qualities, as well as the ability to properly perform the consular functions assigned to him. Paragraph 3 states that the Honorary Consul must not undergo civil service in the Republic of Uzbekistan and does not receive monetary remuneration from the Republic of Uzbekistan for performing his functions [26].

From the analysis of these norms, it follows that the Honorary Consul of the Republic of Uzbekistan is a civilian holding a worthy position in the host country, possessing the necessary personal qualities, for the proper performance of consular functions entrusted to him with the consent of the host country, is a citizen of the Republic of Uzbekistan or a foreign citizen, not receives money for the performance of his functions and has immunity and privileges in the performance of official functions.

Thus, in the new version of the Consular Charter of the Republic of Uzbekistan, a general approach was applied to the legal regulation of the activities of honorary consuls. If in the old Consular Charter there was only one article devoted to the honorary consul, then in the new edition, although it is allocated in a separate chapter, which consists of two articles, it also does not sufficiently regulate this issue in legal terms. For example, questions remain open about the procedure for appointing honorary consuls, requirements for honorary consuls, the timing of the appointment of honorary consuls and the circumstances under which honorary consuls cease their activities, etc.

Taking into account current trends in the activities of honorary consuls and the need for the existence of norms in the law regulating the activities of consulates, it will contribute to the development of the institution of honorary consuls in our country.

Having analyzed the activities of honorary consuls of foreign countries and Uzbekistan, we came to the conclusion that states regulate the activities of honorary consuls by their national legislation with the

help of various legislative acts, such as the consular charter, the law on the functions of consuls, the law on immunities and privileges of consuls, as well as the provisions on the activities of honorary consuls. It should be noted that in modern international legal documents regulating the activities of honorary consuls and their practice, there are many gaps and ambiguities that require revision, supplementation and further improvement.

For example, article 34 of the Vienna Convention on Consular Relations stipulates that the receiving state must ensure freedom of movement and travel within its territory for all employees of a consular post [27]. This rule applies to both consular officials and honorary consuls, respectively, employees of consular posts and honorary consuls can freely move around the territory of the receiving state.

But the Vienna Convention does not say anything about the mechanisms for ensuring freedom of movement, however, there is a difference between theory and practice of ensuring freedom of movement. In the case of a consular officer, this gap is filled by host states with the issuance of CD (Corpo Diplomatico) / CC (Corpo Consolare) license plates. However, honorary consulates do not have such a mechanism that would ensure the free movement of their vehicles. While some states have begun to issue CC numbers to honorary consuls for vehicles and equate them to consular officers in this regard, in most states honorary consuls do not have this privilege.

As a result, honorary consuls are not free to stop their vehicles, as consular staff are for free movement and travel. Their vehicles may be stopped by road safety officers, which impedes the free movement of honorary consuls, as well as undermines their dignity and inconveniences in the performance of their official duties. The authorities of the receiving state, at their request, can provide the honorary consul with a vehicle with special registration numbers assigned to consuls and consular posts in this state.

For example, the laws in the States of Washington and California provide for the possibility of issuing special license plates only if the honorary consul is a US citizen or has a residence permit [28].

Obstruction of free movement is a violation of article 34. Since our proposal is that article 34 grants freedom of movement to both consular officers and honorary consuls, both categories of consular officers should be assigned CC numbers of recipient countries, which are passports for free movement, recognized by the security and traffic services of all states a necessity.

Also the issue of exemption of consular premises from taxation, article 32 on national, regional and municipal fees and taxes (in relation to a building headed by a consular officer), and article 60 (in relation to premises headed by honorary consuls) establish the same rules in consular premises and exempts both consuls from such taxes. Although the convention provides that consular officers and honorary consuls have the same tax benefits for their premises, this is not the case in practice. There are interesting aspects to these articles. Both articles state that consular premises are exempt from taxes only if they are owned or rented by the sending states. We all know that the consular premises of consular officers are owned or used by sending states and are thus exempt from taxes. However, the consular premises of honorary consuls are rarely owned or used by the sending states. As a rule, consular premises used by honorary consuls are owned or used not by the sending states, but by the consular buildings themselves or leased by them.

Thus, consular buildings used by honorary consuls are not exempt from taxes. Therefore, the taxation of consular premises should be applied equally to the premises of both categories of consuls, regardless of whether they are owned or rented by states or owned or rented by the honorary consuls themselves, they should be exempted from taxes.

Also in Article 49, heads of consular posts and employees of consular posts and their family members are exempt from personal or property, national, regional or municipal and any other fees and taxes. Except for the following: (a) indirect taxes, which are usually added to the price for goods or services; (here are a few exceptions that are more minor). Article 66 (in relation to honorary consuls) exempts honorary consuls from payroll taxes and bonuses, which they can only receive from the sending state for the exercise of consular functions.

Thus, consular officials are exempt from all taxes, not only for items purchased for official use in their consular services, including drinks served on national reception days and other official duties and ceremonies, but also for personal use. Goods received are also exempt from local taxes. In other words, consular officials do not pay sales tax, VAT, or other local taxes on any item purchased for business or personal use. There is no reason to demand tax exemption for honorary consuls on items acquired for personal use.

However, when honorary consuls purchase office equipment or office furniture and other items or

beverages for public holidays, they are required to pay up to 30% tax, VAT and other local taxes in some countries. This problem can be solved on a bilateral basis; when concluding bilateral consular conventions, this point should be taken into account and a rule should be introduced that exempts honorary consulates from national, regional or municipal and any other fees and taxes for the purchase of office equipment or office furniture and other items. Analysis of the national legislation of foreign countries showed that in most countries laws or special regulations have been adopted to regulate the activities of honorary consuls. In this regard, we propose to the Ministry of Foreign Affairs to adopt the Regulation on the activities of honorary consular officials of the Republic of Uzbekistan. Such a document will contribute to improve the legal framework for the activities of honorary consuls, it will regulate the requirements for the appointment of an honorary consul, the mechanism of the institution of honorary consuls, the scope of their immunity and privileges, the scope of consular functions that they perform, etc.

Thus, at the present stage in the world there is a tendency for the active development of the institution of honorary consuls, which began to gain more and more popularity in the political life and the national legal system of many states. Previously, consular relations between states were maintained mainly by state, professional consuls, but now there is a process of increasing the role of honorary consuls.

In Uzbekistan, the institution of honorary consuls is not sufficiently developed, therefore, it is necessary to intensify the development and use of this institution. For this, when Uzbekistan concludes bilateral consular conventions, the possibility of using the institution of an honorary consul should be envisaged.

Taking into account the foreign experience of the activities of honorary consuls, Uzbekistan in its consular activities should widely use the institute of honorary consuls: firstly, this institute is optional, that is, Uzbekistan itself will independently decide in each specific case whether or not to open an honorary consulate of Uzbekistan abroad, whether or not to accept an honorary consul on their territory; secondly, the opening of an honorary consulate is very beneficial for Uzbekistan based on economic considerations.

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