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## PROSPECTS OF DEVELOPMENT OF LEGISLATION ON ENVIRONMENTAL RATION OF THE REPUBLIC OF UZBEKISTAN

**Annotation.** Introductions. In the present stage of development, mankind is naturally accompanied by the need for permanent or systematic use of natural resources. There is not a single natural object that would not be used by mankind. Also, the development of modern society is associated with the inevitability of pollutant emissions to the natural environment. At the same time, such a relationship in nature should have certain limits or norms and boundaries of the norm of use. And in this sense, the main the most important and effective environmental protection measure is environmental rationing. Ecological rationing is a special research and normative-legal direction of activity on substantiation of ecological criteria of quality of the natural environment and development based on these criteria of norms of permissible anthropogenic impacts, nature protection norms and rules in relation to all major forms of economic and other activities. Also, environmental regulation is the activity of specially authorized state bodies on development, approval, implementation of environmental standards and ensuring their compliance by all subjects of nature use. Some environmental standards assess the natural environment, while others limit the sources of harmful impact on it and restrict the use of natural resources. Activities aimed at establishing a system of standards for the state of the natural environment and standards of maximum permissible impact on it, necessary for the effective implementation of environmental protection activities of government agencies. This article analyzes the topical issues of further improvement of the system of environmental regulation, ways of their solution and problems in the field of environmental regulation.

**Key words:** nature protection; natural resource; natural environment; ecological norm; ecological nomination; quotas; limits of nature use.

**Materials and methods.** The study of the issue of environmental regulation of the legislation of Uzbekistan was carried out with the use of generally accepted methods of scientific cognition such as dialectical method, analysis, synthesis, concrete-historical, logical, comparative-legal, systematic methods and others.

**Results of the study.** In the course of the study analyzed environmental legislation on environmental rationing in Uzbekistan. Their national environmental problems, existing on this issue were considered, comparison of legal formulations was made, the essence and peculiarities of environmental regulation were revealed, the possibilities of their introduction were substantiated.

**Discussion and conclusion.** Conducting legal research on this issue seems to be very important, because it enriches the system of environmental regulation with new ideas, which can be used to improve national legislation. Within the framework of our research we tried to reveal the existing problems. We analyzed the norms of environmental law in a specific context. It was found that from the point of view of the environmental concept, we should improve the system of environmental regulation in accordance with international legal norms, and implement on the national environmental legislation. And also to improve by-laws on this issue.

In today's world, more and more countries are striving not only to provide a rich life, but how to ensure the trend about the need to take care of the natural environment. All the riches of nature are the enduring value, maybe the main value possessed by the biosphere. In this sense, as Mahatma Gandhi rightly points out that «The earth provides enough to satisfy everyone's needs, but not everyone's greed».

Pollution of nature, land degradation, depletion of natural resources, the impact of mankind on nature has reached such a level and scale that today almost any action affects nature. Of course, to solve such problems as the protection of the natural environment is the main task of modern science, including environmental law.

As the theoretical physicist, Stephen Hawking noted in his article that was published in The Guardian that: we are facing environmental challenges – climate change, food production, epidemics, the acidification of the oceans. All of this suggests that the most dangerous moment in human history has arrived. We have invented the technologies that will allow us to destroy our planet. But we haven't yet invented a way to leave it. Maybe in a couple hundred years, we will go to the stars and establish our own colonies. However, for now, we have only one planet, and we must work together to protect it (Hawking, 2016: 1) .

In this sense, the Republic of Uzbekistan, after independence, inherited complex environmental problems related to unsustainable management of natural resources, as well as high levels of pollution from municipal and industrial sources and return water from irrigated fields. This was largely due to serious structural problems in the agricultural, energy and industrial sectors, which continue to be the root cause of many of the country's serious environmental and natural resource management problems (Samoilov, 2008: 300).

