# LEGAL MECHANISMS FOR ENSURING GENDER EQUALITY IN ENTREPRENEURSHIP IN UZBEKISTAN

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***Abstract.*** *This article examines the legal mechanisms for ensuring gender equality in entrepreneurship in Uzbekistan within the context of the emerging innovation-driven economy. It argues that ongoing processes such as digitalization, the adoption of artificial intelligence technologies, and the transition to a knowledge-based economy significantly increase the role of human capital as a key driver of economic growth. In this regard, gender equality is viewed not only as a social and legal category but also as a crucial institutional factor influencing economic efficiency.*

***Keywords****: gender equality, women's entrepreneurship, innovation economy, human capital, legal mechanisms, startup ecosystem, digitalization, institutional reforms.*

***Аннотация.*** *В статье исследуются правовые механизмы обеспечения гендерного равенства в сфере предпринимательства в Узбекистане в условиях формирования инновационной экономики. Обосновывается, что современные процессы цифровизации, внедрения технологий искусственного интеллекта и перехода к экономике знаний усиливают роль человеческого капитала как ключевого фактора экономического роста. В этой связи гендерное равенство рассматривается не только как социально-правовая категория, но и как важный институциональный фактор повышения эффективности экономики.*

***Ключевые слова:*** *гендерное равенство, женское предпринимательство, инновационная экономика, человеческий капитал, правовые механизмы, стартап-экосистема, цифровизация, институциональные реформы.*

***Аннотация.*** *Мазкур мақолада Ўзбекистонда тадбиркорлик соҳасида гендер тенгликни таъминлашнинг ҳуқуқий механизмлари инновацион иқтисодиёт шароитида таҳлил қилинади. Муаллиф замонавий иқтисодий трансформация жараёнлари – рақамлаштириш, сунъий интеллект технологияларининг жорий этилиши ва билимга асосланган иқтисодиёт шаклланиши – шароитида инсон капитали ҳал қилувчи омилга айланаётганини асослайди. Шу нуқтаи назардан, гендер тенглик фақат ижтимоий адолат категорияси эмас, балки иқтисодий ўсиш ва инновацион ривожланишнинг муҳим институционал шарти сифатида кўриб чиқилади.*

***Калит сўзлар:*** *гендер тенглик, аёллар тадбиркорлиги, инновацион иқтисодиёт, инсон капитали, ҳуқуқий механизмлар, стартап экотизим, рақамлаштириш, институционал ислоҳотлар.*

The systemic transformation processes unfolding in the global economy—namely digitalization, the adoption of artificial intelligence technologies, the growing predominance of knowledge-based production relations, and the formation of global innovation value chains—necessitate a fundamental reconsideration of traditional

drivers of economic growth. Within the contemporary economic paradigm, the primary sources of value creation are no longer natural resources, but rather human capital, intellectual property, technological entrepreneurship, and startup ecosystems. [1] From this perspective, gender equality is no longer viewed solely as a matter of social justice or human rights; instead, it is increasingly recognized as an institutional and economic factor that determines the efficiency of the innovation-driven economy. International economic research demonstrates that countries with higher levels of gender inclusivity in the labor market and entrepreneurial activity tend to exhibit more stable GDP growth, higher levels of innovation performance, and faster rates of technological transformation. Consequently, ensuring gender equality entails the creation of institutional conditions that stimulate sustainable economic growth.

An innovation-driven economy is a model of value creation based on knowledge, technology, and intellectual property, in which human capital occupies a central position among the factors of production. Within this framework, gender equality—particularly the development of women's entrepreneurship—becomes a critical institutional condition for economic efficiency, competitiveness, and sustainable growth. The significance of women's entrepreneurship in an innovation environment can be substantiated across several fundamental dimensions. [2] In the innovation sector (including IT, fintech, biotechnology, creative industries, and digital services), value creation relies more on knowledge, competencies, and creative potential than on material resources. Under such conditions, the primary constraint on economic growth is not the scarcity of resources, but rather the underutilization of human capital potential [3].

If women, who constitute approximately half of the population, are excluded from innovative entrepreneurship due to institutional, financial, or social barriers, the economy effectively underutilizes at least half of its potential. This leads to a reduction in the number of innovative projects, decreased diversification of the startup ecosystem, and limitations in the market for technological products [4].

According to human capital theory, particularly within the framework developed by Gary Becker, investment in education, skills, and competencies constitutes a key long-term driver of national income growth. From this standpoint, expanding women's participation in STEM fields, the digital economy, and startup activities contributes directly to accelerating innovation-driven growth [5].

