



ENERGIYA TA'MINOTI SHARTNOMASINI HUQUQIY TARTIBGA SOLISH: O'ZBEKISTON RESPUBLIKASI VA XORIJIY DAVLATLAR QONUNCHILIGINING QIYOSIY TAHLILI

Адильханова Алия

Қорақолпоқ давлат университети, "Фуқаролик
ва бизнес ҳуқуқ фанлар" кафедраси магистранти
<https://doi.org/10.5281/zenodo.18830995>

ARTICLE INFO

Qabul qilindi: 24-fevral 2026 yil
Ma'qullandi: 26-fevral 2026 yil
Nashr qilindi: 28-fevral 2026 yil

KEYWORDS

energiya ta'minoti shartnomasi,
qiyosiy huquqshunoslik,
O'zbekiston, elektr energiyasi
bozori islohoti, iste'molchilar
huquqlarini himoya qilish,
elektr energiyasini sotib olish
shartnomasi, tartibga solish
tizimi.

ABSTRACT

Ushbu tadqiqot O'zbekiston Respublikasi, Rossiya Federatsiyasi va Yevropa Ittifoqi qonunchiligining qiyosiy tahlili orqali energiya ta'minoti shartnomalarini tartibga soluvchi huquqiy asoslarni o'rganadi. Tadqiqot tartibga solish yondashuvlaridagi asosiy o'xshashlik va farqlarni aniqlaydi, bunda shartnoma tuzish talablari, tomonlarning huquq va majburiyatlari, javobgarlik mexanizmlari hamda iste'molchilar huquqlarini himoya qilish standartlariga alohida e'tibor qaratiladi. Metodologiya doktrinal huquqiy tahlilni qiyosiy huquqshunoslik usullari bilan birlashtiradi, fuqarolik kodekslari, maxsus energetika qonunchiligi va so'nggi tartibga solish islohotlarini o'z ichiga olgan birlamchi huquqiy manbalarni o'rganadi. Tadqiqot shuni ko'rsatadiki, Fuqarolik kodeksining 468-477-moddalarida belgilangan O'zbekistonning energiya ta'minoti shartnomalarini tartibga solish tizimi Rossiya Federatsiyasi Fuqarolik kodeksining 539-548-moddalariga o'xshash kontinental huquq an'anasiga amal qiladi. Biroq, bozorni liberallashtirish darajalari, tartibga solish institutsional tizimlari va iste'molchilar huquqlarini himoya qilish mexanizmlarida sezilarli farqlar mavjud. Tadqiqot shuni ko'rsatadiki, Yevropa Ittifoqining 2024-yildagi elektr energiyasi bozori islohoti innovatsion shartnoma vositalarini joriy etadi, jumladan, majburiy farq shartnomalarini (Contracts for Difference) va takomillashtirilgan elektr energiyasini sotib olish shartnomalarini (Power Purchase Agreements), ular Markaziy Osiyo yurisdiksiyalari uchun namuna bo'lib xizmat qilishi mumkin. Tahlil O'zbekistonning amaldagi tartibga solish tizimidagi bir qator muammolarni aniqlaydi: iste'molchilar huquqlarining yetarli darajada himoya qilinmasligi, qayta tiklanadigan energiya

manbalari bo'yicha shartnomalar uchun aniq mexanizmlarning yo'qligi va nizolarni hal qilish tartib-taomillarining yetarlicha rivojlanmaganligi. Shu munosabat bilan, tadqiqot O'zbekiston qonunchiligini takomillashtirish bo'yicha tavsiyalar taklif etadi, jumladan, standartlashtirilgan shartnoma namunalari qabul qilish, yangi tashkil etilgan Energiya bozorini rivojlantirish va tartibga solish agentligi tomonidan nazoratni kuchaytirish hamda Yevropa Ittifoqi tajribasiga asoslangan iste'molchilar huquqlarini himoya qilish choralari joriy etish. Tadqiqot natijalari O'zbekistondagi energetika sohasidagi davom etayotgan islohotlarga hissa qo'shadi va xalqaro ilg'or amaliyotlarga muvofiq qonunchilikni takomillashtirish bo'yicha amaliy ko'rsatmalar beradi.

