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EX-ANTE REGULATION AND PROHIBITED PRACTICES CATALOGUE FOR DIGITAL PLATFORM MARKETS: A POLICY DESIGN APPROACH FOR UZBEKISTAN

Asadulla Qayumov
Independent Researcher, Banking and
Finance Academy of the Republic of Uzbekistan

Abstract
This article develops a policy design approach for improving rules that prohibit the abuse of dominant position in digital platform markets in Uzbekistan. The research is based on the dissertation topic concerning dominant digital platforms, network effects, data control, ecosystem dependency and anticompetitive platform conduct. The paper argues that the traditional approach to dominance assessment, which relies mainly on market share or turnover, is insufficient for digital markets because platform power is created through multi-sided interactions, behavioural defaults, data accumulation, switching costs and gatekeeper functions. The aim of the article is to design a structured ex-ante regulation model and a catalogue of prohibited practices that may be applied to large digital platforms without creating excessive administrative burdens for smaller innovators. The methodology combines comparative legal analysis, qualitative coding of foreign enforcement cases and institutional modelling. The results show that Uzbekistan needs a differentiated model that classifies platforms by service type, market dependence, user scale and risk level. The proposed catalogue covers self-preferencing, tying and bundling, anti-steering restrictions, default-setting abuse, exclusivity, discriminatory access to data, interoperability barriers and algorithmic discrimination. The article also proposes an ex-ante

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notification system, compliance audit, inter-agency information exchange and proportional enforcement tools. The study contributes to digital competition policy by adapting international experience to the institutional realities of a developing digital economy.

Keywords: Digital platforms, dominance, abuse of dominant position, ex-ante regulation, prohibited practices, self-preferencing, data control, Uzbekistan.

1. Introduction

Digital platforms have become a core infrastructure of modern economic exchange. Marketplaces, search engines, app stores, social networks, payment systems, mobility aggregators and cloud services connect different groups of users and create new opportunities for commerce, communication and innovation. However, the same features that make platforms efficient may also strengthen market power. The accumulation of user data, direct and indirect network effects, default settings, ecosystem lock-in and dependence of business users on platform access may transform a successful intermediary into a gatekeeper that is able to influence adjacent markets.

In traditional competition law, dominance is usually assessed through market share, revenue, substitution possibilities and entry barriers. These indicators remain important, but they do not fully capture the dynamics of digital markets. A platform may provide a service for free, but still obtain market power through attention, data and advertising. A platform may have no direct price increase, but can restrict competition through ranking algorithms, pre-installation, tying, interoperability barriers or exclusionary contractual terms. Therefore, the legal and economic analysis of dominant digital platforms requires a more complex framework.

The relevance of this article is connected with the growth of digital services in Uzbekistan and the need to modernise competition regulation. The development

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of national digital platforms creates benefits for consumers and small businesses, but it also raises questions about fair access, transparent ranking, equal treatment of business users and prevention of anticompetitive conduct. The policy challenge is to create rules that prevent abuse by powerful platforms while preserving incentives for innovation and investment.

The purpose of this article is to develop a policy-oriented model for ex-ante control and a catalogue of prohibited practices for digital platform markets in Uzbekistan. Unlike an ex-post approach, which reacts after harm has occurred, ex-ante regulation aims to identify risks earlier and to impose transparency or conduct obligations on platforms that meet specific criteria. This does not mean that every platform should be regulated in the same way. Instead, regulation should be proportional, risk-based and differentiated by platform type.

The article is structured according to the IMRAD logic. The introduction explains the research problem and the need for special rules in digital platform markets. The materials and methods section describes the comparative and institutional methods used in the study. The results section presents a classification of platforms, a prohibited practices catalogue, an ex-ante notification model and a monitoring mechanism. The discussion section evaluates the policy implications and risks of implementation in Uzbekistan. The conclusion summarises the main scientific and practical results.

2. Literature Review and Conceptual Background

The economic literature on platforms shows that multi-sided markets differ from ordinary one-sided markets because value is created through interaction between several groups of users. The classical theory of two-sided markets emphasises that pricing, participation and market power must be analysed with regard to cross-group externalities. Later studies of platform strategy developed the idea that platforms become more valuable when more participants join them, thereby creating a feedback mechanism that may lead to concentration.

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Network effects are one of the main sources of digital platform power. Direct network effects arise when the value of a service increases with the number of users on the same side of the platform, while indirect network effects arise when growth on one side increases the value for another side. For example, more buyers attract more sellers, more app users attract more developers, and more search users generate more data for targeted advertising. When these effects are strong, new entrants face higher barriers even if their technology is competitive.