As the First President of the Republic of Uzbekistan Islam Karimov rightly noted, «At the current stage of development, the solution to a number of problems of human interaction with nature cannot be limited to the scale of one country; they must be solved on the scale of the entire planet. It is obvious that many problems of protecting the natural environment from the harmful impact of human economic activity are global in nature and therefore can be solved only on the basis of international cooperation. The environmental problem is relevant in all countries and regions of the world, in all corners of the globe, only the degree of its acuteness varies» (Karimov, 1997: 111).

In the modern world, ecology covers a very wide range of different problems such as how to limit the impact of industrial harm on the natural environment, and the problem of quality

assessment arises. In this regard, necessarily develop ways to measure these impacts and create a system of standards for permissible harmful impacts. And as most scientists believe that there can be no non-polluting industries and activities in principle!

Protection of the natural environment and ensuring rational and efficient use of natural resources, as well as ensuring environmental safety of citizens in the Republic of Uzbekistan is a priority task of the state as a whole. The basis of rational and effective use of natural resources, as well as a number of measures to protect the natural environment naturally, is the procedure for creating and legal provision of a system of scientifically based restrictions aimed at not only reducing the harmful effects, but in general and anthropogenic load.

And in this sense, ecological rationing means rationing of anthropogenic impact on the ecosystem within its ecological capacity, which does not lead to violation of nature's self-regulation mechanisms. The main criteria of ecological rationing are the preservation of biotic balance, stability and diversity of the ecosystem.

*Materials and methods.* In the process of research were used traditional methods of scientific cognition, allowing complex consideration of the issue of environmental regulation in the system of legislation of Uzbekistan, also carried out using such methods as dialectical method, analysis, synthesis, concrete-historical, logical, comparative-legal, systemic methods and others.

Results of the study.

The main environmental problems in the Republic of Uzbekistan are:

- non-compliance with environmental standards when emitting pollutants into the atmospheric air (especially by energy enterprises);
- Pollution of water resources, including all rivers;
- biodiversity reduction;
- failure to comply with waste disposal limits or establishment of such landfills without complying with relevant environmental regulations;
- non-rational and non-targeted use of agricultural land, etc.

Uzbekistan, as well as other post-Soviet states, has fixed in the environmental legislation a norm representing the status of environmental rationing. This is how the institute of so called rationing in the sphere of nature protection appeared. According to Article 14 of the Law of the Republic of Uzbekistan «On Nature Protection» (National Legislative Database, 2021) which was adopted on December 9, 1992, the adverse impact of economic activity on the natural environment is limited by norms and standards of the quality of the natural environment, guaranteeing the environmental safety of the population, reproduction and protection of natural resources. In this regard, in the process of environmental rationing should take into account both the interests of the natural environment and human beings. Consequently, the purpose of this institution is to limit the unfavorable impact on the natural environment (Razhabov, 2020: 27).

Also, a number of other normative legal acts regulating relations in the field of environmental regulation and standardization have been adopted. Thus, in accordance with the Instruction on inventory of pollution sources and rationing of pollutant emissions into the atmosphere for enterprises of the Republic of Uzbekistan (Collection of Legislation of the Republic of Uzbekistan, 2006) (Registered by the Ministry of Justice of the RUz. on January 3, 2006. Reg. No. 1533) the purpose of rationing of pollutant emissions from the enterprise, from which they come into the atmosphere, is to ensure compliance with the criteria of atmospheric air quality, regulating the maximum permissible content of pollutants in it for the health of the population and the main components of the environment. It is according to this departmental act that rationing of pollutant emissions into the atmosphere from stationary sources of enterprises is carried out in the country, as well as inventory of sources of atmospheric air pollution.

Another important document for the development and approval of draft environmental standards in the impact on the environment, individual entrepreneurs engaged in the production of products or services related to the formation of emissions, discharges of pollutants into the environment and waste is the Regulation on the procedure for the development and approval of draft environmental standards approved by Government Decree of January 21, 2014 № 14. In this case, in case of location of sources of emissions, discharges of pollutants into the environment, formation and disposal of waste at several industrial sites that are geographically distant from each other, the development of projects is carried out for each industrial site separately. The criterion of remoteness of sites is the absence of mutual impact of environmental pollution sources located on them.

