

SCIENCE PROBLEMS.UZ

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Actual problems of social and humanitarian sciences
Актуальные проблемы социальных и гуманитарных наук

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2024

SCIENCEPROBLEMS.UZ

ИЖТИМОЙ-ГУМАНИТАР ФАНЛАРНИНГ ДОЛЗАРБ МУАММОЛАРИ

№ S/1 (4) - 2024

**АКТУАЛЬНЫЕ ПРОБЛЕМЫ СОЦИАЛЬНО-
ГУМАНИТАРНЫХ НАУК**

ACTUAL PROBLEMS OF HUMANITIES AND SOCIAL SCIENCES

ТОШКЕНТ-2024

БОШ МУҲАРРИР:

Исанова Феруза Тулқиновна

ТАҲРИР ҲАЙЪАТИ:

07.00.00-ТАРИХ ФАНЛАРИ:

Юлдашев Анвар Эргашевич – тарих фанлари доктори, сиёсий фанлар номзоди, профессор, Ўзбекистон Республикаси Президенти ҳузуридаги Давлат бошқаруви академияси;

Мавланов Уктам Махмасабирович – тарих фанлари доктори, профессор, Ўзбекистон Республикаси Президенти ҳузуридаги Давлат бошқаруви академияси;

Хазраткулов Абдор – тарих фанлари доктори, доцент, Ўзбекистон давлат жаҳон тиллари университети.

Турсунов Равшан Нормуратович – тарих фанлари доктори, Ўзбекистон Миллий Университети;

Холикулов Ахмаджон Боймаҳамматович – тарих фанлари доктори, Ўзбекистон Миллий Университети;

Габриэльян Софья Ивановна – тарих фанлари доктори, доцент, Ўзбекистон Миллий Университети.

08.00.00-ИҚТИСОДИЁТ ФАНЛАРИ:

Карлибаева Рая Хожабаевна – иқтисодиёт фанлари доктори, профессор, Тошкент давлат иқтисодиёт университети;

Насирходжаева Дилафруз Сабитхановна – иқтисодиёт фанлари доктори, профессор, Тошкент давлат иқтисодиёт университети;

Остонокулов Азамат Абдукаримович – иқтисодиёт фанлари доктори, профессор, Тошкент молия институти;

Арабов Нурали Уралович – иқтисодиёт фанлари доктори, профессор, Самарқанд давлат университети;

Худойқулов Садирдин Каримович – иқтисодиёт фанлари доктори, доцент, Тошкент давлат иқтисодиёт университети;

Азизов Шерзод Ўктамович – иқтисодиёт фанлари доктори, доцент, Ўзбекистон Республикаси Божхона институти;

Ҳожаев Азизхон Саидалоҳонович – иқтисодиёт фанлари доктори, доцент, Фарғона политехника институти

Холов Актам Хатамович – иқтисодиёт фанлари бўйича фалсафа доктори (PhD), доцент, Ўзбекистон Республикаси Президенти ҳузуридаги Давлат бошқаруви академияси;

Шадиева Дилдора Хамидовна – иқтисодиёт фанлари бўйича фалсафа доктори (PhD), доцент в.б, Тошкент молия институти;

Шакарров Қулмат Аширович – иқтисодиёт фанлари номзоди, доцент, Тошкент ахборот технологиялари университети

09.00.00-ФАЛСАФА ФАНЛАРИ:

Ҳакимов Назар Ҳакимович – фалсафа фанлари доктори, профессор, Тошкент давлат иқтисодиёт университети;

Яхшиликков Жўрабой – фалсафа фанлари доктори, профессор, Самарқанд давлат университети;

Ғайбуллаев Отабек Мухаммадиевич – фалсафа фанлари доктори, профессор, Самарқанд давлат чет тиллар институти;

Саидова Камола Усканбаевна – фалсафа фанлари доктори, “Tashkent International University of Education” халқаро университети;

Ҳошимхонов Мўмин – фалсафа фанлари доктори, доцент, Жиззах педагогика институти;

Ўроқова Ойсулув Жамолиддиновна – фалсафа фанлари доктори, доцент, Андижон давлат тиббиёт институти, Ижтимоий-гуманитар фанлар кафедраси мудир;

Носирходжаева Гулнора Абдукаҳхаровна – фалсафа фанлари номзоди, доцент, Тошкент давлат юридик университети;

Турдиев Бехруз Собирович – фалсафа фанлари бўйича фалсафа доктори (PhD), доцент, Бухоро давлат университети.