Data control is another structural feature of digital dominance. Platforms collect, process and combine large volumes of behavioural, transactional and location data. This information may improve service quality, personalisation and fraud prevention, but it can also strengthen incumbent power. Data advantages are particularly important when the platform competes with its own business users or uses data obtained from dependent firms to enter adjacent markets.

A further issue is ecosystem dependency. Some platforms do not operate only one service; they build ecosystems that combine operating systems, app stores, payment tools, advertising networks, maps, cloud services and digital identity solutions. In such ecosystems, switching to an alternative service may require losing data, contacts, ratings, payment history or access to customers. This creates switching costs and reduces multi-homing, meaning that users and firms cannot easily participate in several competing platforms at the same time.

International practice has responded to these features through a combination of competition enforcement and sector-specific digital market rules. The European Union Digital Markets Act establishes obligations for gatekeepers in core platform services. The United Kingdom Digital Markets, Competition and Consumers Act introduces a strategic market status regime. Other jurisdictions, including India, Turkey and Russia, have also examined digital platform practices through competition cases involving search, app stores, operating systems and default restrictions.

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For Uzbekistan, the conceptual lesson is that digital competition policy should not mechanically copy foreign rules. The national framework must consider the size of the domestic market, the number of local platforms, the role of global services, administrative capacity and the need to avoid barriers for start-ups. Therefore, the policy model should focus on the platforms that create systemic risks, while maintaining a predictable and innovation-friendly environment.

3. Materials and Methods

The research uses a mixed qualitative methodology. First, comparative legal analysis is used to identify how different jurisdictions define gatekeeper power, special responsibility and prohibited practices in digital markets. The analysis focuses on the logic of ex-ante obligations, not on direct transplantation of foreign law. Second, institutional analysis is used to evaluate whether the proposed measures can be implemented within Uzbekistan's competition and digital governance system.

Third, the study applies qualitative coding of anticompetitive practices. The main categories of conduct are identified from digital market cases and regulatory documents: self-preferencing, tying and bundling, anti-steering, default-setting restrictions, exclusivity, refusal to provide interoperability, discrimination in data access and algorithmic ranking bias. Each category is assessed by its mechanism of harm, affected market participants and possible regulatory response.

Fourth, the study relies on a policy design method. This method is appropriate because the article does not only describe existing regulation, but also proposes a structured model for national implementation. The proposed model includes threshold screening, risk scoring, ex-ante notification, compliance reporting, inter-agency information exchange and proportional enforcement. This sequence is intended to ensure that intervention is based on evidence and risk rather than on formal platform size alone.

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The methodological limitation of the research is that the article does not estimate a full econometric regression for all platform markets because comparable official data on all relevant digital platforms are limited. Instead, it uses the DMI logic as a monitoring framework that can be connected to empirical estimation when official platform-level data become available. This is consistent with the policy objective of creating a tool that can function before full judicial enforcement is required.

Table 1. Comparative logic of ex-ante digital platform regulation

Element	European Union model	United Kingdom model	Implication for Uzbekistan
Regulatory trigger	Gatekeeper status in core platform services	Strategic market status based on substantial and entrenched market power	Use platform type, user dependence and risk indicators jointly
Regulatory style	Predefined obligations and prohibitions	Tailored conduct requirements and pro-competition interventions	Combine general prohibited practices with case-specific duties
Key objective	Contestability and fairness in digital markets	Open choice, competition and consumer protection	Protect business users and consumers without blocking innovation
Institutional requirement	Strong data collection and enforcement capacity	Digital markets unit and investigatory powers	Develop an inter-agency monitoring mechanism

Source: developed by the author based on comparative analysis of digital competition regulation.

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4. Results

4.1. Differentiated classification of digital platforms

The first result of the study is that digital platforms should not be regulated as a single homogeneous category. A universal threshold may be convenient, but it may produce two risks. On the one hand, it may fail to capture a platform that has a strategic gatekeeper function despite moderate turnover. On the other hand, it may impose excessive obligations on a platform that is large in absolute numbers but does not control access to an essential digital channel.

A more balanced approach is to classify platforms by service type and market function. For example, a search engine affects visibility and traffic allocation; an app store affects access to software distribution; a marketplace affects access to customers and transaction rules; a social network affects attention and advertising; a payment platform affects transaction infrastructure; a mobility aggregator affects local service providers and pricing algorithms. Each type of platform creates a different risk profile.