In the legal literature, rationing has long been used as one of the main measures or instruments of environmental protection. And in the mandatory order of rationing are carried out by authorized state bodies, and must be observed by all subjects in the field of nature management. And in this sense, in the opinion of one of the leading theorists of environmental law V.V. Petrov, all quality standards are environmental standards, because they determine the quality of the natural environment rather than the social one. Ecological norms are currently used as one of the main measures or tools for environmental protection. And it is obligatory to be carried out by authorized state bodies, also the established environmental standards must be observed by all users of natural resources (Petrov, 1995: 201).

Also, according to A.Y. Opekunov ecological rationing is the development and testing of scientifically based criteria and norms of maximum permissible harmful impact on the natural environment and humans, as well as norms and rules of nature management on the basis of common methodological approaches, comprehensive study and analysis of ecological capabilities of ecosystems and their individual components (Opekunov, 2006: 261).

In addition, environmental regulation is one of the most complex and intensively developing legal instruments of environmental protection and is considered in several qualities – as a legal measure of environmental protection (Brinchuk, 2009: 165), as a legal institution and as a function of state management in the field of environmental protection and rational use of natural resources (Golichenkov, 2004: 16) , as well as one of the means of state regulation of environmental protection activities (Vasilieva, 2007: 8).

Organization of rationing in the field of environmental protection means the activity of bodies of special competence and other organizations in this field regulated by environmental norms on development and establishment of scientifically grounded requirements, criteria and standards in the field of use of natural resources and nature protection (Razhabov , 2020: 133).

At present, environmental regulation systems, as well as pollution charges, are the main legal instruments used in world practice to limit and contain the negative consequences of economic and other human activities. As long as zero-waste and harmless production technologies remain either unattainable or economically inexpedient, improvement of these instruments is the only effective way to protect the environment and human health (Zinovkin, 2015: 64).

In addition, according to some experts environmental standards are set separately for each natural environment, this approach does not take into account transboundary migration of pollutants, the process of their accumulation and total concentrations in the environment (Khludeneva , 2011: 41).

Therefore, there is a need to revise and modernize the existing regulatory and legal documents in the field of environmental protection and the rationing system as a whole. One effective approach to the creation of a modern environmental rationing system could be a gradual transition to the introduction of a rationing system based on the principle of «best available technologies without excessive costs» (Kaurova, 2014).

Environmental rationing is the establishment of environmental quality indicators and maximum permissible impacts on the environment, organizational and legal activities aimed at establishing maximum permissible standards of impact (environmental regulations, standards) on the environment, in compliance with which there is no degradation of ecosystems, guaranteed conservation of biological diversity and environmental safety of the population (Soroka, 2014).

In the Republic of Uzbekistan legal regulation of rationing in the sphere of natural resources use, despite the priority role in ensuring the rational and efficient use of natural resources, as well as the protection of the natural environment, has not yet received appropriate development. In general, the norms of use or withdrawal of natural resources are established to ensure the prevention of depletion of natural resources, taking into account their self-recovery, prevention of violations of the ecological chain of nature and for these always established socially and economically justified mode of their use or extraction.

As R.H. Gizzatullin correctly notes, as for the rationing of withdrawal of natural resources, it is aimed at ensuring the rational use of natural resources, and its application pursues the goal of preventing their depletion. It is important to keep in mind that the withdrawal of components of the natural environment within the established norms does not have a negative (harmful) impact on the environment, while emissions and discharges, physical impact, waste disposal in any mode (normative, limit or over-limit) are associated with environmental pollution (Gizzatullin, 2014: 276).

Obviously, the elements and main tools of the environmental rationing system are regulations and limits (Kichigin, 2004: 26). Also, they serve as regulators of nature use. At the same time, limitation is a system of environmental-legal and economic restrictions on the territories, terms and volumes of limit indicators of use (withdrawal) of natural resources, emissions and discharges into the natural environment.

