

Legal Mechanisms in Ensuring Consumer Rights and their Practical Application in Uzbekistan

Xasanov Boburbek Utkir o'gli

4-kurs, Berdaq nomidagi Qoraqalpoq Davlat Universiteti Yuridika fakulteti

Boburbek Khasanov Utkir ugli

4th-year student, Karakalpak State University Named After Berdakh Faculty of Law

Abstract: Today's consumer is not just a buyer, but a participant in legal relations, a social subject who knows and demands protection of their interests. In a society where his rights are guaranteed, justice, trust, and stability reign. This article is dedicated to the legal support and practical application of consumer rights in the Republic of Uzbekistan and analyzes the basic principles of legislation, the activities of existing institutions, and real-life conflicts. New legal needs arising against the backdrop of the developing e-commerce environment and digital transformation are highlighted, and ways to improve national mechanisms based on international experience are proposed. This research encourages viewing consumer rights not only as a theoretical but also as a practical value

Keywords: Consumer rights, legal mechanisms, legal protection, law, e-commerce, advertising, buyer, license.



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ENTRANCE

Currently, with the expansion of the market economy system in the countries of the world, the issue of consumer protection is becoming increasingly relevant. This issue plays an important role not only in ensuring economic stability, but also in strengthening the legal awareness of citizens, social justice, and trust in the state. Therefore, in the legislation of modern legal states, mechanisms for the legal protection of consumer interests occupy a special place.

In the Republic of Uzbekistan, a legal framework has been created in this area, and consumer rights are regulated by the Law "On Protection of Consumer Rights," the Civil Code, the Law "On Electronic Commerce," and other regulatory legal acts. It is in Article 1 of the Law "On Protection of Consumer Rights" that a consumer is defined as an individual who purchases goods, uses services, or has such an intention without the intention of making a profit. This means that legal entities do not have consumer status. In legal relations, the consumer is usually considered a "weak party," and therefore, preference is given to them in contractual rights.

In practice, violations of consumer rights, in particular, low-quality products, incorrect or misleading advertising, violation of warranty obligations, and legal ambiguities in the e-commerce environment, are frequently encountered. For example, the consumer should have the right to receive complete and reliable information about the product or service, which requires the provision of accurate information about the manufacturer's legal address, trademarks, and terms of sale and service.

This article aims to provide an in-depth analysis of the legal mechanisms ensuring consumer rights in the Republic of Uzbekistan, identify real problems in practice, study international experience, and make proposals for improving national legislation. Thus, it is planned to identify ways to increase legal awareness and comprehensively protect the interests of modern consumers.

LITERATURE REVIEW

In this scientific article, national and international sources on the legal protection of consumer rights were analyzed. The main legal basis in this direction in the Republic of Uzbekistan is the Law "On Protection of Consumer Rights" (dated 26.04.1996, No. 221-I). This normative document legally regulates such issues as the basic rights and obligations of the consumer, the quality of goods and services, guarantees, and compensation for losses, and the article analyzes this law as the main source.

In addition, the Civil Code of the Republic of Uzbekistan (01.03.1997) defines the contractual and legal basis of consumer relations, liability for defects in products, and the procedure for compensation for losses. Some articles of this Code also address issues related to the consumer's property and personal rights.

The Law "On Electronic Commerce" (dated 29.09.2022, No. 3PY-792) serves as an important legal basis for the protection of consumer rights in the modern digital economy, especially in the field of remote contracts, information transparency, and electronic document management. This law clarifies the rights and obligations of e-commerce participants and defines the consumer's rights to digital security.

Babayeva J.I.'s textbook "Protection of Consumer Rights on the Internet" (TSUL, 2024) is of particular importance as a theoretical source. It presents proposals based on the legal status of consumers in e-commerce and digital platforms, addressing problems and drawing from international practices. This manual is developed using modern approaches and strengthens the theoretical foundation of the scientific article. The review of this literature demonstrates that significant regulatory frameworks and state institutions for ensuring consumer rights have been established in Uzbekistan. However, legal gaps exist in certain areas, particularly in e-commerce, advertising oversight, and judicial practice. The analysis of these gaps will be presented in subsequent sections of the article.

RESEARCH METHODOLOGY AND EMPIRICAL ANALYSIS

In a market economy, the protection of consumer rights and interests is one of the priorities of state policy, and this issue is relevant not only at the national level, but also at the international level. In particular, against the backdrop of globalization, the expansion of digital trade, and increased competition in the consumer goods market, the consumer - as a weakness of economic relations - requires special legal attention.