The classification should also distinguish between local and global platforms. Global platforms may have significant data and ecosystem advantages even if their local corporate presence is limited. Local platforms may have strong dependence relationships in specific national market segments. Therefore, the regulatory model should use functional indicators: number of end users, number of business users, indispensability for market access, control over data, ability to affect ranking or transaction conditions and integration with adjacent services.

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Table 2. Platform types and key competition risks

Platform type	**Gatekeeper function**	**Main risk indicators**	**Possible regulatory focus**
Marketplace	Access to buyers and transaction infrastructure	Business user dependence, commission changes, ranking rules	Fair ranking, anti-steering, access to seller data
Search and advertising	Visibility and traffic allocation	Search share, ad data concentration, self-preferencing	Transparency of ranking and advertising metrics
App store and operating system	Software distribution and device defaults	Pre-installation, payment tying, app review discretion	Alternative app access, payment freedom, non-discrimination
Social network	Attention, identity and communication infrastructure	Network effects, data combination, ad targeting	Data portability, ad transparency, user choice
Payment and fintech platform	Transaction execution and settlement access	Merchant dependence, data access, interoperability	Non-discriminatory access and transparent fees
Mobility aggregator	Access to local demand and algorithmic matching	Driver dependence, pricing algorithm, unilateral terms	Transparent conditions and appeal procedures

Source: developed by the author based on comparative analysis of digital competition regulation.

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4.2. Catalogue of prohibited practices

The second result is the need to develop a catalogue of prohibited practices for dominant digital platforms. Such a catalogue performs three functions. First, it provides legal certainty for platforms by identifying conduct that may be considered harmful. Second, it gives business users a clear basis for complaints. Third, it helps the competition authority to organise monitoring and enforcement priorities.

The catalogue should not be a mechanical list of foreign terms. It should be adapted to national legal language and market realities. For example, self-preferencing may be described as giving unjustified priority to the platform's own goods, services or affiliated business users in ranking, search results, recommendation systems or access conditions. Anti-steering may be described as restricting business users from informing consumers about alternative purchase channels, prices or payment methods outside the platform.

The catalogue should be divided into conduct groups. The first group includes access restrictions, such as refusal to provide fair access, blocking rival applications or making interoperability technically impossible. The second group includes discrimination, including unequal ranking, unjustified delisting or discriminatory access to platform tools. The third group includes leveraging practices, such as tying, bundling and use of one market position to strengthen another. The fourth group includes data-related abuse, such as using business user data to compete against them or denying access to essential performance data.

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Table 3. Proposed prohibited practices catalogue for dominant digital platforms

Conduct group	Examples of practice	Mechanism of harm	Recommended response
Self-preferencing	Priority ranking of own products or affiliated services	Rivals lose visibility and access to customers	Non-discrimination duty and ranking transparency
Tying and bundling	Mandatory use of platform payment, identity or advertising service	Expansion of market power to adjacent markets	Unbundling obligation and user choice
Anti-steering	Ban on informing consumers about alternative prices or channels	Business users cannot compete outside the platform	Prohibition of restrictive clauses
Default abuse	Pre-installed default settings difficult to change	User inertia reinforces incumbent position	Choice screens and easy switching
Data abuse	Use of seller data to compete with sellers	Platform gains unfair informational advantage	Data separation and access rules
Interoperability restriction	Technical barriers to rival services or data portability	Users and firms become locked into ecosystem	Interoperability standards and portability mechanisms
Algorithmic discrimination	Opaque delisting, downgrade or dynamic pricing bias	Unequal conditions and unpredictable access	Audit, explanation and appeal mechanisms

Source: developed by the author based on comparative analysis of digital competition regulation.

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4.3. Ex-ante notification and monitoring model

The third result is an ex-ante notification model. The model is not intended to require every digital service to report extensive information to the state. It should apply to platforms that meet a combination of quantitative and qualitative indicators. Quantitative indicators include revenue, number of active end users, number of active business users and transaction volume. Qualitative indicators include network effects, data control, ecosystem dependency, switching costs and influence over adjacent markets.

Once a platform meets the threshold or risk combination, it should submit a structured notification. The notification should contain information on platform services, user groups, business user terms, commission policies, ranking principles, advertising transparency, data access rules, interoperability conditions and complaint-handling procedures. The purpose of notification is not to punish the platform, but to create a regulatory information base before serious harm occurs.