Introduction. The energy sector plays a fundamental role in ensuring sustainable economic development and social welfare in modern states. Energy supply contracts serve as the primary legal instrument regulating relationships between energy producers, suppliers, and consumers, making their proper legal framework essential for market efficiency and consumer protection [5; 285 p.]. The Republic of Uzbekistan, currently undergoing significant energy sector reforms, faces the challenge of modernizing its legal framework to meet international standards while addressing specific regional needs.

The global energy transition and market liberalization trends have prompted substantial legal reforms worldwide. The European Union's comprehensive regulatory framework, particularly the 2024 Electricity Market Design Reform, represents the most advanced model of energy contract regulation, introducing innovative mechanisms such as mandatory Contracts for Difference and enhanced Power Purchase Agreements (PPAs) [1; 14-38 p.]. These developments have significant implications for emerging markets seeking to modernize their energy sectors.

Central Asian countries, including Uzbekistan, have historically relied on Soviet-era legal frameworks for energy supply regulation. However, the region's growing energy demands, renewable energy potential, and need for foreign investment necessitate comprehensive legal modernization. Uzbekistan's adoption of new energy legislation in 2023-2024, including the revised Law on Electric Energy and the establishment of the Agency for Development and Regulation of the Energy Market, marks a significant step toward market-oriented reforms.

Comparative legal analysis has proven valuable in understanding the effectiveness of different regulatory approaches to energy supply contracts. The Russian Federation's experience with energy market liberalization and contract regulation offers particularly relevant insights for Uzbekistan due to shared legal traditions and regional interconnections [8; 11-28 p.]. Moreover, examining European best practices can inform policy recommendations for developing markets.

Recent scholarly literature has extensively examined energy contract regulation from various perspectives. Researchers have analyzed the legal nature of energy supply contracts as a distinct type of sale agreement, consumer protection mechanisms in liberalized energy

markets, and the role of regulatory agencies in contract oversight. Studies have also addressed the contractual challenges posed by renewable energy integration and the impact of market design on contract structures [3; 2181-2195 p.].

Despite extensive research on energy contract regulation in developed markets, comparative studies involving Central Asian jurisdictions remain scarce. The legal literature lacks comprehensive analysis of Uzbekistan's energy supply contract framework in relation to international models. Furthermore, the recent reforms in Uzbekistan's energy sector have not yet been systematically examined from a comparative legal perspective. This gap in scholarship underscores the need for research that bridges theoretical legal analysis with practical policy recommendations for transitional economies.

The purpose of this study is to identify the key characteristics, similarities, and differences in the legal regulation of energy supply contracts across Uzbekistan, Russia, and the European Union, and to develop recommendations for improving Uzbekistan's regulatory framework based on international best practices.

Materials and Methods. This study employs a comparative legal methodology to analyze energy supply contract regulation across three jurisdictions: the Republic of Uzbekistan, the Russian Federation, and the European Union. The research utilizes doctrinal legal analysis as its primary method, examining primary legal sources including civil codes, specialized energy legislation, regulatory acts, and judicial decisions.

The primary sources analyzed include: The Civil Code of the Republic of Uzbekistan (Articles 468-477 on energy supply contracts); the Law of the Republic of Uzbekistan "On Electric Energy" (2023); the Civil Code of the Russian Federation (Articles 539-548 on energy supply); the Federal Law "On Electric Energy" No. 35-FZ of the Russian Federation; European Union Directive 2019/944 on common rules for the internal market for electricity; and EU Regulation 2024/1747 on electricity market reform.

Secondary sources include scholarly articles from international legal journals, reports from international organizations, and policy documents from national energy regulators. The literature review encompasses publications from 2020-2025, with particular emphasis on recent regulatory developments and comparative studies.

The comparative analysis follows a structured approach examining: the legal definition and nature of energy supply contracts; contract formation requirements and procedures; essential terms and conditions; rights and obligations of parties; liability mechanisms and consumer protection; and regulatory oversight and dispute resolution. This framework enables systematic comparison across jurisdictions while accounting for different legal traditions and market structures.

Results and Discussion.

The analysis reveals significant commonalities in how Uzbekistan and Russia define energy supply contracts, reflecting their shared legal heritage. Article 468 of the Civil Code of Uzbekistan defines the energy supply contract as an agreement whereby the energy supply organization undertakes to supply energy to the consumer through a connected network, and the consumer undertakes to pay for the received energy and comply with the consumption regime stipulated in the contract, ensure safe operation of energy networks under their management, and maintain the proper working condition of devices and equipment used for energy consumption.

