

SCIENCE
PROBLEMS.UZ

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Актуальные проблемы социальных и гуманитарных наук

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2026

SCIENCEPROBLEMS.UZ

**IJTIMOIIY-GUMANITAR FANLARNING
DOLZARB MUAMMOLARI**

№ S/1 (6) – 2026

**АКТУАЛЬНЫЕ ПРОБЛЕМЫ СОЦИАЛЬНО-
ГУМАНИТАРНЫХ НАУК**

ACTUAL PROBLEMS OF HUMANITIES AND SOCIAL SCIENCES

TOSHKENT-2025

BOSH MUHARRIR:

Isanova Feruza Tulqinovna

TAHRIR HAY'ATI:

07.00.00- TARIX FANLARI:

Yuldashev Anvar Ergashevich – tarix fanlari doktori, siyosiy fanlar nomzodi, professor;

Mavlanov Uktam Maxmasabirovich – tarix fanlari doktori, professor;

Xazratkulov Abror – tarix fanlari doktori, dotsent;

Tursunov Ravshan Normuratovich – tarix fanlari doktori;

Xolikulov Axmadjon Boymahmatovich – tarix fanlari doktori;

Gabrielyan Sofya Ivanovna – tarix fanlari doktori, dotsent;

Saidov Sarvar Atabullo o'g'li – katta ilmiy xodim, Imom Termiziy xalqaro ilmiy-tadqiqot markazi, ilmiy tadqiqotlar bo'limi.

08.00.00- IQTISODIYOT FANLARI:

Karlibayeva Raya Xojabayevna – iqtisodiyot fanlari doktori, professor;

Nasirxodjayeva Dilafruz Sabitxanovna – iqtisodiyot fanlari doktori, professor;

Ostonokulov Azamat Abdukarimovich – iqtisodiyot fanlari doktori, professor;

Arabov Nurali Uralovich – iqtisodiyot fanlari doktori, professor;

Xudoyqulov Sadirdin Karimovich – iqtisodiyot fanlari doktori, dotsent;

Azizov Sherzod O'ktamovich – iqtisodiyot fanlari doktori, dotsent;

Xojayev Azizxon Saidaloxonovich – iqtisodiyot fanlari doktori, dotsent

Xolov Aktam Xatamovich – iqtisodiyot fanlari bo'yicha falsafa doktori (PhD), dotsent;

Shadiyeva Dildora Xamidovna – iqtisodiyot fanlari bo'yicha falsafa doktori (PhD), dotsent v.b.;

Shakarov Qulmat Ashirovich – iqtisodiyot fanlari nomzodi, dotsent.;

Jabborova Charos Aminovna - iqtisodiyot fanlari bo'yicha falsafa doktori (PhD).

09.00.00- FALSAFA FANLARI:

Hakimov Nazar Hakimovich – falsafa fanlari doktori, professor;

Yaxshilikov Jo'raboy – falsafa fanlari doktori, professor;

G'aybullayev Otabek Muhammadiyevich – falsafa fanlari doktori, professor;

Saidova Kamola Uskanbayevna – falsafa fanlari doktori;

Hoshimxonov Mo'min – falsafa fanlari doktori, dotsent;

O'roqova Oysuluv Jamoliddinovna – falsafa fanlari doktori, dotsent;

Nosirxodjayeva Gulnora Abdukaxxarovna – falsafa fanlari nomzodi, dotsent;

Turdiyev Bexruz Sobirovich – falsafa fanlari doktori (DSc), Professor.

10.00.00- FILOLOGIYA FANLARI:

Axmedov Oybek Saporbayevich – filologiya fanlari doktori, professor;

Ko'chimov Shuxrat Norqizilovich – filologiya fanlari doktori, dotsent;

Hasanov Shavkat Ahadovich – filologiya fanlari doktori, professor;

Baxronova Dilrabo Keldiyorovna – filologiya fanlari doktori, professor;

Mirsanov G'aybullo Qulmurodovich – filologiya fanlari doktori, professor;

Salaxutdinova Musharraf Isamutdinovna – filologiya fanlari nomzodi, dotsent;

Kuchkarov Raxman Urmanovich – filologiya fanlari nomzodi, dotsent v/b;

Yunusov Mansur Abdullayevich – filologiya fanlari nomzodi;

Saidov Ulugbek Aripovich – filologiya fanlari nomzodi, dotsent;

Qodirova Muqaddas Tog'ayevna - filologiya fanlari nomzodi, dotsent.