10.00.00-ФИЛОЛОГИЯ ФАНЛАРИ:

Ахмедов Ойбек Сапорбаевич – филология фанлари доктори, профессор, Ўзбекистон давлат жаҳон тиллари университети;

Кўчимов Шухрат Норқизилович – филология фанлари доктори, доцент, Тошкент давлат юридик университети;

Ҳасанов Шавкат Аҳадович – филология фанлари доктори, профессор, Самарқанд давлат университети;

Бахронова Дилрабо Келдиёровна – филология фанлари доктори, профессор, Ўзбекистон давлат жаҳон тиллари университети;

Мирсанов Ғайбулло Қулмуродович – филология фанлари доктори, профессор, Самарқанд давлат чет тиллар институти;

Салахутдинова Мушарраф Исамутдиновна – филология фанлари номзоди, доцент, Самарқанд давлат университети;

Кучкаров Раҳман Урманович – филология фанлари номзоди, доцент в/б, Тошкент давлат юридик университети;

Юнусов Мансур Абдуллаевич – филология фанлари номзоди, Ўзбекистон Республикаси Президенти ҳузуридаги Давлат бошқаруви академияси;

Саидов Улугбек Арипович – филология фанлари номзоди, доцент, Ўзбекистон Республикаси Президенти ҳузуридаги Давлат бошқаруви академияси.

12.00.00-ЮРИДИК ФАНЛАР:

Ахмедшаева Мавлюда Ахатовна – юридик фанлар доктори, профессор, Тошкент давлат юридик университети;

Мухитдинова Фирюза Абдурашидовна – юридик фанлар доктори, профессор, Тошкент давлат юридик университети;

Эсанова Замира Нормуратовна – юридик фанлар доктори, профессор, Ўзбекистон Республикасида хизмат кўрсатган юрист, Тошкент давлат юридик университети;

Ҳамроқулов Баҳодир Мамашарифович – юридик фанлар доктори, профессор в.б., Жаҳон иқтисодиёти ва дипломатия университети;

Зулфиқоров Шерзод Хуррамович – юридик фанлар доктори, профессор, Ўзбекистон Республикаси Жамоат хавфсизлиги университети;

Хайитов Хушвақт Сапарбаевич – юридик фанлар доктори, профессор, Ўзбекистон Республикаси Президенти ҳузуридаги Давлат бошқаруви академияси;

Асадов Шавкат Ғайбуллаевич – юридик фанлар доктори, доцент, Ўзбекистон Республикаси Президенти ҳузуридаги Давлат бошқаруви академияси;

Утемуратов Махмут Ажимуратович – юридик фанлар номзоди, профессор, Тошкент давлат юридик университети;

Сайдуллаев Шахзод Алиханович – юридик фанлар номзоди, профессор, Тошкент давлат юридик университети;

Ҳакимов Комил Бахтиярович – юридик фанлар доктори, доцент, Тошкент давлат юридик университети;

Юсупов Сардорбек Баходирович – юридик фанлар доктори, доцент, Тошкент давлат юридик университети;

Амиров Зафар Актамович – юридик фанлар бўйича фалсафа доктори (PhD), Ўзбекистон Республикаси Судьялар олий кенгаши ҳузуридаги Судьялар олий мактаби;

Жўраев Шерзод Юлдашевич – юридик фанлар номзоди, доцент, Тошкент давлат юридик университети;

Бабаджанов Атабек Давронбекович – юридик фанлар номзоди, доцент, Тошкент давлат юридик университети;

