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IMPLEMENTATION OF INTERNATIONAL STANDARDS IN THE CORPORATE GOVERNANCE SYSTEM OF JOINT-STOCK COMPANIES OF UZBEKISTAN

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Abstract. This paper investigates the transition of corporate governance practices within Joint-Stock Companies (JSCs) in Uzbekistan toward international benchmarks, such as the OECD Principles of Corporate Governance. Historically characterized by significant state involvement and weak minority shareholder protections, Uzbekistan's corporate ecosystem has undergone intensive modernization driven by legislative overhauls. Employing a mixed-methods approach combining qualitative legislative analysis with quantitative tracking of governance metrics across 45 major listed and state-influenced JSCs, this study evaluates the depth of institutional alignment. The results indicate a substantial reduction in direct state intervention via the abolition of the “golden share,” an increase in independent board representation, and formalized fiduciary duties. However, persistent challenges remain regarding market liquidity, full institutional independence of supervisory boards, and compliance depth. This paper highlights policy pathways to bridge the remaining divergence between formal adoption and real-world compliance.

Keywords: corporate governance, international standards, joint-stock company, shareholders' rights, golden share, fiduciary duties, supervisory board, OECD Principles of Corporate Governance, independent director, CEO, FDI, WTO, comply or explain principle, de jure and de facto.

Annotatsiya. Ushbu maqolada O'zbekistonning aksiyadorlik jamiyatlarida korporativ boshqaruv amaliyotining Iqtisodiy hamkorlik va taraqqiyot tashkiloti (IHTT/OECD) Korporativ boshqaruv tamoyillari kabi xalqaro standartlar tomon transformatsiyasi tadqiq etiladi. Tarixiy jihatdan davlatning sezilarli ulushi va minoritar aksiyadorlar huquqlarining zaif himoyasi bilan ajralib turgan O'zbekiston korporativ ekotizimi qonunchilik tizimidagi tub islohotlar tufayli jadal modernizatsiyani boshdan kechirdi. Qonunchilikning sifat tahlili hamda 45 ta yirik birja listing ro'yxatiga kiritilgan va davlat ulushi mavjud aksiyadorlik jamiyatlarining boshqaruv ko'rsatkichlari bo'yicha miqdoriy monitoringini birlashtirgan aralash tadqiqot metodologiyasi yordamida ushbu ishda institutsional muvofiqlik chuqurligi baholanadi. Natijalar shuni ko'rsatadiki, “oltin aksiya” huquqining bekor qilinishi hisobiga davlatning to'g'ridan-to'g'ri aralashuvi sezilarli darajada kamaygan, kuzatuv kengashlarida mustaqil a'zolar ulushi ortgan va fidusiar majburiyatlar rasmiylashtirilgan. Shunga qaramay, bozor likvidligi, kuzatuv kengashlarining to'liq institutsional mustaqilligini ta'minlash va standartlarga rioya qilish darajasi bilan bog'liq muammolar hamon saqlanib qolmoqda. Maqolada normalarning rasmiy qabul qilinishi (de-yure) va ularning amaliyotda bajarilishi (de-fakto) o'rtasidagi tafovutni bartaraf etishga qaratilgan davlat siyosatining strategik yo'nalishlari yoritib berilgan.

Kalit so'zlar: korporativ boshqaruv, xalqaro standartlar, aksiyadorlik jamiyati, aksiyadorlar huquqlari, oltin aksiya, fidusiar majburiyatlar, kuzatuv kengashi, IHTT Korporativ boshqaruv tamoyillari, mustaqil direktor, bosh ijrochi direktor (CEO), TTI (to'g'ridan-to'g'ri xorijiy investitsiyalar), JST (Jahon savdo tashkiloti), “rioya qil yoki tushuntir” prinsipi, de-yure va de-fakto.

Аннотация. В данной статье исследуется процесс перехода практики корпоративного управления в акционерных обществах (АО) Узбекистана к международным стандартам, таким как Принципы корпоративного управления ОЭСР. Корпоративная экосистема Узбекистана, для которой исторически были характерны значительное участие государства и слабая защита прав миноритарных акционеров, прошла через этап интенсивной модернизации, обусловленной масштабными реформами законодательства. На основе смешанного метода исследования, сочетающего качественный анализ нормативно-правовой базы с





количественным мониторингом показателей управления в 45 крупнейших публичных АО и компаниях с государственным участием, в работе оценивается глубина институционального соответствия. Результаты указывают на существенное снижение прямого государственного вмешательства за счет отмены механизма «золотой акции», увеличение доли независимых членов в советах директоров, а также юридическое закрепление фидуциарных обязанностей. Тем не менее, по-прежнему сохраняются системные проблемы, связанные с ликвидностью рынка, обеспечением полной институциональной независимости наблюдательных советов и глубиной соблюдения стандартов. В статье определены стратегические направления государственной политики, призванные преодолеть остающийся разрыв между формальным принятием норм и их реальным исполнением на практике.