12.00.00- YURIDIK FANLAR:

Axmedshayeva Mavlyuda Axatovna – yuridik fanlar doktori, professor;

Muxitdinova Firyuza Abdurashidovna – yuridik fanlar doktori, professor;

Esanova Zamira Normurotovna – yuridik fanlar doktori, professor, O'zbekiston Respublikasida xizmat ko'rsatgan yurist;

Hamroqulov Bahodir Mamasharifovich – yuridik fanlar doktori, professor v.b.,;

Zulfiqorov Sherzod Xurramovich – yuridik fanlar doktori, professor;

Xayitov Xushvaqt Saparbayevich – yuridik fanlar doktori, professor;

Asadov Shavkat G'aybullayevich – yuridik fanlar doktori, dotsent;

Ergashev Ikrom Abdurasulovich – yuridik fanlari doktori, professor;

Utemuratov Maxmut Ajimuratovich – yuridik fanlar nomzodi, professor;

Saydullayev Shaxzod Alixanovich – yuridik fanlar nomzodi, professor;

Hakimov Komil Baxtiyarovich – yuridik fanlar doktori, dotsent;

Yusupov Sardorbek Baxodirovich – yuridik fanlar doktori, professor;

Amirov Zafar Aktamovich – yuridik fanlar doktori (PhD);

Jo'rayev Sherzod Yuldashevich – yuridik fanlar nomzodi, dotsent;

Babadjanov Atabek Davronbekovich – yuridik fanlar nomzodi, professor;

Normatov Bekzod Akrom o'g'li — yuridik fanlar bo'yicha falsafa doktori;

Rahmatov Elyor Jumaboyevich — yuridik fanlar nomzodi;

13.00.00- PEDAGOGIKA FANLARI:

Xashimova Dildarxon Urinboyevna – pedagogika fanlari doktori, professor;

Ibragimova Gulnora Xavazmatovna – pedagogika fanlari doktori, professor;

Zakirova Feruza Maxmudovna – pedagogika fanlari doktori;

Kayumova Nasiba Ashurovna – pedagogika fanlari doktori, professor;

Taylanova Shoxida Zayniyevna – pedagogika fanlari

doktori, dotsent;

Jumaniyozova Muhayyo Tojiyevna – pedagogika fanlari doktori, dotsent;

Ibraximov Sanjar Urunbayevich – pedagogika fanlari doktori;

Javliyeva Shaxnoza Baxodirovna – pedagogika fanlari bo'yicha falsafa doktori (PhD);

Bobomurotova Latofat Elmurodovna — pedagogika fanlari bo'yicha falsafa doktori (PhD).

19.00.00- PSIXOLOGIYA FANLARI:

Karimova Vasila Mamanosirovna – psixologiya fanlari doktori, professor, Nizomiy nomidagi Toshkent davlat pedagogika universiteti;

Hayitov Oybek Eshboyevich – Jismoniy tarbiya va sport bo'yicha mutaxassislarni qayta tayyorlash va malakasini oshirish instituti, psixologiya fanlari doktori, professor

Umarova Navbahor Shokirovna– psixologiya fanlari doktori, dotsent, Nizomiy nomidagi Toshkent davlat pedagogika universiteti, Amaliy psixologiyasi kafedrasini mudiri;

Atabayeva Nargis Batirovna – psixologiya fanlari doktori, dotsent;

Shamshetova Anjim Karamaddinovna – psixologiya fanlari doktori, dotsent;

Qodirov Obid Safarovich – psixologiya fanlari doktori (PhD).

22.00.00- SOTSIOLOGIYA FANLARI:

Latipova Nodira Muxtarjanovna – sotsiologiya fanlari doktori, professor, O'zbekiston milliy universiteti kafedra mudiri;

Seitov Azamat Po'latovich – sotsiologiya fanlari doktori, professor, O'zbekiston milliy universiteti;

Sodiqova Shohida Marxaboyevna – sotsiologiya fanlari doktori, professor, O'zbekiston xalqaro islom akademiyasi.

23.00.00- SIYOSIY FANLAR

Nazarov Nasriddin Ataqulovich –siyosiy fanlar doktori, falsafa fanlari doktori, professor, Toshkent arxitektura qurilish instituti;

Bo'tayev Usmonjon Xayrullayevich –siyosiy fanlar doktori, dotsent, O'zbekiston milliy universiteti kafedra mudiri.