Similarly, Article 539 of the Russian Civil Code provides an almost identical definition, reflecting the common Soviet legal legacy. Both jurisdictions classify the energy supply contract as a special type of sale contract with unique characteristics determined by the physical properties of energy as a commodity, the continuous nature of supply through connected networks, and the interdependence of supplier and consumer activities.

The European Union approach differs fundamentally by focusing on market liberalization and consumer choice rather than defining a single contract type. EU Directive 2019/944 establishes the right of all customers to freely choose their electricity supplier, emphasizing contractual freedom within a competitive market framework. The 2024 electricity market reform further introduces specialized contract types including Contracts for Difference and Power Purchase Agreements as instruments for achieving renewable energy targets and price stability.

The classification of energy supply contracts varies across jurisdictions. In Uzbekistan, contracts are primarily classified by the type of energy supplied: electricity supply contracts, heat supply contracts, and gas supply contracts. Additionally, contracts differ based on consumer categories: household consumers, commercial and industrial consumers, and wholesale purchasers. The 2024 Law on Electric Energy introduces new distinctions between contracts with guaranteed suppliers (designated suppliers) and contracts in the competitive market segment.

Russian legislation recognizes similar classifications but has developed more sophisticated distinctions reflecting longer market liberalization experience. The wholesale electricity market operates through bilateral contracts and day-ahead market trading, while the retail market distinguishes between energy supply contracts (where the supplier handles both energy purchase and transmission services) and energy purchase contracts (where the consumer separately contracts for transmission services).

The EU framework introduces innovative contract types designed to support the energy transition. Two-way Contracts for Difference, made mandatory for publicly-funded renewable energy projects by the 2024 reform, provide price stability by guaranteeing a strike price while requiring generators to return excess revenues when market prices exceed this level. Power Purchase Agreements enable direct long-term contracts between generators and consumers, facilitating corporate renewable energy procurement. These instruments represent a significant departure from traditional supply contracts and offer potential models for Uzbekistan's developing renewable energy sector.

Consumer Protection Mechanisms. Consumer protection represents an area where significant differences emerge between jurisdictions. Uzbekistan's framework provides basic protections through the public nature of energy supply contracts, requiring suppliers to serve any consumer meeting technical requirements. Article 40 of the Law on Electric Energy establishes standard contract templates, while Article 39 outlines consumer rights including access to quality energy supply and contract termination options. However, the regulatory framework lacks detailed provisions on price transparency, complaint procedures, and vulnerable consumer protection [4; 377-384 p.].

The Russian system has developed more comprehensive consumer protections, including mandatory information disclosure requirements, regulated procedures for supply disconnection, and differentiated treatment of household consumers [2; 76-87 p.]. Recent

amendments have strengthened protections against unfair contract terms and improved dispute resolution mechanisms through specialized energy ombudsman services in some regions.

EU consumer protection standards are substantially more developed, including the right to switch suppliers within three weeks, access to certified comparison tools, clear billing information, and special protections for vulnerable consumers [7; 308-339 p.]. The 2024 reform introduces the right to energy sharing, enabling consumers to participate in community energy schemes and benefit from self-generated renewable electricity. These advanced protections reflect the EU's emphasis on empowering consumers as active market participants rather than passive recipients of utility services.

Regulatory Institutional Framework. Uzbekistan's recent reforms have significantly restructured the regulatory landscape. The establishment of the Agency for Development and Regulation of the Energy Market creates an independent regulator responsible for licensing market participants, developing tariff methodologies, and overseeing contract compliance [9; 31-34 p.]. The separation of the centralized purchasing function from the National Electric Grid to the newly created "Uzenergosotish" JSC represents a crucial step toward market unbundling. However, the agency's independence and enforcement capabilities remain to be fully tested in practice.

The Russian regulatory system features multiple agencies with overlapping responsibilities, including the Federal Antimonopoly Service for tariff regulation and the Ministry of Energy for policy development [6; 28-31 p.]. This fragmented structure has sometimes created regulatory uncertainty, though recent reforms have sought to clarify jurisdictional boundaries. The EU requires member states to establish independent national regulatory authorities with specific powers over market monitoring, tariff approval, and consumer protection enforcement.

