



**POLITICAL AND LEGAL ASPECTS OF STATE SOVEREIGNTY IN THE
CONTEXT OF GLOBALIZATION**

Asqaraliyev Ozodbek Oybek ugli

University of World Economy and Diplomacy

Faculty of International Law, 1st-year student

Email: ozodbekasqaraliyev10@gmail.com

Academic Advisor

University of World Economy and Diplomacy

Teacher, Department of Political Science

Sobirjonova Moxlaroy Abdukahhar kizi

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ABSTRACT: This article analyzes the political and legal aspects of state sovereignty in the context of globalization. It examines the theoretical foundations of state sovereignty, its role in international law, and its significance in the modern system of international relations. Furthermore, the impact of globalization, international terrorism, human rights, cybersecurity, and the activities of international organizations on state sovereignty is examined from an academic perspective. The article also analyzes Uzbekistan's foreign policy and its role in international cooperation.

Keywords: state sovereignty, globalization, international law, international security, cybersecurity, human rights, international organizations, terrorism, Uzbekistan's foreign policy.

АННОТАЦИЯ: В данной статье анализируются политико-правовые аспекты государственного суверенитета в условиях глобализации. Освещаются теоретические основы суверенитета, его место в международном праве и значение в современной системе международных отношений. Также рассматривается влияние глобализации, международного терроризма, прав человека, кибербезопасности и деятельности международных организаций на государственный суверенитет. Особое внимание уделено внешней политике Узбекистана и его роли в международном сотрудничестве.

Ключевые слова: государственный суверенитет, глобализация, международное право, международная безопасность, кибербезопасность, права человека, международные организации, терроризм, внешняя политика Узбекистана.

ANNOTATSIYA: Mazkur maqolada globalizatsiya sharoitida davlat suverenitetining siyosiy-huquqiy jihatlari tahlil qilinadi. Davlat suverenitetining nazariy asoslari, xalqaro huquqdagi o'рни hamda zamonaviy xalqaro munosabatlar tizimidagi ahamiyati yoritilgan. Shuningdek, globalizatsiya, xalqaro terrorizm, inson huquqlari, kiberxavfsizlik va xalqaro

tashkilotlar faoliyatining davlat suverenitetiga ta'siri ilmiy jihatdan ko'rin chiqilgan. Maqolada O'zbekistonning tashqi siyosati va xalqaro hamkorlikdagi o'rni ham tahlil etilgan.

Kalit so'zlar: davlat suvereniteti, globalizatsiya, xalqaro huquq, xalqaro xavfsizlik, kiberxavfsizlik, inson huquqlari, xalqaro tashkilotlar, terrorism, O'zbekiston tashqi siyosati.

State sovereignty is considered one of the fundamental concepts of international law and political science. Sovereignty denotes a state's right to act independently of external actors, states, or interest groups in its domestic and foreign policies, and embodies supreme authority over its territory and population¹. Today, the international system is based precisely on the principle of state sovereignty, and the equality of states and territorial integrity are considered fundamental principles of international law. However, in the 21st century, the intensification of globalization, the expansion of international organizations' activities, the influence of transnational corporations, international terrorism, environmental issues, and cybersecurity threats are shaping new approaches to state sovereignty. In this era, while states strive to preserve their independence on the one hand, they are compelled to strengthen international cooperation to address global challenges on the other.

Content analysis, comparative analysis, and institutional approaches were used in writing this article. The study analyzed international legal documents, academic literature, and the activities of international organizations. Additionally, factors affecting state sovereignty were examined using the activities of the UN, NATO, and the Shanghai Cooperation Organization as examples. The article analyzes the evolution of the concept of sovereignty in the context of globalization from a political-legal perspective.