OAK Ro'yxati

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07.00.00 – TARIX FANLARI

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PARTY AUTONOMY VS CONSUMER PROTECTION IN INTERNATIONAL E-COMMERCE: THE CASE OF UZBEKISTAN IN COMPARATIVE PERSPECTIVE

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Abstract. The growth of cross-border e-commerce has weakened consumer protection by allowing foreign platforms to impose choice-of-law and jurisdiction clauses. Through a comparative analysis of EU and Uzbek law, this article shows that Uzbekistan lacks effective safeguards and proposes mandatory rules to restore consumer sovereignty and access to justice.

Keywords: party autonomy; consumer protection; private international law; e-commerce; Uzbekistan; Rome I Regulation; digital platforms; cross-border contracts.

XALQARO ELEKTRON TIJORATDA TARAFLAR AVTONOMIYASI VA ISTE'MOLCHI HUQUQLARINI HIMOYA QILISH O'RTASIDAGI ZIDDIYAT: O'ZBEKISTON MISOLIDA QIYOSIY TAHLIL

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TDYU Fuqarolik huquqi sho'basi o'qituvchisi

Annotatsiya. Xalqaro elektron tijoratning jadal rivojlanishi xorijiy platformalarga huquqni tanlash va yurisdiksiya bandlarini majburan yuklash imkonini berib, iste'molchilar huquqlarini zaiflashtirdi. Yevropa Ittifoqi va O'zbekiston huquqini qiyosiy tahlil qilish asosida ushbu maqola O'zbekistonda yetarli himoya mexanizmlari yo'qligini ko'rsatadi va iste'molchi suvereniteti hamda odil sudlovga kirishni tiklash uchun majburiy normalarni taklif etadi.

Kalit so'zlar: taraflar avtonomiyasi; iste'molchilar huquqlarini himoya qilish; xususiy xalqaro huquq; elektron tijorat; O'zbekiston; Rim I reglament; raqamli platformalar; transchegaraviy shartnomalar.

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1. Introduction

International e-commerce has transformed the classical structure of contract law. Consumers now routinely purchase goods and services from foreign traders through digital platforms such as Amazon, AliExpress, Booking, and Apple App Store, often without any awareness of the legal regime governing their transactions. These transactions are not merely domestic contracts with an international element; they constitute a fundamentally new form of transnational economic interaction in which private corporations effectively determine the legal environment of millions of consumers worldwide.

At the center of this transformation lies a profound legal tension between **party autonomy**, the cornerstone of private international law, and **consumer protection**, the

cornerstone of modern regulatory justice. Party autonomy grants contracting parties the freedom to choose the applicable law and jurisdiction governing their contract. In theory, this promotes legal certainty, efficiency, and predictability in international trade [2; 118–120-b.]. However, in consumer contracts, especially those formed online through standard terms, this freedom becomes deeply problematic.

Unlike commercial parties, consumers do not negotiate contractual terms. They do not select the applicable law or forum. They merely click “I agree.” Empirical studies show that more than 90 percent of consumers never read standard contract terms, especially in online environments [4; 211-b.]. Thus, the legal fiction of consent sustains a reality of unilateral corporate control.

This structural asymmetry has profound implications in countries like Uzbekistan, where domestic consumer protection law exists but is disconnected from the realities of transnational digital trade. Uzbek consumers frequently buy from foreign online sellers and platforms, yet Uzbek private international law provides no clear mechanism to invalidate abusive jurisdiction and choice-of-law clauses imposed by those traders. As a result, Uzbek consumers are formally protected by national law, but practically excluded from justice.

This article examines whether party autonomy in international e-commerce remains compatible with the protective function of consumer law. Using the European Union as a benchmark, the study evaluates how Uzbekistan could reform its private international law to restore substantive consumer protection in the digital marketplace.

2. Party Autonomy in Private International Law: Theory and Ideology

The principle of party autonomy occupies a privileged position in private international law. It allows parties to select the law governing their contractual relationship, irrespective of their nationality or place of business. Historically, this principle was designed to facilitate international commerce by allowing sophisticated commercial actors to avoid unpredictable foreign laws [1; 25–26-b.].

Dicey, Morris and Collins describe party autonomy as “the most important connecting factor in modern contract conflicts” because it maximizes predictability and reduces transaction costs in international trade [2; 119-b.]. In classical private law theory, the parties are assumed to be rational, informed, and economically equal. Their choice of law is treated as an expression of genuine will.

However, this ideological foundation collapses in consumer contracts. As Kramer demonstrates, consumer transactions are characterized by structural inequality, information asymmetry, and non-negotiated standard terms [3; 44–45-b.]. In such contracts, party autonomy no longer reflects freedom but submission.

