

THE CONTENT OF THE REFORMS CARRIED OUT IN THE FIGHT AGAINST MONOPOLY

Sharakhmetov Shakhrukh Shaturgunovich
Chairman of the Antimonopoly Committee of the Republic of Uzbekistan

ANNOTATION:

This article provides detailed information on the ongoing reforms in the fight against aging and their essence:

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Antimonopoly Committee in a modern format:

Founded in 2019. It is the only state antitrust authority in New Uzbekistan. It should be noted that the Committee on Demonopolization and Development of Competition under the Ministry of Finance of the Republic of Uzbekistan was established in 1996 by the Decree of the President of the Republic of Uzbekistan, and in 2021 our Committee celebrated its quarter-century activity.

Over the past 25 years, the Committee has come a long way, rich in complex and thus interesting changes. The structural changes that took place and each stage of development were in line with the reform requirements of that period. For example, in 2000 it was separated from the Ministry of Finance as the State Committee with the power to regulate antitrust. In 2005, in accordance with the Decree of the President of the Republic of Uzbekistan, the antimonopoly body was reorganized and given new powers in order to develop and support competition, small and private entrepreneurship. In 2010, as a result of the merger of the two government agencies, another change took place in the Committee, and in the same year the Competition Law was adopted.

The latest developments in 2019-2020 also depend on the demands of the times. The reforms launched under the leadership of President Islam Karimov called for significant changes in the economy. The Committee is accountable to the Senate of the Oliy Majlis of the Republic of Uzbekistan and the President of the Republic of Uzbekistan. I consider this to be a major step forward in the development of the field of antitrust policy and in fulfilling the tasks assigned to the Committee.

Speaking about the achievements of the Committee, a systematic analysis of the competitive environment in commodity and financial markets in 2021 alone, the prevention and prevention of abuse of power, "cartel" agreements and collusion, unfair competition by businesses since the beginning of this year. Since then, 897 direct contracts with leading enterprises and 102 business entities included in the state register have been studied. As a result, a special commission of the Committee initiated proceedings in 25 cases. In order to ensure competition in the field of public procurement, 11,340 tenders were studied and 4,887 cases of violations were identified, and all legal measures were taken to eliminate them.

It was also possible to reduce prices for several monopoly goods. For example, formalin by 20%, polyethylene by 40%, polypropylene by 15%, and soda ash by 18%. At the same time, seed certification was reduced by 18%, meter inspections by 6%, and rail template comparisons by 15%.

In the interests of business entities, 29 entrepreneurs were able to recalculate the

previously calculated 2 billion 147 million 100 thousand soums by reducing the cost of fiber-optic lines through the underground collector by 50%.

It should be noted that in order to ensure the stability of prices for cement products, the Committee, in cooperation with relevant ministries and departments, on July 23, 2020 developed and adopted Resolution No. 450 of the Cabinet of Ministers. It set a limit on the amount of cement that can be purchased by one entrepreneur at exchange trades (114 tons). As a result, the price of cement in September 2020 fell to 663.5 thousand soums (-268.3 thousand soums).

One of the economic tasks in the strategy of action is to create an effective competitive environment for sectors of the economy and the gradual reduction of monopolies in the market of goods and services. In this regard, the Committee, together with the relevant ministries and departments, as well as foreign experts, has developed a new draft law by combining the laws of the Republic of Uzbekistan "On Competition" and "On Natural Monopolies" in order to radically improve the mechanism of creating a competitive environment. Proposals have also been developed to ensure and develop access to the private sector in monopoly areas where there are opportunities to create a free competitive environment.

In general, the goals and objectives in this regard are clearly stated in the Presidential Decree of July 6, 2020 "On additional measures to further develop the competitive environment and reduce state participation in the economy." Another important point. The decree approved the "Strategy for the development of competition in commodity and financial markets for 2020-2024", developed by the Antimonopoly Committee to prevent the restriction of competition and the introduction

of tools to eliminate the transition of natural monopolies to a competitive market.

To address this problem, the Antimonopoly Committee analyzed the state of the competitive environment in 8 leading sectors of the economy and developed roadmaps to increase competition in the market of air and rail transport, as well as the production of ferrous metals.