The study was a follow-up to the recommendations of President Susilo Bambang Yudhoyono during his speech in Copenhagen in December 2009, in which he pledged to reduce Indonesia's greenhouse gas emissions by 26 per cent by 2020. Of the 26 per cent – 1.6 per cent – reduction is expected from the reduction of gas waste (Zagorova, 2019: 76). However, the exploration of raw materials has environmental and social consequences, and the use of energy resources, especially fossil energy sources, leads to CO<sub>2</sub> emissions. CO<sub>2</sub> waste is currently the largest source of greenhouse gas emissions. There are several solutions for creating a «green economy», including for managing industries in industrial real estate clusters. By placing these industries in one place, it is easier to control their use of raw materials, energy consumption and waste management. The controlled use of raw materials and the efficient use of fossil energy in industry are voluntary preventive measures. Where CO<sub>2</sub> waste is still emitted from an industrial area, available clean technologies or clean technologies can be used to recycle CO<sub>2</sub> waste from the estate.

And, the resolution of the environmental crisis is now firmly on the agenda of the Indonesian Government, and a sound and effective environmental policy is seen as the key to achieving the ambitious goal of bringing Indonesia into the world's 10 largest economies. In order to prevent «energy hunger», the Indonesian authorities are taking steps towards energy diversification by promoting the development of renewable energy sources.

Thus, the limits are a system of environmental restrictions, according to which the natural resource users carrying out their activities perform environmental protection activities, including reducing waste, reducing the emission (discharge) of harmful pollutants. Limits on the use of natural resources are established in order to prevent their depletion and disturbance of the balance in the natural environment, taking into account their ability to reproduce themselves. They represent the volumes of maximum use of natural resources, established by specially authorized state bodies.



Also, an important feature of the limits of withdrawal of components of the natural environment is «a combination of the signs of normativity (applicability to the relations of an indefinite range of subjects) and individual regulation through the issuance of acts of application of law (since, as a rule, they are established by administrative acts for each nature user), due to which it is necessary to distinguish between general and individual norms of permissible withdrawal. The former are established in respect of components of the natural environment (their parts, elements) taking into account their condition and apply to an indefinite number of persons, while the latter fix the rights to withdrawals of certain subjects (nature users)» (Dubovik, 2010).

As for the issue of rationing the withdrawal of natural resources, including flora, on the basis of Article 44 of the Law of the Republic of Uzbekistan «On the protection and use of flora», which was adopted in a new version on September 22, 2016 that the norms and standards for the use of objects of flora are: quotas for the collection and harvesting of wild plant technical and medicinal raw materials, wild plants for food purposes, approved by the Ministry of Ecology, Environmental Protection and changes in the climate. Further, based on Article 7 of the Law of the Republic of Uzbekistan «On Protection and Use of Wildlife» which was adopted in September 22, 2016 in a new version that the main directions of state policy in the field of protection and use of wildlife are state regulation in the field of protection and use of wildlife a.

In turn, in order to streamline the system of environmental regulation through a unified approach to the development, execution and approval of draft environmental standards in the Republic of Uzbekistan, the Cabinet of Ministers of the Republic of Uzbekistan approved the «Regulations on the procedure for the development and approval of draft environmental standards» (Collection of Legislation of the Republic of Uzbekistan, 2014). This document defines the procedure for development and approval of draft environmental standards of environmental impact by organizations, individual entrepreneurs engaged in the production of products or services related to the formation of emissions, discharges of pollutants into the environment and waste.

Based on this provision, in our country the development of draft environmental standards by entities consists of two stages: first, an inventory of sources of emissions, discharges, formation and disposal of waste and second, rationing of emissions, discharges, formation and disposal of waste. Also, the inventory is carried out directly by the organization itself or with the involvement of legal entities and individuals specializing in the development of materials for the protection and rational use of natural resources, once during the period of operation of the organization.

In addition, the problems of environmental rationing have been discussed for many years in the context of sustainable development. Many specialists and scientists in this field note that science has not developed a unified methodology of environmental rationing. There is no sufficiently developed methodological base, which makes it possible to correctly obtain environmental standards, which makes it relevant to generalize the available foreign and domestic experience of regulating environmental management, comparison and comparative analysis of existing concepts, consideration of specific methods and experience in the implementation of the rationing procedure.