Identified Problems in Uzbekistan's Regulatory Framework. The comparative analysis reveals several significant gaps in Uzbekistan's current regulatory framework. First, consumer protection mechanisms remain underdeveloped compared to international standards. The lack of clear procedures for contract disputes, limited transparency in billing, and absence of special protections for vulnerable consumers represent areas requiring legislative attention. Second, the regulatory framework for renewable energy contracts requires further development. While the Law on Use of Renewable Energy Sources establishes general principles, detailed rules for power purchase agreements with renewable generators, feed-in tariff contracts, and net metering arrangements are incomplete.

Third, the transition from a centralized single-buyer model to competitive market arrangements creates contractual uncertainties. The ongoing transfer of existing contracts from the National Electric Grid to Uzenergosotish, scheduled for completion in 2025, raises questions about contract succession, obligation transfer, and investor protections. Fourth, the tariff regulation system lacks the sophistication needed to support diverse contract types and market segments. Current regulated tariffs may not adequately reflect cost structures or provide appropriate investment signals for market development.

Conclusions. This comparative analysis demonstrates that Uzbekistan's legal framework for energy supply contracts shares fundamental characteristics with the Russian model, reflecting common legal traditions, while differing substantially from the more liberalized

European approach. The study identifies several areas where Uzbekistan's legislation could benefit from modernization aligned with international best practices.

Based on the findings, this study recommends the following legislative improvements for Uzbekistan: enhancing consumer protection provisions by adopting detailed regulations on contract transparency, dispute resolution, and vulnerable consumer protections similar to EU standards; developing specialized contract frameworks for renewable energy, including provisions for power purchase agreements and Contracts for Difference that can support the country's renewable energy targets; strengthening the independence and enforcement powers of the Agency for Development and Regulation of the Energy Market to ensure effective market oversight; clarifying transitional arrangements for existing contracts during market restructuring to provide legal certainty for investors and market participants; and adopting standardized contract templates that balance public service obligations with market flexibility.

The research contributes to the understanding of energy contract regulation in transitional economies and provides practical guidance for ongoing legal reforms in Uzbekistan. Future research should examine the implementation of recent reforms and their impact on market development and consumer welfare.

Адабиётлар/Литература/References:

1. Alexiadis P. Long-term energy supply contracts in the EU: where competition policy meets market design //Research Handbook on EU Competition Law and the Energy Transition. – Edward Elgar Publishing, 2024. – С. 14-38.
2. Frolova E. E., Ermakova E. P., Protopopova O. V. Consumer protection of digital financial services in Russia and abroad //13th International Scientific and Practical Conference-Artificial Intelligence Anthropogenic Nature Vs. Social Origin. – Cham : Springer International Publishing, 2020. – С. 76-87.
3. Hu J. et al. Identifying barriers to large-scale integration of variable renewable electricity into the electricity market: A literature review of market design //Renewable and sustainable energy reviews. – 2018. – Т. 81. – С. 2181-2195.
4. Jamilya P., Karligash U. Legal challenges of using artificial intelligence in corporate governance in post-soviet countries //International congress on information and communication technology. – Singapore : Springer Nature Singapore, 2024. – С. 377-384.
5. Lee J., Khan V. M. Blockchain and smart contract for peer-to-peer energy trading platform: Legal obstacles and regulatory solutions //UIC Rev. Intell. Prop. L. – 2019. – Т. 19. – С. 285.
6. Makeeva J. Peculiarities of the organisation of public service in the energy sector in Russia and European countries //Central European Journal of Public Policy. – 2010. – Т. 4. – №. 2.
7. Quirk P., Rothchild J. A. Consumer protection and the Internet //Handbook of Research on International Consumer Law, Second Edition. – Edward Elgar Publishing, 2018. – С. 308-339.
8. Umarova K. Legal and legislative development of Uzbekistan: analysis of borrowed doctrines //Trudy Instituta gosudarstva i prava RAN — Proceedings of the Institute of State and Law of the RAS. – 2023. – Т. 18. – №. 1. – С. 11-28. DOI: 10.35427/2073-4522-2023-18-1-umarova
9. Умарова К. У., Калимбетов Е. К. Административно-правовое обеспечение защиты гражданских прав в сфере предпринимательской деятельности в Республике

Узбекистан //Universum: экономика и юриспруденция. – 2025. – Т. 1. – №. 5 (127). – С. 31-34. DOI: 10.32743/UniLaw.2025.127.5.19794



INNOVATIVE
ACADEMY