Risk scoring should be carried out using an integrated approach. The DMI framework may be used as an internal monitoring tool that combines normalised indicators. A high DMI score should not automatically mean violation, but it should justify closer monitoring. This distinction is important because dominance itself is not unlawful; abuse of dominance is unlawful. Therefore, the model separates market power assessment from conduct assessment.

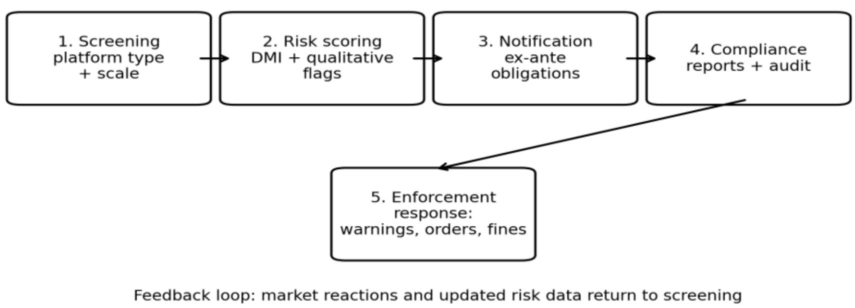

Figure 1. Ex-ante monitoring and enforcement cycle for digital platform markets

Source: developed by the author.

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Table 4. Indicators for ex-ante notification and risk monitoring

Indicator block	Measurement logic	Regulatory meaning
Scale indicators	Revenue, active end users, active business users, transaction value	Identifies platforms with significant market presence
Network effects	Dependence of service value on user growth and cross-group interaction	Shows whether growth may quickly become self-reinforcing
Data control	Volume, variety and exclusivity of user and business data	Shows informational advantage and potential entry barriers
Switching costs	Loss of ratings, data, contacts, settings or business access when moving	Shows lock-in and barriers to user choice
Multi-homing	Ability of users and firms to use competing platforms simultaneously	Low multi-homing increases dependence on one platform
Ecosystem reach	Links with payments, advertising, operating systems, cloud, maps or identity	Shows ability to leverage power into adjacent markets

Source: developed by the author based on comparative analysis of digital competition regulation.

4.4. Compliance audit and inter-agency information exchange

The fourth result is that ex-ante regulation requires a compliance mechanism. A prohibited practices catalogue will remain formal if there is no system for reporting, audit and response. Dominant platforms should have an internal competition compliance officer or responsible unit, maintain documented rules for ranking and access, preserve records of major algorithmic changes and provide business users with understandable explanations of significant restrictions.

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Inter-agency cooperation is also necessary. Digital platform conduct may involve competition law, consumer protection, personal data protection, cybersecurity, tax issues and financial technology regulation. For example, a payment restriction may be both a competition issue and a fintech issue; data access may be both a competition and personal data issue. Therefore, the competition authority should not work in isolation. A controlled information exchange protocol can reduce duplication and improve the quality of enforcement.

The proposed model is based on proportionality. Small platforms and start-ups should not be subject to the same reporting burden as systemic platforms. The most detailed obligations should apply only to platforms that have a strategic gatekeeper role. This protects innovation while ensuring that powerful platforms cannot use opacity as a shield against accountability.

Table 5. Compliance and enforcement tools for platform regulation

Tool	When it is used	Expected effect
Warning and recommendation	Early-stage risk or first-time non-serious issue	Corrects behaviour without excessive intervention
Mandatory instruction	Clear violation or repeated non-compliance	Requires platform to stop or modify harmful conduct
Compliance report	Platform has strategic status or high DMI score	Creates regular transparency and accountability
Algorithmic audit	Ranking, delisting or recommendation systems affect business access	Allows verification of non-discrimination
Data access remedy	Business users lack essential performance data	Restores fair commercial opportunities
Financial penalty	Serious or repeated abuse of dominant position	Deters future violations and ensures responsibility
Structural or functional measure	Extreme cases where behavioural remedies fail	Reduces systemic harm and restores contestability

Source: developed by the author based on comparative analysis of digital competition regulation.

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4.5. Roadmap for gradual implementation in Uzbekistan

The fifth result is a staged roadmap for implementation. In the first stage, the competition authority may prepare methodological guidance and a voluntary reporting template for the largest platforms. This stage is necessary for creating common terminology and testing the feasibility of indicators. It also allows platforms to adjust internal compliance procedures before strict sanctions are used.

