

## International integrations and agreements of the container transport system

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**Annotation:** In the coming years, international cooperation in the field of transport should promote the promotion of Uzbek goods and services to world markets and facilitate border crossing procedures. This, in turn, should contribute to the growth of the prestige of the Russian Federation in international organizations, including the expansion of its influence on decisions made in these organizations.

**Keywords:** International integration, agreements, convention, international transportation, international cooperation, international Convention.

**Anotatsiya:** Kelgusi yillarda transport sohasidagi xalqaro hamkorlik O'zbekiston tovarlari va xizmatlarini jahon bozorlariga olib chiqishga ko'maklashishi va chegarani kesib o'tish tartib-qoidalarini osonlashtirishi kerak. Bu, o'z navbatida, Rossiya Federatsiyasining xalqaro tashkilotlardagi nufuzini oshirishga, shu jumladan, ushbu tashkilotlarda qabul qilingan qarorlarga ta'sirini kengaytirishga yordam berishi kerak.

**Kalit so'zlar:** Xalqaro integratsiya, shartnomalar, Konventsiya, xalqaro transport, xalqaro hamkorlik, xalqaro Konventsiya.

**Introduction:** Among the main tasks of integration into the global transport space and the realization of the country's transit potential, the following should be highlighted:

Improving the competitiveness of Uzbek transport service providers in world markets and increasing exports of transport services;

Participation in international projects and programs aimed at the development of interregional, including Euro-Asian transport links, the development of international transport corridors and an increase in transit traffic;

Protection of Uzbek interests in the framework of participation in the activities of international organizations;

Regional transport integration is one of the areas determining the dynamics and results of regional economic integration within the CIS, the Eurasian Economic Community (EurAsEC) and the Shanghai Cooperation Organization (SCO),

including the formation of container bridges, as well as the unification and simplification of customs procedures.

### **Transport integration.**

The key area of regional transport integration will be the formation of a full transport union and a single transport space within the framework of the EurAsEC. Among the measures to form a single transport space of the EurAsEC, the most important will be:

Harmonization of regulatory and legal regulation of transport activities, unification of technical standards and transport technologies in the EurAsEC member States; elimination of any discrimination of transport service providers from some EurAsEC member States to other EurAsEC member States, as well as in the field of licensing and certification when they establish transport companies, their branches and representative offices, joint ventures throughout the territory of the single transport space, that is, providing them with national treatment; ensuring the free transit of passengers and cargo, for the most efficient use of the transit and transport potential of the EurAsEC member states;

### **International container transportation.**

According to the current international Conventions of 1956 (CMR) and 1973 (CAP), international freight transport should be considered as an exchange of goods between at least two States. The procedure for container transportation, their organization, as well as the specifics of their functioning are regulated by bilateral agreements between the parties involved in international transport. Such agreements are based on interstate and domestic legal provisions. They also describe the procedure for resolving claims and claims disputes, as well as the responsibility of the parties to the transportation process[6].

The international communities of transport organizations are directly responsible for the development of the concept and provisions for the drafts of interstate contracts for the transportation of containerized goods. Their competence includes the preparation of transportation rules, as well as the consideration of emerging disputes, arbitration. Specialists of these organizations provide consultations for carriers on the correct interpretation of international acts, rules, contracts and other regulatory documents.

To delimit the zones of activity, the organizations of international transport workers are graded by type of transport, namely:

- marine;
- river;
- aviation;
- Automotive;
- railway.

In addition to the container transportation agreement between the states, there are two more documents that confirm the existence of such an agreement – the waybill and the bill of lading. The consignment note is attached to the contract for the transportation of containers by road, air, rail and river modes of transport. The bill of lading is intended for sea and river container transportation. The main difference between them is that the party that sends the cargo is responsible for the consignment note, and the transport organization only makes special marks in it about the movement of the cargo, and the bill of lading is drawn up directly by the carrier upon loading and transferred to the party receiving the cargo.

The logistics department of the carrier is directly responsible for optimizing and minimizing losses during international container transportation. Its task is to estimate transportation costs and manage the cargo flow of the carrier company itself. First of all, the safety of goods depends on its analytical work and assessments.