At the same time, standardization of the state of ecosystems is complicated by the fact that the state assessment itself remains a complex scientific problem. The scientific justification of ecological standards consists in finding the limiting parameters of the state of ecosystems. And the most optimal and accurate way to achieve these limits is to regulate the anthropogenic impact of the subjects.

As for the mechanism of regulation, this is provided by technological standards, the development of which is possible only in the presence of limits of parameters of the state of ecosystems and

limits of negative impact on the ecosystem. And the task of science is to develop these scientifically grounded limits, as well as to establish a link between the parameters of emission and impact. Ultimately, the mechanism of realization of these methods is that it is necessary to fix in the norms of the relevant achievements, as well as its implementation and strengthening of environmental control.

Discussion and conclusion. Conducting legal research seems to be a very important direction for legal science, as it enriches it with new ideas, which can be used to improve the national legislation of the country.

In the framework of our study, we determined that newly developed environmental regulations in the field of environmental management should be developed and adopted taking into account the existing regulations in this field, taking into account the harmonization of existing and new regulations with international standardization systems.

In addition, considering that in our country Agro chemicals are used in the agricultural sector, their maximum permissible rate of application should be rampant. Considering that, Agro chemicals are able to accumulate and persist in the soil, which leads to its contamination, and in the produced agricultural products, which may pose a danger to human health. Therefore, Agrochemicals should be used in doses that ensure compliance with the established standards of residual quantities of chemicals in food, health protection, and preservation of the genetic fund of the population, flora and fauna. Stakeholders should develop an action plan for step-by-step reduction of pollution.

The solution to this problem is possible through the introduction of a system of state control in this sector, i.e. the Ministry of Agriculture of the Republic of Uzbekistan should control economic entities engaged in the import, storage and sale of chemical and biological means of pest control, plant diseases, weeds and plant growth regulators, authorized for use in agriculture meeting the standard.

In addition, as noted in the studies of A.S. Shirobokov «..... it is necessary to take into account regional, climatic and other natural features of territories, as well as water areas in the development and establishment. Also, there is no unified conceptual apparatus of rationing, which gives rise to different interpretations, ambiguous interpretation in law enforcement, including judicial practice, and in general, the legal mechanism of rationing the withdrawal of natural resources is not related to the rationing of environmental impacts, etc. (Shirobokov, 2007: 23).

Based on the above-mentioned, in order to solve the relevant problems, it is expected to develop and implement optimal resource-saving and waste-free technologies in all sectors of the national economy, the introduction of new technology that meets the requirements of environmental legislation of the country. Further, to strengthen the system of rationing in the field of environmental protection, as well as to establish a unified requirement for environmental rationing for all economic entities affecting the ecosystem on the basis of territorial, climatic and other natural features (Razhabov, 2020: 179).

In addition, ecotourism can be a tool to protect Indonesia's natural sites and unique environment, which, in parallel with the focus on increasing revenues from tourism activities, focuses the attention of tourists to the attractiveness of local attractions. Ecotourism allows tourists to understand the problems of biodiversity conservation, telling them the importance of nature conservation, while allowing them to enjoy the delight of exotic places, as well as contributing to the environmental culture of the local population.

Moreover, clearly delimit the powers in the field of environmental rationing between local and special public authorities. Also, when establishing appropriate standards for discharges or emissions of harmful pollutants, observe transparency and involve the public or representatives

of the mahalla and other civil society institutions and simplify the procedure for collecting relevant documents. Based on this, in our opinion, it prevents the spread and development of corruption in the field of environmental regulation.

It is also important to note that the implementation of measures related to the improvement of the system of environmental regulation should link the standards of permissible environmental impact to existing technologies and ensure a gradual reduction of emissions or discharges of harmful substances. To use economic levers in order to ensure rational and environmentally responsible organization of production, and this ultimately creates conditions for improving the quality of industrial development.

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