In the Republic of Uzbekistan, a regulatory framework for ensuring consumer rights has been formed, and the Law "On Protection of Consumer Rights," adopted on April 26, 1996, serves as the main legal source in this area. Along with this law, the Civil Code, the Laws "On Advertising," "On Electronic Commerce," as well as a number of by-laws play an important role in regulating relations between the consumer and the seller.

The legislation provides a clear definition of the concept of "consumer," according to which an individual who purchases goods, orders work or services to satisfy personal, family, household, or other needs without the purpose of obtaining profit is recognized as a consumer. This approach, taking into account the consumer's weak position in economic relations, gives them legal priority.

Thus, in modern socio-economic conditions, legal protection of consumer rights is an important factor in protecting the constitutional interests of citizens, forming a fair competitive environment, and creating a system of healthy economic relations. The structure of these rights, their practical application, and existing problems are discussed below.

According to the Law of the Republic of Uzbekistan "On Protection of Consumer Rights," adopted on April 26, 1996, consumers have a number of fundamental rights, among which is the right to receive accurate and complete information about goods, works, or services. Consumers also have the right to freely choose goods or services and demand quality. They can also ask for the safety of the product or service they are purchasing.

The consumer has the right to demand full compensation if the product or service has a defect that is dangerous to life, health, or property, or if the damage was caused by unlawful actions by the manufacturer, contractor, or seller. In addition, in case of violation of rights, consumers have the opportunity to appeal to the court or authorized state bodies. Consumers can also organize public associations.

For socially vulnerable groups, legislation may provide benefits in the sphere of trade and services.

Manufacturers and sellers are obliged to provide consumers with accurate information about the name, location, and operating procedures of their enterprises. This information is provided through tabs, icons, or other means. Consumers should also be fully informed about the rules of trade and service. Information is provided in the state language and, if necessary, can be provided in other languages. It is also necessary to provide consumers with timely, accurate, and understandable information about the goods or services being sold. This information is conveyed through labels, stamps, technical documentation, or other official sources.

The state guarantees the protection of consumer rights in the process of purchasing and using goods, works, and services. This protection is provided through government bodies, courts, and specially authorized state bodies. Consumers have the right to apply their claims as a priority in contractual relations with the seller or manufacturer.

Local authorities play an important role in organizing the protection of consumer rights, ensure compliance with legislation, interact with authorized state bodies and public associations, and consider consumer appeals.

The Agency for the Protection of Consumer Rights under the Antimonopoly Committee of the Republic of Uzbekistan and its territorial bodies, implementing a unified state policy in the field of consumer protection, perform the following functions: coordination of the activities of state bodies, organization of control purchases, control over compliance with legislation, inspection of business entities in case of violations, issuing instructions to eliminate violations and assisting in applying to the court.

In accordance with Article 26 of the Law "On Protection of Consumer Rights," control over the safety and quality of goods, works, and services is entrusted to the Uzbek Agency for Technical Regulation under the Ministry of Investments and Foreign Trade, the Ministry of Health, the Ministry of Construction, the State Committee for Ecology and Environmental Protection, and other authorized bodies. They establish and monitor compliance with mandatory safety and quality requirements, issue instructions to stop the production and sale of low-quality products in case of violation, withdraw them from consumers, and file lawsuits with the courts regarding

violated requirements.

Also, the Law of the Republic of Uzbekistan dated September 29, 2022 No. 3PY-792 "On Electronic Commerce" clearly defines the legal status of e-commerce participants - seller and buyer. The seller, as a legal entity or individual, carries out retail and/or wholesale sales of goods, services, or works, and the buyer is the entity purchasing these products on the electronic trading platform. The law stipulates that no additional requirements or restrictions may be imposed on the entrepreneurial activity of an e-commerce participant without the use of information systems.

The seller has the right to place offers in e-commerce, conclude contracts, create an electronic trading platform, and transfer electronic documents to storage operators. At the same time, it is obliged to comply with the requirements of the legislation, provide complete information about products and services, keep electronic documents within the framework of the law, and not sell goods withdrawn from circulation or restricted. After state registration of the seller's activities, they carry out activities on the basis of the necessary licenses or permits.

By concluding contracts, the buyer has the right to purchase products or services, receive complete information about them, demand equal participation, and protect their rights. It must also provide the necessary documents and payment details for concluding the contract in accordance with the legislation.

These legal mechanisms will strengthen the legal protection of participants in the field of e-commerce and contribute to the development of digital commerce.