The standard conditions of the 1992 FIAT in comparison with the 1980 UN Convention establish:

1. A lower limit of the operator's liability for loss or damage to the cargo, in accordance with the Hague-Visby Rules.
2. A shorter limitation period under a multimodal transport contract (nine months; under the Convention - two years).
3. An indication of the applicable law (the law of the country of the operator's main place of business) and the country of the operator's location as the only possible territory for judicial or arbitration proceedings.

The 1980 Convention provides for competitive jurisdiction over the prorogation agreement, the possibility of submitting a dispute to arbitration on the basis of a written arbitration agreement. The arbitration is obliged to be guided by the norms of the Convention as the applicable substantive law.

Of fundamental importance for improving the status of a multimodal transport document was the adoption by the ICC of Unified Rules and Customs for Documentary Letters of Credit (ed. 1996), which classified the "multimodal

transport document", "transport documents issued by forwarders" as documents for international settlements in letter of credit form.

UNCTAD and ICC published the UNCTAD/ICC Rules on Multimodal Transport Documents in 1992 and then in 1995. The UNCTAD/ICC-95 Rules synthesize the norms and rules that have developed in practice, although they do not contain direct references to the terms of the CMR, the Tokyo Rules, the ICC Rules of 1973, the 1980 Convention. The UNCTAD/ICC-95 Rules, taking into account the Standard Conditions of FIAT, are currently the main regulator of intermodal freight services. The UNCTAD/ICC Rules are recognized by the international banking community because they are fully compatible with the Unified Rules and Customs for Documentary Letters of Credit (ed. 1996 and 2006).

The UNCTAD/ICC-95 Rules cover only part of the multimodal transport contract. Their application as the basis of a multimodal transport contract presupposes the need to include in the contract provisions relating to the placement of cargo, its route, freight and fees, general accident, jurisdiction and arbitration, applicable law. The UNCTAD/ICC-95 Rules are optional and do not apply unless they are referenced. The Rules can be invoked even in cases where transportation is provided by only one mode of transport. At the same time, the parties to the contract must agree that the Rules will take precedence over any provisions that state otherwise.

The Rules define a multimodal transport contract as a contract for the carriage of goods by at least two different modes of transport, and the person who concluded such a contract and assumed responsibility for its implementation as a carrier is called a multimodal transport operator. Such an operator, for example, is a freight forwarder confirming his contract by issuing a bill of lading FBL, or a sea carrier signing a bill of lading "Multidok-95" (a proforma contract for the carriage of goods in a mixed message with the participation of a sea carrier, updated by BIMCO taking into account the norms contained in the Rules).

The UNCTAD/ICC-95 Rules establish the possibility of issuing a multimodal transport document "in the form of a negotiable document" or "in the form of a non-negotiable document indicating the name of the consignee". The legal basis of this document is the UNCTAD/ICC Rules, the Unified Rules for Sea Waybills adopted in 1990 by the International Maritime Committee and brought into line with English law (the Act on the Carriage of Goods by Sea (1992)). The Rules of Unctad/ICC-95 and the Rules of the ICC are the legal basis for the waybills for multimodal transport of goods, according to the conditions adopted by BIMCO in 1995-1997 (the

"Multivabill" proforma), and the forwarding waybill of the 1998 FIAT proforma (RL/UV).

The UNCTAD/ICC-95 Rules and the ICC Rules can be considered the normative foundation for the transport of goods in mixed international traffic. The containerized nature of the bill of lading and the waybill, their use in mixed combined transport, make it possible to consider the terms of these documents as an adequate legal regulator of the international contract for the carriage of goods in intermodal transport. Many Latin American States use the Rules as the basis for national legislation in the field of multimodal transport.

Improving the legal regulation of intermodal transport requires the application of rules to facilitate Customs transit procedures established in the Convention on International Multimodal Transport of Goods (1980). In international multimodal transport, goods, as a rule, are not subject to customs inspection. It is recommended that Customs authorities limit themselves to checking Customs seals and not subject goods to additional formalities or requirements related to export or import goods.