In the second stage, a monitored platform register may be formed on the basis of objective criteria. The register should not be treated as a punishment or public accusation. It should function as an administrative instrument for identifying platforms whose activities have systemic importance for business users or consumers. Registration would create obligations to submit basic information, preserve records and notify material changes in platform terms.

In the third stage, binding obligations may be introduced for platforms with persistent gatekeeper functions. These obligations may include non-discrimination, anti-steering freedom, data access for business users, interoperability where technically justified, and transparent procedures for delisting or account restriction. Such gradual implementation reduces the risk of overregulation and gives state institutions time to develop digital enforcement capacity.

5. Discussion

The proposed framework has several advantages for Uzbekistan. First, it helps to move from reactive enforcement to preventive monitoring. In fast-moving digital markets, late intervention may be ineffective because market tipping can occur before a case is completed. Ex-ante notification does not replace competition law, but it improves the information available to the authority and allows earlier identification of risk.

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Second, the catalogue of prohibited practices creates predictability. Platforms can better understand which conduct is risky, business users can formulate complaints more clearly, and the authority can classify cases more consistently. This is especially important in digital markets where harm may be less visible than in traditional price-fixing or market allocation cases. A business user may not see the full algorithm, but can observe unexplained delisting, ranking downgrade, commission changes or restrictions on communication with consumers.

Third, the model supports proportionality. A major risk of digital regulation is overregulation. If obligations are applied too broadly, they may discourage local innovation and impose administrative costs on emerging platforms. The proposed approach avoids this by using thresholds, risk indicators and platform categories. It is not the fact of being digital that triggers obligations, but the combination of scale, dependency, gatekeeper function and risky conduct.

Fourth, the model can be implemented gradually. At the first stage, Uzbekistan can introduce soft monitoring, voluntary compliance guidelines and standardised reporting for the largest platforms. At the second stage, the competition authority can create a register of platforms that require enhanced monitoring. At the third stage, prohibited practices and ex-ante obligations may be incorporated into binding regulatory instruments. This staged approach reduces legal uncertainty and allows institutions to build capacity.

However, there are also risks. The first risk is insufficient data quality. If platforms provide incomplete or incomparable data, the monitoring system may become formal. This requires standardised definitions of active users, business users, transactions and data categories. The second risk is regulatory capture or selective enforcement. To avoid this, the criteria for platform monitoring should be public, predictable and reviewable. The third risk is excessive reliance on foreign models. Digital Markets Act-style obligations may be useful, but they should be adapted to the structure of Uzbekistan’s digital economy.

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The relationship between the DMI indicator and legal liability must also be clearly explained. A high index score should be treated as a signal of potential market power, not as proof of abuse. Liability should arise only when the platform uses its position to restrict competition, discriminate against business users or impose unfair conditions. This distinction is essential for legal certainty and for maintaining a balance between economic growth and competition protection.

For academic purposes, the proposed framework expands the dissertation's contribution by translating theoretical analysis into a practical regulatory design. It combines economic indicators with legal categories of prohibited conduct. For policy purposes, it gives regulators a structured roadmap for monitoring digital markets, designing compliance obligations and responding to harmful conduct before market harm becomes irreversible.

6. Conclusion

The article developed a policy design approach to ex-ante regulation and prohibited practices in digital platform markets. The study showed that digital platform dominance cannot be assessed only through traditional market share or revenue indicators. Network effects, data control, ecosystem dependency, switching costs, multi-homing limitations and gatekeeper functions must also be considered.

The main scientific result of the article is the proposed combination of platform classification, prohibited practices catalogue, ex-ante notification, DMI-based risk monitoring, compliance audit and inter-agency information exchange. This combination allows the state to identify risks earlier while avoiding excessive intervention into the activity of smaller platforms. The proposed catalogue covers self-preferencing, tying, anti-steering, default-setting abuse, exclusivity, data-related discrimination, interoperability barriers and algorithmic discrimination.

The practical significance of the research is that the proposed model may be used for preparing methodological guidelines, regulatory amendments and internal

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monitoring procedures for digital platform markets in Uzbekistan. The model can help protect consumers and business users, improve transparency, reduce unfair platform conduct and support a more contestable digital economy.

Future research should focus on empirical testing of the DMI framework using official platform-level data, analysis of platform-specific business user dependence and development of sectoral indicators for e-commerce, fintech, advertising, mobility and app store markets. Such empirical work would allow the proposed model to be transformed from a policy design framework into a full monitoring and forecasting instrument.

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