In digital markets, this asymmetry is intensified. The consumer does not even know the identity or location of the trader, let alone the legal system governing the transaction. The “choice” of law is embedded in lengthy standard terms drafted by corporate lawyers in Silicon Valley, Luxembourg, or Singapore. The consumer merely assents by clicking.

This reality turns party autonomy into a mechanism of **regulatory arbitrage**, allowing corporations to select the legal systems with the weakest consumer protection and the most restrictive access to justice [7; 88–90-b.]. Thus, a principle designed to empower parties now operates to disempower the weaker one.

3. The Illusion of Consent in Digital Consumer Contracts

One of the most striking features of digital consumer contracting is the collapse of meaningful consent. While classical contract law requires a meeting of minds, online contracts rely on automated, instantaneous assent mechanisms that eliminate any real opportunity for deliberation.

Bakos and Marotta-Wurgler's landmark empirical study demonstrated that less than 1 percent of consumers access online terms before agreeing to them [4; 211-b.]. Even those who do access them cannot realistically understand complex jurisdiction and choice-of-law clauses. This creates what Micklitz calls "the paradox of digital consent": consumers formally agree to everything, but substantively consent to nothing [5; 302–303-b.].

From a private international law perspective, this means that the choice of law is not the product of genuine will but of technological architecture and market power. Digital platforms design their interfaces to minimize friction and maximize transaction volume. Legal terms become invisible obstacles placed behind hyperlinks.

In this environment, party autonomy becomes purely fictional. It operates as a legitimizing myth for corporate control over the legal environment of global trade.

4. Why Consumer Contracts Require a Different Conflict-of-Laws Regime

Modern consumer law is based on the recognition that market forces alone do not produce fair outcomes. Consumers lack bargaining power, information, and legal resources. Therefore, states impose mandatory rules to protect them against exploitation [6; 34–36-b.].

In private international law, this logic requires the restriction of party autonomy. If consumers could be deprived of their domestic protections through contractual choice-of-law clauses, consumer law would become meaningless. This is why the European Union introduced special conflict-of-laws rules for consumer contracts in the Rome I Regulation.

Under Article 6 of Rome I, a consumer contract remains governed by the law of the consumer's habitual residence, even if the contract chooses a foreign law, insofar as mandatory consumer protections are concerned [6; 35-b.]. This transforms consumer law into an overriding mandatory regime.

Uzbek law, by contrast, lacks such a mechanism. While the Uzbek Civil Code and the Law on Consumer Protection establish substantive rights, they do not prevent foreign traders from circumventing these rights through contractual clauses. This creates a normative vacuum in cross-border e-commerce.

5. The European Union Model: Limiting Party Autonomy to Protect Consumers

The European Union represents the most developed legal system for balancing party autonomy with consumer protection in cross-border transactions. The cornerstone of this model is **Regulation (EC) No 593/2008 (Rome I)**, which introduced a special conflicts regime for consumer contracts.

Under Article 6 of Rome I, a consumer contract is governed by the law of the consumer's habitual residence if the trader pursues or directs activities to that country, even where the contract includes a foreign choice-of-law clause [6; 34–36-b.]. This provision does not eliminate party autonomy but **subordinates it to mandatory consumer protection rules**.

The rationale behind this approach is grounded in the concept of **weaker party protection**, which recognizes that consumers lack real negotiating power and legal sophistication [3; 47–49-b.]. As Symeonides explains, Rome I replaces formal consent with

substantive fairness by preventing corporations from exporting consumers into unfavorable legal systems [7; 90–92-b.].

In parallel, the **Brussels I Recast Regulation (EU No 1215/2012)** ensures that consumers can sue in their home courts, regardless of contractual jurisdiction clauses. Article 18 allows consumers to bring proceedings in the courts of their domicile, and Article 19 severely restricts forum selection clauses against consumers [10; 112–114-b.].

This dual structure — Rome I for applicable law and Brussels I for jurisdiction — creates a **protective legal bubble** around the consumer. Together, they ensure that access to justice is not undermined by contractual manipulation.

6. The Role of the Court of Justice of the EU

The effectiveness of the EU model is reinforced by the jurisprudence of the Court of Justice of the European Union (CJEU). In **Pammer v Reederei Karl Schlüter (C-585/08)** and **Hotel Alpenhof v Heller (C-144/09)**, the Court held that online traders who direct their activities to consumers in another Member State cannot escape consumer jurisdiction rules merely by operating digitally [11; 63–66-b.].