Раҳматов Элёр Жумабоевич – юридик фанлар номзоди, Тошкент давлат юридик университети;

13.00.00-ПЕДАГОГИКА ФАНЛАРИ:

Ҳашимова Дильдархон Уринбоевна – педагогика фанлари доктори, профессор, Тошкент давлат юридик университети;

Ибрагимова Гулнора Хавазматовна – педагогика фанлари доктори, профессор, Тошкент давлат иқтисодиёт университети;

Закирова Феруза Махмудовна – педагогика фанлари доктори, Тошкент ахборот технологиялари университети ҳузуридаги педагогик кадрларни қайта тайёрлаш ва уларнинг малакасини ошириш тармоқ маркази;

Қаюмова Насиба Ашуровна – педагогика фанлари доктори, профессор, Қарши давлат университети;

Тайланова Шохидат Зайниевна – педагогика фанлари доктори, доцент;

Жуманиёзова Муҳайё Тожиевна – педагогика фанлари доктори, доцент, Ўзбекистон давлат жаҳон тиллари университети;

Ибрахимов Санжар Урунбаевич – педагогика фанлари доктори, Иқтисодиёт ва педагогика университети;

Жавлиева Шахноза Баходировна – педагогика фанлари бўйича фалсафа доктори (PhD), Самарқанд давлат университети;

Бобомуротова Латофат Элмуродовна – педагогика фанлари бўйича фалсафа доктори (PhD), Самарқанд давлат университети.

19.00.00-ПСИХОЛОГИЯ ФАНЛАРИ:

Каримова Василя Маманосировна – психология фанлари доктори, профессор, Низомий номидаги Тошкент давлат педагогика университети;

Ҳайитов Ойбек Эшбоевич – Жисмоний тарбия ва спорт бўйича мутахассисларни қайта тайёрлаш ва малакасини ошириш институти, психология фанлари доктори, профессор

Умарова Навбахор Шокировна – психология фанлари доктори, доцент, Низомий номидаги Тошкент давлат педагогика университети, Амалий психология кафедраси мудири;

Атабаева Наргис Батировна – психология фанлари доктори, доцент, Низомий номидаги Тошкент давлат педагогика университети;

Шамшетова Анжим Караматдиновна – психология фанлари доктори, доцент, Ўзбекистон давлат жаҳон тиллари университети;

Қодиров Обид Сафарович – психология фанлари доктори (PhD), Самарканд вилоят ИИБ Тиббиёт бўлими психологик хизмат бошлиғи.

Содиқова Шоҳида Мархабобевна – социология фанлари доктори, профессор, Ўзбекистон халқаро ислом академияси.

22.00.00-СОЦИОЛОГИЯ ФАНЛАРИ:

Латипова Нодира Мухтаржановна – социология фанлари доктори, профессор, Ўзбекистон миллий университети кафедра мудири;

Сейтов Азамат Пўлатович – социология фанлари доктори, профессор, Ўзбекистон миллий университети;

23.00.00-СИЁСИЙ ФАНЛАР

Назаров Насриддин Атақулович – сиёсий фанлар доктори, фалсафа фанлари доктори, профессор, Тошкент архитектура қурилиш институти;

Бўтаев Усмонжон Хайруллаевич – сиёсий фанлар доктори, доцент, Ўзбекистон миллий университети кафедра мудири.

ОАК Рўйхати

Мазкур журнал Вазирлар Маҳкамаси ҳузуридаги Олий аттестация комиссияси Раёсатининг 2022 йил 30 ноябрдаги 327/5-сон қарори билан тарих, иқтисодиёт, фалсафа, филология, юридик ва педагогика фанлари бўйича илмий даражалар бўйича диссертациялар асосий натижаларини чоп этиш тавсия этилган илмий нашрлар рўйхатига киритилган.

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100070. Тошкент шаҳри, Яккасарой тумани, Кичик Бешёғоч кўчаси, 70/10-уй. Электрон манзил: scienceproblems.uz@gmail.com

Боғланиш учун телефонлар:

(99) 602-09-84 (telegram).

