

Preventing or Regulating Environmental Pollution is a Timely Need

Kudryavsev Igor Vladimirovich

*Tashkent state university of law Department of state and legal theory Phd in Law. Professor,
E-mail: igorzamin@gmail.com*

Environmental pollution is the contamination of natural resources such as air, water, soil, and noise with harmful substances as a result of human activities. This pollution disrupts ecosystems and negatively affects plant, animal, and human health. Environmental pollution is one of the most serious global problems we face today. The main causes of pollution include industrial activities, the use of chemicals in agriculture, vehicle emissions, and waste management problems.

It should be noted that the most urgent problems facing our people in the 21st century are the urgent need to improve the health of the regions where the population lives and the surrounding environment, and to focus on the economical and rational use of natural resources.

The first President of the Republic of Uzbekistan, Islam Karimov, in his book "Uzbekistan on the Threshold of the 21st Century: Threats to Security, Conditions for Stability and Guarantees of Development" written in 1997, said: "Ecology is one of the broad-based acute social problems of our time. Its solution is in the interests of all peoples, and the present and future of civilization depend on the solution of these problems."

The deterioration of the ecological state of nature - pollution and damage to soil, water, and air with harmful substances, the decline of plant and animal species, the rapid change in natural landscapes, the emergence of new villages and cities, and the increase in population are causing a fundamental change in the human environment.

To be honest, most of the world's population would rather live in a clean, green environment full of trees than in the conflict that is happening around them. Because now, all over the world, various waste products are being produced, and we can say that they are causing bad odors and all kinds of pollution. For example, imagine India, which has a large population. In the media, this country is portrayed as a city of garbage. That is probably why the death rate in that country is so high. However, the birth rate is also not low. After all, the country is the most populous in the world.

Well, what about us, the pollution that is spreading to the environment, the waste left over from consumption, waste, and so on, has become one of the most serious global problems, hasn't it? In the capital Tashkent alone, pollution has reached its peak in recent years.¹

The above situation that occurred in Tashkent clearly revealed the shortcomings that we should do in the future. It is a pity that it was reported that, according to the **IQAir portal**, at 11:40 the concentration of fine PM2.5 dispersed particles in the air of Tashkent was 216 µg/m³ - this is an indicator classified as "very harmful".

All over the world, especially in recent years, new approaches and technologies are being created or discovered in order to save people's lives and protect nature for future generations. Therefore, only if we develop a clear strategy and implement it, we will be able to satisfy the environmental needs of the population, which is one of the first factors in ensuring the state's state function.

As is known, according to the Law "On Protection of Atmospheric Air", adopted in 1996, atmospheric air is considered an object of nature protection, and atmospheric air is a component of natural resources, which is considered a national treasure and is subject to state protection².

¹ <https://kun.uz/news/2024/02/29/toshkent-havosining-iflosligi-boyicha-dunyoda-1-oringa-chiqdi>

Article 4 of the Law specifies the rights of citizens in the field of atmospheric air protection, according to which citizens are obliged to use atmospheric air favorable for their life and health, to receive timely and reliable information from relevant state bodies about the state of atmospheric air and measures taken to protect it, to receive compensation for damage to their health and property caused by the release of pollutants and biological organisms into the atmospheric air and the harmful effects of physical factors on it, to participate in the study of public opinion on issues of atmospheric air protection and the implementation of public ecological expertise.

Environmental protection today is of great importance not only from an ecological, but also from an economic and social perspective. Environmental protection includes not only saving natural resources, but also preventing climate change and solving global environmental problems.

In recent years, climate change has become one of the biggest threats to environmental protection. As a result, water resources are depleted, water pollution is increasing, and natural disasters such as droughts and floods occur. In order to protect the climate, it is necessary to reduce emissions on a global scale and use renewable energy sources. In fact, another important part of environmental protection in the current conditions is waste reduction and resource recycling. Accumulated waste, especially plastic and chemicals, causes great harm to nature. Therefore, measures such as waste recycling and the use of environmentally friendly materials are being taken. As a result, not only the health of the population is affected, but also the pollution of Mother Nature.