In the context of Uzbekistan, where digitalization strategies, the development of IT parks, and programs supporting startup initiatives are actively being implemented, the relatively low participation of women may represent a constraint on the country's

innovation potential. Therefore, promoting women's entrepreneurship should not be viewed merely as a matter of social protection, but rather as a strategic issue of optimizing human capital management within an innovation economy [6].

The objective of this study is to conduct a systematic, comprehensive, and multi-level analysis of the legal mechanisms aimed at ensuring gender equality in entrepreneurship in the Republic of Uzbekistan, as well as to develop scientifically grounded proposals for their improvement in light of the requirements of an innovation-driven econom [7]. This objective is situated at the intersection of several theoretical paradigms:

1. The concept of the rule of law and constitutional equality, which emphasizes the provision of gender equality through legal guarantees;
2. Institutional economic theory, which regards legislation and institutions as key determinants of economic behavior;
3. The innovation-driven development model, which considers human capital and entrepreneurial ecosystems as drivers of economic growth;
4. Gender economics, which explains asymmetries in economic opportunities through institutional factors [8].

The fundamental legal foundations for ensuring gender equality in the Republic of Uzbekistan are, first and foremost, enshrined in the Constitution, which possesses the highest legal force within the national legal system. Constitutional provisions define gender equality not merely as a declarative principle, but as a core institutional guarantee for the realization of human rights and freedoms.

The Constitution also establishes key principles such as the freedom of economic activity, the inviolability of property rights, and the right to engage freely in entrepreneurial activity. These provisions are of particular importance for ensuring gender equality, as they guarantee equal access for all individuals to economic participation and serve as a constitutional basis for securing the economic independence of women [9]

At the same time, constitutional norms do not remain limited to proclaiming formal equality; they also impose an obligation on public authorities to pursue proactive policies aimed at ensuring gender equality. This, in turn, necessitates the development of both normative and institutional mechanisms for the effective implementation of the principle of equality.

From a legal doctrinal perspective, the constitutional principle of equality manifests in two dimensions: formal equality and substantive equality. While formal equality requires the uniform application of legal norms to all individuals, substantive

equality calls for the creation of equal opportunities by taking into account disparities in socio-economic conditions. Accordingly, the effective implementation of constitutional norms in the field of gender equality requires an active and targeted state policy [10]. In Uzbekistan, the institutional and strategic foundations of state policy in the field of gender equality have been significantly shaped by the Gender Equality Strategy up to 2030, adopted by the Senate of the Oliy Majlis. This strategic document establishes a comprehensive and long-term approach to gender policy and defines priority directions for its implementation.

The Strategy provides for the systematic realization of state policy aimed at ensuring gender equality, strengthening institutional mechanisms, and aligning national policies with international standards. From a legal standpoint, it serves as a strategic framework for the implementation of constitutional provisions and sector-specific legislation in the field of gender equality [11].

Special legal mechanisms for ensuring gender equality are primarily закреплены in the Law "On Guarantees of Equal Rights and Opportunities for Women and Men," which constitutes the foundational normative legal act in this domain. The Law provides a legal definition of gender equality, identifies forms of gender discrimination, and delineates the competences of state bodies, civil society institutions, and other stakeholders [12]. According to the Law, gender equality entails the provision of equal rights, equal opportunities, and equal conditions for their realization for both women and men. One of its key features is the establishment of institutional mechanisms, including the integration of gender equality into the activities of public authorities, the introduction of gender expertise, the development of gender statistics, and the implementation of state programs in this field [13].

The economic dimension of gender equality, particularly the creation of equal opportunities in entrepreneurship, is also reflected in the Law "On Guarantees of Freedom of Entrepreneurial Activity." This law establishes essential guarantees, including equal legal conditions for all business entities, protection against unjustified interference in entrepreneurial activity, and the safeguarding of property rights.

However, despite the formal provision of equal legal opportunities, the existing regulatory framework remains largely gender-neutral and does not always possess gender-sensitive characteristics in practice. In legal theory, this phenomenon is described as the "paradox of gender neutrality," whereby formally neutral legal norms may produce unequal outcomes for different gender groups due to underlying socio-economic disparities. For instance, access to financial resources, availability of credit, integration into business networks, and other institutional factors are not

equally accessible to women and men in practice. Therefore, ensuring gender equality requires not only the formal establishment of equal rights, but also the development of gender-sensitive legal mechanisms.

In contemporary legal scholarship, the concept of "gender mainstreaming" is widely recognized as an effective model for achieving gender equality. According to this approach, the gender dimension must be systematically integrated into all areas of public policy, including economic and entrepreneurial policy. This implies the assessment of gender impacts at all stages of drafting, adopting, and implementing normative legal acts.

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