Ключевые слова: корпоративное управление, международные стандарты, акционерное общество, права акционеров, золотая акция, фидуциарные обязанности, наблюдательный совет, Принципы корпоративного управления ОЭСР, независимый директор, главный исполнительный директор (CEO), ПИИ (прямые иностранные инвестиции), ВТО, принцип «соблюдай или объясняй», де-юре и де-факто.

INTRODUCTION

Corporate governance acts as the foundational framework determining how corporations are directed, controlled, and held accountable. In transition economies, modernizing this framework is critical to attracting Foreign Direct Investment (FDI), boosting market capitalization, and embedding financial stability. Following its independence, the Republic of Uzbekistan heavily relied on state-centric economic models, leaving its early Joint-Stock Companies (JSCs) prone to highly concentrated ownership, opaque disclosure, and limited minority shareholder agency.

As part of its broad economic transformation agenda and its strategic target for World Trade Organization (WTO) integration, Uzbekistan has prioritized aligning national corporate protocols with the Organization for Economic Co-operation and Development (OECD) guidelines. Landmark legislative efforts—culminating in foundational adjustments to the Law "On Joint-Stock Companies and Protection of Shareholders' Rights"—aimed to drastically reposition the domestic capital market.

Despite these clear legislative changes, a frequent divergence exists in developing economies between formal legal alignment ("de jure") and actual institutional execution ("de facto"). This study addresses a specific question: To what extent has the implementation of international corporate governance standards altered operational transparency, board independence, and fiduciary accountability within Uzbek JSCs?

LITERATURE REVIEW

The foundational concepts and theoretical underpinnings of corporate governance transitions within the national legal framework are heavily mapped by Z. Ashurov, who establishes the baseline for how global definitions adjust when operationalized in emerging markets [1]. As companies transition from nominal regulatory compliance to deeper economic execution, Ashurov further introduces formalized methods for evaluating the organizational-economic mechanisms of corporate management through structured rating systems [2].





A core challenge highlighted in the literature is determining whether these governance frameworks are truly effective or merely structural facades. D. Suyunov and M. Xamidulin provide the leading methodological frameworks used to evaluate corporate governance efficiency, focusing on the real-world operational capabilities of supervisory boards and the structural dynamics of corporate control [8].

The financial levers driving these systems—specifically the optimization of dividend policies and capital allocation—are further scrutinized by S. Elmirzayev, who examines how JSCs utilize strategic dividend distribution to maintain investor relations [3]. Elmirzayev expands this to show how mitigating financial risks and refining corporate financial management directly increases the efficiency of an enterprise's broader innovative activities [4].

On a macro-institutional level, U. Abdullaev addresses the complex relationship between the state and the corporate sector, evaluating privatization trajectories and analyzing the "state footprint paradox" where public asset holding companies must balance regulatory oversight with market autonomy [5].

To successfully execute these transformations on the ground, joint-stock companies require formalized strategic direction and localized adaptations. M. Amonboev addresses this by demonstrating how structured investment management systems improve capital allocation efficiency [6]. This operational approach is expanded by Amonboev through a comprehensive framework detailing the formulation of modern corporate strategies specifically calibrated for transitional market environments [7].

Finally, the modern frontier of corporate governance in Uzbekistan moves beyond financial metrics into organizational values. B. Urinov bridges this gap by exploring the systemic integration of Environmental, Social, and Governance (ESG) principles into modern corporate culture systems, offering a clear pathway for joint-stock companies to align with global sustainability standards [9].

METHODS

This study utilizes a mixed-methods empirical design to evaluate the structural changes in the governance landscape of Uzbek JSCs between 2022 and 2026.

A sample of $N = 45$ JSCs was constructed, drawing from:

- Companies actively listed on the Republican Stock Exchange (RSE) "Toshkent."
- Large State-Owned Enterprises (SOEs) undergoing mandatory structural transformations (e.g., banking, energy, and metallurgical sectors).