Studying the historical and theoretical foundations of state sovereignty allows for a deeper analysis of the role of this concept in contemporary international relations. The concept of state sovereignty was introduced into scholarly discourse in the 16th century by the French political theorist Jean Bodin.² In his view, sovereignty is considered the supreme and independent form of state power. Later, philosophers such as Thomas Hobbes and John Locke also explored the issues of state authority and independence in depth. The Peace of Westphalia, signed in 1648, laid the foundation for the formation of the modern state system in international relations. It was precisely the Westphalian system that enshrined the principles of territorial integrity and non-interference in the internal affairs of states³. From then on, independent states began to be

¹ Brownlie, I. *Principles of Public International Law*. Oxford University Press, 2012. Available at:

<http://global.oup.com/academic/product/brownlies-principles-of-public-international-law-9780198737445>

² Bodin, J. *Six Books of the Commonwealth*. Cambridge University Press, 1992. Available at:

<http://www.cambridge.org/core/books/jean-bodin-on-sovereignty>

³ Treaty of Westphalia (1648). Avalon Project, Yale Law School. Available at:

http://avalon.law.yale.edu/17th_century/westphal.asp

recognized as the primary subjects of international law. In the 20th century, state sovereignty was enshrined as a norm of international law in the Charter of the United Nations. Article 2 of the UN Charter establishes the principle of “the sovereign equality of all Member States”⁴ . This norm is one of the fundamental principles of international law. State sovereignty consists of the following key elements: territorial integrity, internal political independence, freedom in foreign policy, equality in international relations, and the inviolability of state borders.

Under international law, no state has the right to interfere in the internal affairs of another state. This principle is of vital importance in maintaining international stability and peace. The UN Charter, the Helsinki Final Act (1975), the Universal Declaration of Human Rights, and other international instruments establish the legal foundations of state sovereignty under international law. The practical significance of state sovereignty lies in the fact that each state adopts its own constitution, independently determines its economic system, conducts its foreign policy freely, and concludes international treaties independently. For example, after gaining independence, the Republic of Uzbekistan began to conduct its foreign policy independently and joined the United Nations. This is considered an international legal recognition of state sovereignty.

In modern international relations, the intensification of globalization processes is bringing new mechanisms of influence on the political and economic independence of states to the fore. Globalization is a concept describing the realities of the 21st century, in which a single global system is emerging as a result of the growing interdependence of nations across various fields—from the economy to technological processes and cultural exchanges. Today, the volume of international trade is growing rapidly, the internet and information technologies have “eroded” national borders, transnational corporations are exerting a significant influence on the economy, and the role of international organizations is increasing. For example, the rules of the World Trade Organization influence the trade policies of member states. The International Monetary Fund and the World Bank, meanwhile, have the authority to impose certain requirements on countries regarding economic reforms. According to the UNCTAD World Investment Report 2024 , a significant portion of global trade is accounted for by multinational corporations.⁵ Major companies such as Apple, Microsoft, Amazon, Toyota, and Samsung possess financial power that rivals that of some national economies. This raises the issue of economic sovereignty. In some cases, countries face difficulties in making independent economic decisions due to the influence of the global economic system. For this reason, the concept of “limited sovereignty” is also widely discussed in contemporary political science.

⁴ United Nations Charter, Article 2. Available at:

<http://www.un.org/en/about-us/un-charter/full-text>

⁵ UNCTAD World Investment Report 2024. Available at:

<http://unctad.org/publication/world-investment-report-2024>

The Universal Declaration of Human Rights, adopted in 1948, established international standards for the protection of human rights.⁶ Today, the issue of human rights has become a major topic in international politics. However, in some cases, the issue of protecting human rights conflicts with state sovereignty. For example, economic sanctions, diplomatic pressure, and measures through international courts are applied against states that violate human rights. In 1999, NATO's military operation in Yugoslavia sparked major debates in international law. NATO justified this action as a means of protecting human rights⁷ , but some states viewed it as a violation of Yugoslavia's sovereignty. Similarly, during the 2011 events in Libya, international military intervention was carried out based on a UN Security Council resolution. This situation also brought the relationship between sovereignty and humanitarian intervention in international law to the forefront of intense debate.