МУНДАРИЖА**07.00.00 – ТАРИХ ФАНЛАРИ**

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12.00.00 – ЮРИДИК ФАНЛАР*Исломқулова Шоҳсанам Ваҳобжон қизи*ВРАЧНИНГ КАСБИЙ ЖАВОБГАРЛИГИНИ СУҒУРТА ҚИЛИШНИ ФУҚАРОЛИК-ҲУҚУҚИЙ
ТАРТИБГА СОЛИШНИНГ ОМИЛЛАРИ ВА ЗАРУРИЯТИ 210-215*Sarvinov Sunnatillaeva*PROCEDURAL CHALLENGES IN THE REGULATION OF ABUSE OF DOMINANT POSITION IN
UZBEKISTAN 216-222**13.00.00 – ПЕДАГОГИКА ФАНЛАРИ***Soliev Ibodulloxon Ismatullayevich*FACTORS AFFECTING THE EFFICIENCY OF REFORMS IN THE MANAGEMENT SYSTEM OF
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*Egamberdiyev Javlonbek*TA'LIM MUASSASALARIDA MA'NAVIY-MA'RIFIY ISHLARNI TASHKIL QILISH VA UNING
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KOMPETENTLIGI 261-265

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PROCEDURAL CHALLENGES IN THE REGULATION OF ABUSE OF DOMINANT POSITION IN UZBEKISTAN

Abstract. This article examines the evolution of competition policy in Uzbekistan, focusing on institutional reforms and regulatory challenges. It outlines the country's three-stage approach to developing competition laws and highlights recent efforts to strengthen the independence of the competition authority. Drawing comparisons with the European Union, the paper identifies areas for improvement, such as enhancing transparency and adopting economic tools for assessing abuse. By addressing these challenges, Uzbekistan can create a more competitive market environment conducive to economic growth.

Keywords: competition policy, abuse of dominant position, institutional framework, independence, Committee for Development of Competition and Consumer Protection, transparency, economic tools

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ПРОЦЕССУАЛЬНЫЕ ВЫЗОВЫ В РЕГУЛИРОВАНИИ ЗЛОУПОТРЕБЛЕНИЯ ДОМИНИРУЮЩИМ ПОЛОЖЕНИЕМ В УЗБЕКИСТАНЕ

Аннотация: В данной статье рассматривается эволюция конкурентной политики в Узбекистане, с акцентом на институциональные реформы и регуляторные вызовы. Описывается трехэтапный подход к разработке законодательства о конкуренции в стране и подчеркиваются недавние усилия по укреплению независимости органа по конкуренции. Проводится сравнение с Европейским союзом, где выявляются области для улучшения, такие как повышение прозрачности и применение экономических инструментов для оценки злоупотреблений. Решение этих проблем позволит Узбекистану создать более конкурентную рыночную среду, способствующую экономическому росту.

Ключевые слова: политика конкуренции, регулирование, злоупотребление доминирующим положением, институциональная структура, независимость, Комитет по развитию конкуренции и защите прав потребителей, прозрачность, экономические инструменты

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ЎЗБЕКИСТОНДА УСТУН МАВҚЕНИ СУИИСТЕЪМОЛ ҚИЛИШНИ ТАРТИБГА СОЛИШНИНГ ПРОЦЕССУАЛ МУАММОЛАРИ

Аннотация: Ушбу мақолада институционал ислохотлар ва тартибга солиш муаммоларига алоҳида эътибор берилган ҳолда Ўзбекистонда рақобат сиёсатининг ривожланиши кўриб чиқилади. Унда мамлакатда рақобат тўғрисидаги қонунни ривожлантиришга уч босқичли ёндашув тасвирланган ва рақобат органининг мустақиллигини мустаҳкамлаш бўйича сўнгги саъй-ҳаракатлар таъкидланган. Европа Иттифоқи билан таққослаш амалга оширилиб, мақолада шаффофликни ошириш ва

суистеъмолликни бартараф этиш учун иқтисодий воситалардан фойдаланиш каби такомиллаштириш соҳалари аниқланади. Ушбу муаммоларни ҳал этиш Ўзбекистонга иқтисодий ўсиш учун янада рақобатбардош бозор муҳитини яратишга имкон беради.