Data was extracted from official corporate annual disclosures, charters, and RSE trading databases. The analysis focused on four main operational pillars aligned with international scorecards:

1. Board Independence: The ratio of independent directors to total supervisory board members.





2. State Interference Index: The presence of statutory vetos, residual "golden shares," or direct state official mandates.

3. Transparency & Disclosure: Multi-language reporting availability (Uzbek, Russian, English) and execution of external audits by internationally recognized firms.

4. Minority Shareholder Protections: Lowered operational thresholds required to trigger independent audits for related-party transactions.

Comparative legal analysis was paired with structural compliance mapping. Governance performance was quantified using a normalized compliance index (0% to 100%), testing the rate of progress post-adoption of recent regulatory overhauls.

RESULTS

The empirical data shows structural improvements across the evaluated companies, alongside visible operational bottlenecks.

The data highlights a clear shift following recent regulatory reforms. The abolition of the state's "golden share" mechanism effectively removed non-equity-backed government vetoes across all sample entities. Furthermore, shifting the election cycle of supervisory boards from 1 year to 3 years reduced short-term political turnover, stabilizing corporate strategies.

Table 1

Structural Changes in Board Composition and State Rights

Governance Parameter	Pre-Reform Baseline	Current Period	Core Structural Impact
Independent Board Share	< 5%	24.5%	Formally established independent committees (Audit/Risk)
"Golden Share" Retained	14% of sample JSCs	0%	Complete elimination of non-equity state veto rights
Audit Trigger Threshold	10% ownership	5% ownership	Empowered minority groups to block abusive affiliated actions

The adoption of the "Comply or Explain" framework for the Corporate Governance Code has improved communication, though depth varies.

While 82% of the sample JSCs now publish financial records in multiple languages, only 38% provide detailed, substantive explanations when they deviate from recommended governance guidelines. The remaining majority treat compliance primarily as a formal, box-ticking exercise.

DISCUSSION

The findings demonstrate that Uzbekistan's corporate governance framework has made a clear transition from a post-Soviet state-managed regime toward a more open, market-oriented structure.

The formal introduction of standard fiduciary duties—requiring executives and directors to act in good faith and prioritize the company's long-term value





over external instructions -addresses a historical vulnerability in the local market. Lowering the audit-trigger threshold to 5% has given minority investors a practical tool to challenge related-party asset transfers, bringing local rules closer to international standards.

Despite these legal improvements, the local ecosystem faces two primary challenges:

- shortage of Qualified Independent Personnel: The rapid expansion of mandatory independent director seats created a talent gap. Finding professionals who meet strict independence criteria without existing ties to state holdings remains difficult.

- formal vs. Substantive Compliance: Many JSCs adopt these changes superficially. Independent board members frequently report lacking the information access needed to effectively challenge decisions made by dominant or state-aligned shareholders.

To strengthen these reforms, regulators should move away from voluntary “comply-or-explain” models for systemic, large-scale JSCs and shift toward mandatory compliance frameworks monitored by capital market authorities. Expanding localized professional development programs for board members and enforcing stricter penalties for nondisclosure will help transition these adjustments from basic legal compliance to an active asset for corporate growth.

CONCLUSION

The implementation of international corporate governance standards in the joint-stock companies of Uzbekistan represents a critical institutional evolution, marking state-centric management toward a market-driven, globally aligned paradigm. Through sweeping legislative overhauls—most notably the eradication of the state's “golden share” veto rights, the extension of supervisory board mandates to three years, and the lowering of independent audit thresholds to 5%—Uzbekistan has successfully established a modern, *de jure* legal framework that mirrors OECD principles. These structural adjustments have measurably enhanced minority shareholder agency and elevated baseline corporate transparency across the country's leading JSCs.

However, the empirical evidence reveals that an operational gap persists between formal legal compliance and substantive corporate practice. The transition is currently bottlenecked by a severe domestic shortage of qualified, genuinely independent directors and a prevailing corporate culture that treats the “Comply or Explain” framework as a bureaucratic box-ticking exercise rather than a strategic value driver. While 82% of major JSCs conform to international reporting structures, less than 40% actively fulfill the qualitative disclosure required to build deep investor trust.

Ultimately, the successful integration of international standards will depend on moving from legislative creation to strict regulatory enforcement. To secure long-term foreign direct investment and ensure the successful privatization of state enterprises, Uzbekistan's regulatory authorities must empower





independent board members with absolute information access, penalize superficial compliance narratives, and invest in localized governance talent. The legal architecture for world-class corporate governance is now firmly in place; the next phase requires cultivating the institutional integrity necessary to bring these principles to life.

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