If we talk about the development of a competitive environment in the field of air transport, the Action Strategy envisages the approval of "open skies" programs in all regions of the country, as well as the introduction of private sector access to air transport and the creation of affordable national flights. It should be noted that in order to support civil aviation enterprises in the context of the coronavirus pandemic, the President issued a decree simplifying the procedure for obtaining permits for catering, service and retail activities at airports and allowing all types of passenger vehicles at international airports. .

In the railway sector, the possibility of private carriers entering the market of railway transport services with their own vehicles is being considered.

In general, the demonopolization of railway services is also envisaged.

The committee conducted an analysis of the vegetable oil market in the summer. It studied the volume of technical seeds delivered to the exchange trades by cotton-textile-clusters.

As a result of the measures taken, 34 cotton and textile clusters were prosecuted for collusion in the initial prices of technical seeds at the exchange trades, as well as violations of competition legislation. As a result, on May 10-12 this year, cotton and textile clusters lowered the starting price, the average selling price was around 3.4 million soums, while the starting price of seeds was reduced by 39% to 31%.

There is also an example of misuse of trademarks, in which the rights of Toyota Jidosha Kabushiki Kaisha are protected.

There are also "permanent violators" of unfair competition law. This situation is more common in the pharmaceutical industry. Relatively more than 10 appeals were received from them. The applicants were mainly foreign farm companies Sanofi-Aventis Deutschland GmbH (France / Germany), BAYER AG (Germany), GSK (UK), BIONORISA SE (Germany), Biotact (Germany), OOO "Yuriya-Farm" (Ukraine). can be quoted.

Natural monopoly is a situation in the commodity market in which it is impossible to create a competitive environment to meet the demand for certain types of goods (works, services) due to increased production costs due to technological features, or it is not economically feasible to create such conditions. According to the current legislation, natural monopolies - oil transportation, pipeline supply of oil and gas products, development and supply of electricity and heat, railway infrastructure, rail freight, postal services, drinking water and sewerage services, air navigation, port and airport services. Due to limited competition in the listed areas, the Committee is tasked with overseeing them.

To give examples, 200 billion soums were recalculated to entrepreneurs due to misuse of tariffs in the oil and gas sector.

In addition, the prices for energy resources used to support family businesses were equated with the tariffs set for the population, as well as the recalculation of 1.5 billion soums to entrepreneurs, which was considered unreasonable for utilities.

In the field of air transport, the Committee has also done some significant work. In particular, our organization has provided a single tariff for domestic carriers (Humo Air, Qanot Sharq, Uzbekistan Airways). At the same time, AO Uzbekistan Airports has

provided 11 additional paid services to passengers free of charge.

Until September 2019, the direction of consumer protection and regulation of the advertising market was carried out in the department of the same name of the Antimonopoly Committee. However, the scope of goals and objectives in this area, the volume of turnover from consumers of goods and services required the creation of a competent state body to implement a single state policy and coordinate the activities of organizations in the field of consumer protection and regulation of the advertising market.

On September 11, 2019, in accordance with the Decree of the President of the Republic of Uzbekistan "On measures to radically improve the legal and institutional system of consumer protection", the Agency for Consumer Protection was established under the Antimonopoly Committee.

Although the agency is still young, I believe that significant work has been done in key areas. For example, a "control procurement" system has been introduced to ensure control over the safety and quality of goods. Thus, over the past period, 143 products were inspected, 35 of which were found to be non-compliant with technical standards. As a result, 10 product certificates were revoked.

The volume of work on solving consumer problems, especially in a positive way, has increased 10 times compared to previous years. Thus, since the establishment of the Agency, about 37 thousand consumer complaints have been considered, which during the study amounted to 9.6 million. consumer rights have been restored, as well as 185 billion in favor of consumers. Soums were also reimbursed.

For example, consumers complained to the Agency that the leasing company did not release the ordered car on time or provided another car at a reduced price without

recalculating in favor of the payer. If the first application of a deceived consumer for car rental with the right of subsequent purchase was received in January last year, today the number of consumers affected by the activities of unscrupulous businesses is 1,300. The agency has managed to protect consumer rights and recover more than \$ 9 billion in damages. In particular, the analysis of consumer statistics for the Agency in the last autumn-winter period showed that consumer problems in the field of heat supply in multi-room apartment houses came to the fore. In the capital alone, there are about 400 complaints from residents about the lack of heating in their homes. The Agency ordered Toshissiqquvati to recalculate payments for services not provided. Within the framework of this order, the State Unitary Enterprise Toshissiqquvati has so far provided 8.1 billion soums for heat supply to 85,272 subscribers of multi-storey buildings in four districts of Tashkent for November-December 2020. soums were recalculated.