Калит сўзлар: рақобат сиёсати, тартибга солиш, устун мавқени суистеъмол қилиш, институционал тузилма, мустақиллик, рақобатни ривожлантириш ва истеъмолчилар ҳуқуқларини ҳимоя қилиш қўмитаси, шаффофлик, иқтисодий воситалар.

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Introduction. Fostering and preserving economic competitiveness has been a top objective for the government ever since Uzbekistan became an independent country. In recognition of the crucial role that competition plays in enabling a functioning market economy, the country's continuing reforms have developed important institutional underpinnings for encouraging it. In order to properly carry out the state's competition policy, the competition state body has undergone tremendous strengthening and empowerment.

Legal review of the institutional framework: strengths and weaknesses. Main reforms aimed at developing competition in the Republic of Uzbekistan were carried out in three stages:

1-stage (1991-1999) Creation of market mechanisms for the formation of a competitive environment:

July 2, 1992 - the Law On Restriction of Monopolistic Activity was adopted, and the beginning formation and implementation of competition policy in Uzbekistan was laid;

1992 - the Main Department of Antimonopoly and Price Policy under the Ministry of Finance was established;

1996 - the Committee on Demonopolization and Competition Development was established under the Ministry of Finance of the Republic of Uzbekistan. In the same year, a new version of the Law "On Competition and Restriction of Monopolistic Activity in Product Markets" was adopted;

Stage 2 (2000-2010). Increasing the role of demonopolization, unbundling and restructuring of monopolistic enterprises.

2000 - according to the Decree of the President of the Republic of Uzbekistan, the antimonopoly body was separated from the Ministry of Finance as a State Committee with powers to implement antimonopoly policy.

2005 - the antimonopoly authority was reorganised and given new powers. The Committee acquired a new name - the State Committee of the Republic of Uzbekistan on Demonopolization, Support of Competition and Entrepreneurship.

Stage 3 (since 2010) Introduction of antimonopoly regulation in financial markets.

2010 - To further strengthen antimonopoly regulation and create a healthy competitive environment, per the Decree of the President of the Republic of Uzbekistan, the antimonopoly authority was reorganised, and its function of supporting entrepreneurship was abolished.

2012 - reorganisation by merging two state committees took place. In the same year, the Law on Competition was adopted[1].

After 2016, Uzbekistan underwent significant reforms in all policy spheres: further privatisation in government-monopolized sectors, liberalization of foreign currency exchange, and administrative and judicial reforms. In particular, separate courts on administrative matters were created, and Law on Administrative proceedings was adopted.

Competition policy is one of the focuses of these ongoing reforms. The Antimonopoly Committee of the Republic of Uzbekistan was reorganized in accordance with the Presidential Decree of the Republic of Uzbekistan on January 14, 2019, numbered PF-5630. This transfer covered the persons, duties, tasks, and power previously held by the disbanded State Committee on Competition.

In 2022 the second stage of administrative reforms in Uzbekistan was initiated. The government optimized its structure. Presidential Decree No. PF-269 of 21 December 2022 on measures to implement the administrative reforms of the new Uzbekistan was adopted. An average of 15 percent optimised the structure of state bodies by reducing unrelated tasks and broadening digital technologies into their activities. On the basis of this decree, the Committee for the Development of Competition and Consumer Protection was established on the basis of the Antimonopoly Committee, and the tasks and functions of the Consumer Protection Agency under the Antimonopoly Committee were transferred to the Committee for the Development of Competition and Consumer Protection (the Committee) [2].