Similarly, in **Amazon EU Sàrl v Verbraucherzentrale Baden-Württemberg (C-191/15)**, the CJEU ruled that standard terms selecting Luxembourg law could not deprive German consumers of their mandatory domestic protections [12; 44–47-b.]. This decision explicitly recognized that choice-of-law clauses in consumer contracts are subject to substantive review.

These rulings confirm that party autonomy is not absolute in consumer contracts. It must yield to the overriding public interest in consumer protection.

7. Digital Platforms as Legal Architects

Digital platforms are not neutral marketplaces. They function as **private legislators** by designing the contractual and legal environment of global trade. Amazon, AliExpress, Booking, and Apple all impose standardized contracts that select foreign laws and jurisdictions, often favoring corporate interests [8; 149–150-b.].

Empirical studies demonstrate that most consumer disputes under €100 are never pursued because cross-border litigation is economically irrational [9; 61-b.]. Thus, legal rights exist only on paper.

Busch describes this as **“procedural injustice”**, where consumers are formally protected but practically powerless [8; 152–153-b.]. Party autonomy becomes a mechanism of corporate forum shopping, not consumer freedom.

8. Uzbekistan: A Legal Vacuum in Cross-Border Consumer Protection

Uzbek law recognizes consumer rights in domestic transactions. The **Law on Consumer Protection** provides guarantees against unfair terms and defective goods. The Civil Code affirms freedom of contract but also recognizes mandatory rules in socially sensitive areas.

However, Uzbekistan’s **private international law** contains no specific consumer conflict-of-laws regime. Foreign sellers can impose foreign law and foreign courts without any effective constraint. Uzbek courts lack explicit authority to disregard abusive jurisdiction or choice-of-law clauses in consumer contracts.

This creates what Basedow calls a **“regulatory black hole”** in global markets [1; 27–28-b.]. Uzbek consumers formally enjoy rights, but transnational traders can contractually neutralize them.

9. Empirical and Doctrinal Findings

The analysis above demonstrates that the interaction between party autonomy and consumer protection in international e-commerce produces a structural imbalance that disproportionately harms consumers, particularly in jurisdictions such as Uzbekistan.

First, empirical evidence confirms that platforms and foreign traders systematically use choice-of-law and jurisdiction clauses to shift disputes into legal environments that are inaccessible for consumers. According to the European Commission's Consumer Scoreboard, the vast majority of low-value cross-border consumer disputes are never pursued because litigation abroad is costly, complex, and disproportionate to the value of the claim [9; 61–63-b.]. In the Uzbek context, where language barriers, unfamiliar foreign legal systems, and high procedural costs exist, this problem is even more severe.

Second, from a doctrinal perspective, the effectiveness of party autonomy depends on informed and voluntary consent. However, digital contracting fundamentally undermines this premise. Empirical studies show that consumers do not meaningfully read or understand online standard terms, including clauses on applicable law and jurisdiction [4; 212–214-b.]. As a result, the legal system continues to treat contractual choice as real, while in practice it is produced by technological design and market power rather than genuine agreement [3; 48–50-b.].

Third, these dynamics lead to a systemic denial of access to justice. Even when Uzbek consumer law provides substantive rights, those rights are rendered ineffective if disputes must be brought in foreign courts under foreign law. This creates what Basedow describes as transnational legal invisibility of consumers, where legal protection exists formally but not practically [1; 27–29-b.].

Taken together, these findings confirm that party autonomy in digital consumer contracts functions less as a mechanism of freedom and more as a mechanism of regulatory displacement. The EU model demonstrates that this imbalance can be corrected through mandatory consumer protection rules that override contractual choices, a lesson that is highly relevant for Uzbekistan's legal reform agenda [6; 34–36-b.; 10; 112–115-b.].

10. Normative Reform Proposals for Uzbekistan

The analysis above demonstrates that Uzbekistan's current private international law framework is structurally incapable of protecting consumers in cross-border e-commerce. This failure is not merely technical but systemic: Uzbek law treats consumer contracts as ordinary commercial contracts, thereby applying the ideology of party autonomy to relationships characterized by profound inequality.

To correct this imbalance, Uzbekistan should adopt a **consumer-specific conflict-of-laws regime** modeled on Article 6 of the Rome I Regulation. Such a rule would provide that, where a foreign trader directs its commercial activities to Uzbekistan, the consumer shall not be deprived of the mandatory protections of Uzbek consumer law by any contractual choice of foreign law [6; 34–36-b.].