As one of the primary factors threatening global security, the issue of international terrorism has taken on particular significance. In particular, the international fight against terrorism has intensified significantly following the events of September 11, 2001.⁸ Although the military operations conducted by the United States in Afghanistan were carried out within the framework of the fight against international terrorism, some political analysts have emphasized that state sovereignty and international legal norms were violated in this matter. Today, the terrorist organization known as the Islamic State (ISIS), international extremist groups, the illegal arms trade, and drug trafficking pose a serious threat to international security. For this reason, in the fight against the threat of terrorism, states cooperate by exchanging intelligence information and adopting international conventions. Furthermore, the role of regional organizations in combating international terrorism is also growing. For example, the Regional Anti-Terrorism Structure (RATS), established within the framework of the Shanghai Cooperation Organization, is considered an important international mechanism in the fight against terrorism, separatism, and extremism⁹ . The headquarters of this unit is located in Tashkent, which underscores Uzbekistan's importance in ensuring regional security. Within the framework of RATS, information exchange, joint counterterrorism operations, and cooperation

⁶ Universal Declaration of Human Rights. Available at:

<http://www.un.org/en/about-us/universal-declaration-of-human-rights>

⁷ NATO and Kosovo Operations. Available at:

http://www.nato.int/cps/en/natolive/topics_48818.htm

⁸ United Nations Security Council Counter-Terrorism Committee. Available at:

<http://www.un.org/securitycouncil/ctc>

⁹ Shanghai Cooperation Organization Regional Anti-Terrorist Structure (RATS). Available at:

<http://eng.sectesco.org>

in the security sector are carried out among member states. In particular, this organization plays a crucial role in combating the threats of religious extremism and international terrorism in Central Asia. However, respect for international law and state sovereignty is also considered essential in the fight against terrorism.

The rapid advancement of technology has introduced a new dimension to security issues: the concept of cybersecurity. The rapid development of information technologies has brought new threats to the fore in international relations. In the current era, cyberattacks can cause significant damage to a country's economy and security. For example, attacks on government websites, disrupting banking systems, interfering with election systems, and stealing confidential information are considered threats to international security. In 2021, cybercrimes caused hundreds of billions of dollars in damage worldwide, according to¹⁰ . The United States, Russia, China, and European countries are treating cybersecurity as a strategic priority. Another important aspect of cybersecurity is information sovereignty. Every state strives to protect its information space and ensure national security.

The United Nations is considered the primary international organization for maintaining international peace and security. The UN carries out the tasks of resolving international disputes through peaceful means, protecting human rights, promoting international cooperation, and ensuring global security. In addition, international organizations such as NATO, the European Union, the Shanghai Cooperation Organization, the Commonwealth of Independent States, and the World Trade Organization also exert significant influence on international political and economic processes. For example, the European Union harmonizes certain aspects of member states' policies with common rules. This demonstrates that certain aspects of national sovereignty are being aligned with international integration.

After gaining independence, the Republic of Uzbekistan began to actively participate on the international stage as an equal subject of international law¹¹ . The main principles of Uzbekistan's foreign policy are sovereignty, peacefulness, non-interference in the internal affairs of other states, and the development of international cooperation. Uzbekistan actively participates in international organizations such as the UN, the SCO, the CIS, the Organization of Islamic Cooperation, and the Organization of Turkic States. In recent years, the strengthening of cooperation with neighboring states in Central Asia has been a key factor in ensuring regional security and stability.¹²

¹⁰ Cybersecurity Ventures Global Cybercrime Report. Available at:

<http://cybersecurityventures.com/cybercrime-damages-6-trillion-by-2021>

¹¹ Constitution of the Republic of Uzbekistan, 2023. Available at:

<http://lex.uz/docs/6445145>

¹² Decree No. PF-60 of the President of the Republic of Uzbekistan on the "Development Strategy of New Uzbekistan" for 2022-2026. Available at:

The above factors indicate that the concept of state sovereignty is taking on new meaning in the modern context. In conclusion, state sovereignty is one of the fundamental principles of international law. However, globalization, international integration, human rights, terrorism, cybersecurity, and environmental issues are shaping new approaches to this principle. In modern international relations, states are compelled to develop international cooperation while preserving their sovereignty. This is because global challenges can only be effectively addressed through international cooperation and adherence to the norms of international law. In the future, one of the primary functions of international law is expected to remain ensuring a balance between state sovereignty, international security, and human rights.

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