Independence of the Committee. According to Regulation N 402, the Committee exercises its powers independently of all state bodies and organisations and their officials and, in its activity, is subordinate and accountable to the Prime Minister of the Republic and on certain issues of activity provided for by the acts of legislation - directly to the President of the Republic[3].

In the last 5-6 years, the Committee became very active and investigated state-owned dominant undertakings as well, which shows the growth of its independence (cases of UzAutoMotors[4], Tashkent International Airport[5]).

However, for effective implementation of competition policy, especially in a country with a huge governmental presence in the economy, the independence of the competent authority from political influence plays a significant role.

The Committee's effectiveness may increase by maintaining its financial stability and preserving its independence from political influence.

To compare with the EU, Directive 2019/1 requires EU member states to protect the independence and funding of national enforcers who carry out EU legislation. This includes guarding against political interference, resolving conflicts of interest, and having open hiring processes (Article 4) [6].

Moreover, external structures, especially the President or the Cabinet of Ministers of Uzbekistan, should avoid excessively complex regulations on operating processes as these might limit the Committee's actions. Law on Competition or Regulation N 402 does not specify the situations when the Chairperson can be dismissed. As a head of the government, the president may dismiss Chairperson based on different reasons, which makes Chairperson dependent on the political will. In this regard, OECD recommends establishing a definite term appointment procedure for the Chairperson based on merit and only revocable in certain, limited situations [7, p. 27].

The Committee's tasks. In the sphere of the regulation of abuse of dominant position, the Committee has the following main tasks:

the realisation of the unified state policy in the sphere of ensuring a competitive environment in product and financial markets;

systematic analysis of the competitive environment on product and financial markets, detection and suppression of abuse of dominant position;

studies the competitive environment on product and financial markets and identifies the dominant position of a business entity or a group of entities, determines the composition of the participants of the group of entities;

implements measures to identify and prevent abuse of the dominant position

monitors prices for goods (services) produced (rendered) by economic entities or a group of persons included in the State Register of economic entities occupying a dominant position in the commodity or financial market;

forms and maintains state registers of economic entities occupying a dominant position in the commodity or financial market and natural monopolies[3].

A closer look at the tasks given to the Committee indicates a focus on identifying dominant market enterprises and then monitoring them to prevent any possible abuse. This strategy, however, leads to certain problems. The newly adopted Law on Competition went further and imposed some obligations on them. For instance, under Art 15 of the Law, a business entity and a group of persons, from the moment they are recognised as having a dominant position, are obliged to publish new prices (tariffs) to be applied to the monopoly type of goods at least fifteen days before the current prices (tariffs) are changed[8].

This function of the Committee is criticised as an additional burden for both the administrator and the market [7]. The paper's author agrees with this criticism as the dominance itself is not illegal, so establishing and imposing an additional duty to dominant undertakings without any illegal conduct contradicts the idea of freedom of business activity. To address this concern, an alternative perspective posits that a more effective strategy would involve conducting comprehensive sector studies to prevent abuses without the need to maintain a registry of dominant undertakings.

In conclusion, while Uzbekistan has made remarkable progress towards fostering a market environment that is competitive, there is still room for improvement, notably in terms of the regulatory burden, inspection methods, and bolstering the Committee's independence and discretionary power. For the country's continuous competition policy development, balancing the requirement for monitoring and entrepreneurial freedom and aligning practices with international norms will be essential.

Potential areas for improvement: transparency, economic tools

Transparency and predictability. The need for transparency and predictability is great due to the complexity of today's global market. As competition rules are general and complex at first sight, there is a demand for additional guidance and explanations on how they are applied.

The Law on Competition, the Regulations of Cabinet Ministers and the Law on Administrative Procedures are the main documents that include procedural enforcement rules. However, there are no guidelines on applying these legal acts, which decreases the level of legal certainty and transparency. The Committee has powers to issue explanations on the application of the competition rules but never used this power to publish explanatory documents [3]. Since case law is not part of Uzbekistan's legal sources, available legal acts are insufficient to provide a practical picture of how the enforcement procedures are carried on. Moreover, the

enforcement priorities of the Committee cannot be found in any documents, which again raises concerns about the predictability of these processes.