This reform would not eliminate party autonomy but would transform it into a **subordinate principle** in consumer contracts. The trader could still choose foreign law, but only insofar as it does not reduce the level of consumer protection guaranteed under Uzbek law.

Furthermore, Uzbekistan should introduce a **consumer jurisdiction rule** similar to the Brussels I Recast Regulation. Uzbek consumers should be allowed to bring claims against foreign sellers in Uzbek courts whenever the trader directs commercial activities to Uzbekistan [10; 113–115-b.]. This would restore effective access to justice.

11. Regulating Digital Platforms as Contractual Gatekeepers

Digital platforms in cross-border e-commerce do not merely facilitate transactions; they **architect the legal and economic environment** in which those transactions occur. Platforms such as Amazon, AliExpress, Booking, and Apple App Store determine how offers are presented, how payments are processed, how disputes are resolved, and most importantly, which law governs the contract. As a result, they exercise **quasi-sovereign power** over global consumer markets [8; 152–154-b.].

Traditional private law doctrine treats platforms as neutral intermediaries. However, empirical and legal research demonstrates that this classification no longer reflects reality. Platforms draft and impose standard terms, control the visibility of sellers, process payments, and operate internal dispute resolution systems that often replace national courts [5; 304–306-b.]. In this sense, platforms function as **private regulators**, creating transnational legal orders beyond the reach of domestic law.

The European Union has begun to recognize this shift. Under the **Digital Services Act (DSA)** and **Digital Markets Act (DMA)**, large online platforms are no longer treated as passive hosts but as entities with **systemic responsibility** for market fairness and consumer protection [13; 45–48-b.]. These instruments impose obligations of transparency, accountability, and due diligence on platforms that control digital marketplaces.

From a private international law perspective, this development is critical. If platforms determine the contractual environment, they should also bear legal responsibility for the consequences of that environment. Allowing platforms to impose foreign law and jurisdiction on Uzbek consumers without accountability effectively permits them to engage in **regulatory escape**.

Uzbekistan should therefore introduce a legal doctrine of **platform co-responsibility** in cross-border consumer contracts. Where a platform controls payment, terms, and dispute resolution, it should be deemed a contracting party or at least a legally responsible intermediary. This would prevent platforms from hiding behind formal seller identities while shaping the legal reality of transactions.

12. Theoretical Implications for Private International Law

The findings of this research challenge the foundational assumptions of private international law. The classical model is based on three premises: contractual equality, informed consent, and rational choice. In the context of digital consumer markets, none of these premises hold.

Consumers are structurally weaker than global platforms and multinational sellers. They do not negotiate terms, they do not choose applicable law, and they do not meaningfully understand jurisdiction clauses. What appears as party autonomy is, in reality, a **form of algorithmically enforced compliance** [4; 212–214-b.].

This leads to a fundamental theoretical shift: party autonomy can no longer be treated as a neutral principle of freedom. In digital markets, it functions as a **mechanism of private power**. As Micklitz observes, modern consumer law must therefore move from a paradigm of

autonomy to a paradigm of **relational justice**, where the law intervenes to correct structural imbalances [5; 307–309-b.].

For private international law, this implies the rise of **protective conflicts rules**. Instead of asking which law the parties chose, the legal system must ask which law provides adequate protection for the weaker party. This represents a move from formalism to substantive justice.

The EU's Rome I Regulation exemplifies this transformation by subordinating choice of law to consumer protection. Uzbekistan must follow this theoretical evolution if it wishes to integrate into the global digital economy without sacrificing its citizens' rights.

13. Conclusion: Re-conceptualizing Consumer Sovereignty in the Digital Age

The ultimate question raised by this research is not merely technical but normative: **who governs digital markets?** If party autonomy and platform contracts determine all legal outcomes, then private corporations effectively replace states as regulators of consumer relationships.

This creates what scholars describe as a **“privatization of law”**, in which corporate terms override democratically enacted consumer protection statutes [1; 29–31-b.]. In such a system, consumers lose not only legal protection but also political agency.

Re-conceptualizing consumer sovereignty requires restoring the role of national law as the guarantor of minimum standards. In the Uzbek context, this means ensuring that no foreign platform or seller can deprive Uzbek consumers of their statutory rights through contractual design.

This does not imply economic isolationism. On the contrary, strong consumer protection increases trust in digital markets and promotes sustainable cross-border trade [9; 64–66-b.]. The EU experience demonstrates that limiting party autonomy in consumer contracts does not hinder e-commerce; it legitimizes it.

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