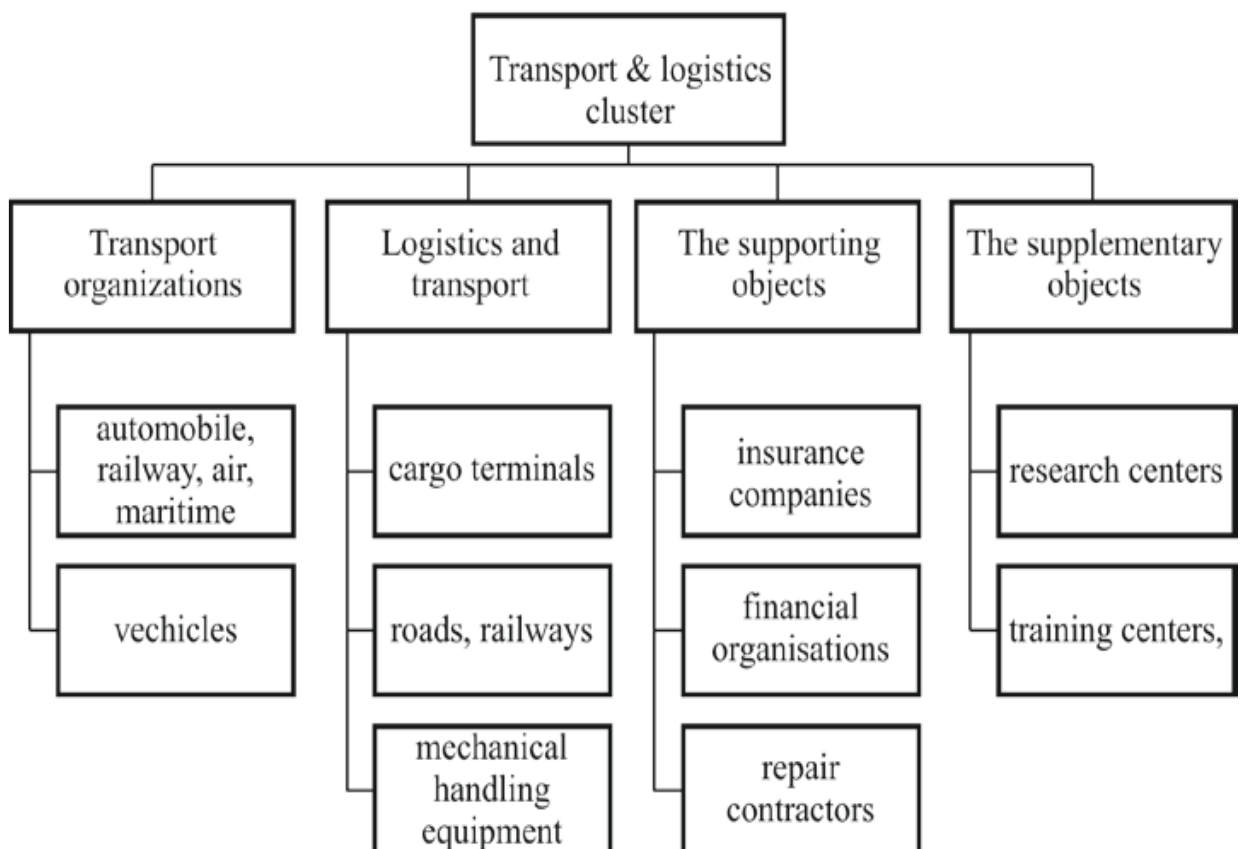


Figure-1

Competition between different modes of transport in international traffic leads to a gradual leveling of the legal regimes of transportation and, mainly, the liability of carriers.

### **Conclusion.**

The unification of international transport law remains a strategic goal for now, but the increasing use of combined cargo transportation contributes to the trend of such unification. Currently, when there are technical capabilities to ensure timely and safe delivery of goods, objective economic prerequisites have developed for the formation of its unified unified legal regime. The legal regulation of multimodal combined transport can be considered as a preliminary model and the first step towards achieving this goal.

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