Adopting guidelines for increasing transparency is a well-established practice in other jurisdictions. For example, the EU's Guidance on the Commission's enforcement priorities in applying Art 82 of the EC Treaty (Art 102 TFEU) can be mentioned in this regard. The document intends to provide greater clarity and predictability as regards the general framework of analysis which the Commission employs in determining whether it should pursue cases concerning various forms of exclusionary conduct and to help undertakings better assess whether a certain behaviour is likely to result in intervention by the Commission under Article 102[9].

Nevertheless, Guidance is a source of soft law. As it was mentioned in *Post Danmark II* by the CJEU[10], they are not binding but can be used as one of the possible tools [10].

Furthermore, on October 20, 2011, Commission adopted Notice on best practices for the conduct of proceedings concerning Articles 101 and 102 TFEU, which pursues to increase understanding of the Commission's investigation process, enhance the efficiency of investigations, and ensure high transparency and predictability [11].

The Committee will be able to concentrate its efforts on areas of most concern with the help of the implementation of clear and thorough enforcement priority guidelines. This will guarantee effective resource allocation and prompt reaction to any possible market abuses. Moreover, this tool will help to focus on relevant areas and use effective non-legal economic approaches, as discussed below.

Economic tools for assessing abuse. One of the examples of economic tools is the effect-based approach to Art 102 introduced in 2009 in the EU when it released the above-mentioned Guidance on enforcement priorities, focusing on exclusionary abuses to evaluate practises, including below-cost pricing, loyalty rebates, and tying provisions. As market concentration rises in the EU, more potential breaches of Article 102 TFEU become possible. Furthermore, as witnessed with businesses like Google and Facebook, "first explorer" advantages and network effects can lead to quick market dominance. However, the number of businesses in danger of being looked into for abusing their dominant market position is still rather small. Critics claim that because it is unclear how to determine dominance and there may be conflicting policy objectives[12, p.8].

The introduced effects-based approach emphasises the significance of considering the real impacts of the dominant firm's behaviour on the market. Analysing the effects on costs, innovation, customer choice, entry barriers, and general market dynamics is necessary for this.

The economic approach to competition regulation examines the actual competitive harm generated by a dominant organisation rather than developing a separate preliminary evaluation of dominance. The key is to identify significant anti-competitive effects, which are, by definition, proof of dominance. This approach relies on well-established economic analysis to assess a case's essential components, such as the existence of competitive harm or the achievement of economic efficiency[13].

The burden of proof varies according to the situation under this approach. Competitor authorities are required to demonstrate significant anti-competitive harm, whereas dominant businesses are required to provide convincing efficiency explanations. The competition authority's discretion is partly constrained by the requirement for consistent economic reasons

based on proven facts. The many practices that might have the same anti-competitive effect must be handled uniformly. Additionally, it improves predictability and hence the efficiency of implementing competition regulation[13].

Based on the EU experience, the following recommendations can be made for Uzbek competition policy:

1. Transitioning to an effects-based approach, similar to the EU's approach to Article 102 TFEU, would allow the Committee to understand better the harm to competition caused by dominant firms.

2. Application of well-established economic analyses to assess critical elements of competition cases, such as identifying anticompetitive effects or assessing economic efficiency. This approach ensures that decisions are based on a rigorous and evidence-based economic assessment and not just legal definitions.

3. Consideration of adopting a balanced burden of proof system where authorities are tasked with proving significant anticompetitive harm and dominant undertakings must provide an efficiency justification.

4. Enable the Committee to analyse cases in terms of economic efficiency effectively. This involves assessing whether anticompetitive behaviour results in substantial economic efficiency that potentially outweighs any adverse effects.

In conclusion, the above-mentioned recommendations can strengthen the role of the Committee and allow more approaches in the enforcement of rules on abuse of dominant position. They might be taken into account in the next stages of ongoing reforms in Uzbekistan.

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