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Control over the safety and quality of goods, works, and services is carried out by the Uzbek Agency for Technical Regulation under the Ministry of Investments and Foreign Trade of the Republic of Uzbekistan, the Ministry of Health, the Ministry of Construction, the State Committee for Ecology and Environmental Protection, and other authorized bodies. They establish and monitor compliance with mandatory safety and quality requirements, give instructions to stop the production and sale of low-quality products in case of violation, withdraw them from consumers, and file lawsuits with the courts regarding violated requirements.

Every year on March 15, World Consumer Rights Day is widely celebrated around the world. Since 1983, this date has been celebrated in various forms in more than 130 countries, confirming the importance of consumer rights protection at the international level. The historical roots of World Consumer Rights Day go back to the speech of US President John F. Kennedy on consumer rights in 1962. In it, for the first time, the four priority consumer rights - access to information, security, choice, and hearing - were announced to the general public.

In 1983, this day was officially established by the United Nations, and in 1985, the UN General Assembly legally enshrined the principles of consumer protection. At the same time, the activities of non-governmental organizations in the sphere of consumer protection also played an important role. The International Consumers Association (Consumers International) was founded in 1960 and currently includes more than 200 organizations from more than 100 countries. This association promotes the basic principles of consumer protection, such as access to information,

safety, choice, hearing, compensation for damages, a healthy environment, consumer culture, and meeting primary needs.

In Uzbekistan, the system of consumer protection is constantly being improved. The Constitution of the country guarantees the priority of consumer rights in economic activity, and in 1996, a law on the protection of consumer rights was adopted. With the emergence of new jobs, services, and goods, legislation has been constantly updated, and new mechanisms regulating the relationship between the consumer and the seller have been introduced. In particular, the consumer was granted the right to prioritize their claims in contractual relations, manufacturers and sellers were required to provide complete and accurate information about goods in the state language, and the inclusion of terms restricting consumer rights in the contract was prohibited.

In 2019, by Presidential Decree, the Agency for the Protection of Consumer Rights was established under the Antimonopoly Committee of the Republic of Uzbekistan, whose main tasks include the development and implementation of a unified state policy in the field of consumer protection and regulation of the advertising market, increasing consumer literacy of citizens, strengthening state control, and monitoring the safety and quality of goods.

As a result of the agency's activities, numerous cases of consumer rights violations were identified, and measures were taken to eliminate them. In recent years, more than 25,000 consumer appeals have been reviewed, and in 81 percent of cases, they have been resolved in favor of consumers. As a result of the work carried out on defective goods, shortcomings worth a billion soums were eliminated. In addition, the rights of an indefinite number of consumers were protected, and the legal rights of more than 2 million citizens were restored.

Thus, the national system of consumer protection is being formed in accordance with modern requirements and is developing on the basis of international standards. This serves to effectively protect the economic rights and interests of citizens.

CONCLUSION AND DISCUSSION

Ensuring consumer rights is not limited to simply assisting a person who has expressed dissatisfaction with a product or service. This is an integral part of the legal system that ensures justice, trust, and a stable economic environment in society as a whole. This article thoroughly examines the legal mechanisms aimed at ensuring consumer rights in the Republic of Uzbekistan, their role in international and domestic experience, as well as existing problems and proposals.

Firstly, consumer rights are legally enshrined through the Law of the Republic of Uzbekistan "On Protection of Consumer Rights," the Civil Code, the Law "On Electronic Commerce," and other regulatory legal acts. Nevertheless, their full practical application creates a number of problems, especially in the judicial and legal system and the e-commerce environment.

Secondly, international experience shows that for the effective protection of consumer rights, state control, the participation of civil society, independent figures (arbitration, mediation), and the coordinated functioning of modern digital platforms are important. Although Uzbekistan has implemented significant reforms in this area, some legislative norms have not been fully implemented, and effective mechanisms for free access to information and prompt compensation for losses are insufficient.

Thirdly, the fact that the amount of damage caused to consumers in Uzbekistan and the number of appeals are increasing year by year shows that the legal literacy of the population, the culture of protesting, and the level of trust in this area are also growing. This requires further reform of legal mechanisms, bringing them into line with international standards, and most importantly - the formation of a system that will earn the trust of the population.

Therefore, today in the protection of consumer rights in Uzbekistan, it is possible to achieve

genuine guarantees of consumer interests not only by strengthening the legal framework, but also by ensuring its full functioning in practice, involving civil society, legal regulation of problems in the field of e-commerce and advertising, and adapting international experience.

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