Or in July 2019, UNITEL LLC announced a promotion to connect subscribers to the "Be Aware" service for a free promo (10 and 30 days). This promotion was intended for subscribers who are not connected to this service. However, at the end of the free period, the service was not automatically deactivated, but was charged at 240 soums / day according to the approved prices. In total, more than 3.2 million subscribers were connected under this promotion, of which 1.2 million independently disconnected the service. As of May 2020, almost 1.3 million subscribers continued to connect to this service. The case initiated by the agency lasted for 9 months (March-November 2020) and was resolved in favor of consumers and amounted to 35.8 billion. More than UZS were returned to the company's subscribers.

In order to raise consumer awareness, as well as to work closely with them and solve their problems quickly, a special website consumer.uz, a hotline "1159", a feedback system, telegram-bots and others were created.

As part of the monitoring of price increases, official warning letters were sent to 8.6 thousand pharmacies, 5674 pharmacies were monitored. Investigations and research conducted in 264 pharmacies have shown that 21 mln. soums overpaid. Telegram Messenger has developed and launched the @dorinarx_bot bot, which provides information on COVID-19 and medications used to treat seasonal flu, including the maximum retail prices of medications.

In order to protect the rights of consumers, an inventory of 107 existing regulations was conducted, 147 draft documents on their impact on consumers were evaluated, relevant conclusions and recommendations were given. 14 draft documents on improving the protection of consumer rights have been developed, 4 of which have been adopted, and 2 bills are being considered in the Legislative Chamber of the Oliy Majlis.

Public opinion polls were conducted among 19,500 participants to assess the level of consumer protection in the field of transport, communications, trade, construction, medical services, the results of which included analytical information and recommendations to the Cabinet of Ministers and relevant ministries and departments.

In the future, it is planned to develop and approve the National Strategy of the Republic of Uzbekistan on consumer protection. Efforts to increase the consumer culture of the population will also be intensified. It is planned to prepare proposals to optimize the powers of government agencies to prevent possible conflicts in the implementation of functions related to the

protection of the rights and interests of both consumers and businesses. Work is underway to improve the legal framework and organizational infrastructure of the consumer protection system.

In order to carry out this task, the ICRC has developed a methodology for assessing the impact of legislation on competition, based on the recommendations of the Organization for Economic Cooperation and Development (OECD), based on the principles of Ex-ante and Ex-post. The first principle assesses the impact of a draft regulatory document (ND) on competition; the second is to assess the impact of existing (current) MHHs on competition. Based on this methodology, the Antimonopoly Committee reviews both projects developed and adopted by ministries and departments, as well as local public authorities (khokimiyats), as well as existing (current) MHCs.

For information: In 2019-2020 and the first half of 2021, the Committee and its regional departments adopted 1,678 different types of MHC projects, of which in 653 cases (38.9%) were found to be contrary to the requirements of the competition law. Based on all the facts, conclusions were made on the exclusion of norms that contradict the legislation from the draft MHH.

In addition, during this period, the AMC and its territorial departments identified 2,407 violations of the law in existing documents and decisions adopted by ministries and departments, as well as local authorities, and eliminated the violations.

In addition, the Committee will work closely with the antitrust authorities of the CIS countries in the framework of memorandums of understanding and cooperation signed with them in the development of competition policy.

LIST OF REFERENCES:

- 1) The Constitution of the Republic of Uzbekistan. - T.: Uzbekistan, 2021. - Page 5.
- 2) Mirziyoev Sh.M. The Constitution is a solid foundation for our free and prosperous life, for the further development of our country. Speech at the solemn ceremony dedicated to the 25th anniversary of the adoption of the Constitution of the Republic of Uzbekistan // People's speech. - 2017. - 8 dec.
- 3) Bulletin of the Supreme Council of the Republic of Uzbekistan, 1992. No. 9, Article 344.
- 4) Bulletin of the Oliy Majlis of the Republic of Uzbekistan. 1997. № Article 226.
- 5) Bulletin of the Oliy Majlis of the Republic of Uzbekistan. 1998. No. 3 Article 38.