It is no secret that until now, no reclamation work has been carried out at landfills in our country, and as a result of dumping waste on land outside the special zone, landfills are neglected, the green land gene pool is unsuitable, and the electricity supply system and access roads to household landfills are in need of repair and are not fenced off, creating a number of factors that pose various threats to the health and lives of residents living in the surrounding area.

In recent years, the head of state has attached great importance to the field of waste management, and a number of regulatory and legal acts have been adopted in order to improve the environmental situation, ensure the stability of public health, and in the future completely change the attitude towards landfills and regulate them.

A separate state agency in the field of waste management has been established within the Ministry of Ecology, Environmental Protection and Climate Change - the Agency for the Development of Waste Management and Circular Economy, and one of the main tasks of the state institution "Directorate for the Management of Landfills" is to systematize, modernize and optimize the management of landfills.

In particular, in accordance with the Resolution of the President of the Republic of Uzbekistan No. 171 dated May 31, 2023, landfills were transferred from business entities and private owners organized on the basis of PPPs to the management of the Directorate.

Currently, a number of additions and amendments are expected to be made to the Law "On Waste" adopted in 2002 to regulate issues related to landfills³.

The Presidential Decree of the President of the Republic of Uzbekistan "On the State Program for the Implementation of the Strategy "Uzbekistan-2030" in the Year of Environmental Protection and "Green Economy"", adopted on February 9, 2025, establishes in paragraph 6 and goal 72 "Improving the quality of services for the collection and disposal of solid household waste", according to which it is planned to develop a new draft of the Law "On Waste" by December 2025.

As noted above, the Law "On Waste", adopted in 2002, currently contains 30 articles. This law has practically not changed. The law practically does not define legal terms that regulate social relations in

² Manba: <https://lex.uz/docs/-55561>

³ <https://lex.uz/ru/docs/-42423>

new situations. Work is carried out only under the relevant resolutions of the head of state and the government.

When the draft Presidential Decree “On the State Program for the Implementation of the Strategy “Uzbekistan-2030” in the Year of Environmental Protection and “Green Economy”” was posted on the Regulation.gov.uz platform, we submitted comments on this draft, consisting of the conditions for the adoption of the new draft law and proposals, both electronically and via the portal.

Based on this, it would be appropriate to include the following legal norms in the new edition of the Law “On Waste”: Since the terms “landfill”, “central landfill” are not explained in the legislation, it is necessary to develop a new definition, and the term “waste” should be defined in the new edition as follows. Waste is the residue of raw materials, materials, semi-finished products, other items or products generated by individuals and legal entities in the process of production or consumption, as well as goods (products) that have lost their consumer properties. A substance that is formed as a result of human activity or natural processes, has lost its original value and is unsuitable for use.

The new draft law should also develop a new definition for the term “wasteland”. In particular, a landfill is a temporary storage of raw materials, materials, semi-finished products, other items or products generated by individuals and legal entities in the process of production or consumption, as well as goods (products) that have lost their consumer properties, in a specially designated place in the vicinity of the population. Also, the relevant section of the law should include penalties and the exact distance of the landfill from the population.

Also, paragraph 6 of the Instruction “On the design and use of solid waste landfills” adopted by the State Committee of the Republic of Uzbekistan for Ecology and Environmental Protection on November 19, 2019, contains a provision on solid waste landfills, according to which it is stated that the distance from the residential area to the landfill boundary should be at least 500 meters in accordance with the sanitary standards and rules for the protection of atmospheric air in residential areas. However, these requirements are also not up to date. And these norms are required to be at the level of the law. This is due to the fact that it is stipulated in documents as a sub-law, which leads to the widespread construction of illegal landfills in areas close to settlements⁴.

There are several authorized agencies in the regions that regulate such waste, which act on the principle of “yours, mine, and his”, turning a blind eye to each other's work. They only get away with a fine. In the end, the officials of the “Toza-hudud” State Enterprise get away with a fine.

In accordance with the Resolution of the President of the Republic of Uzbekistan No. 171 dated May 31, 2023, the state institution “Directorate for Management of Landfills” was established, which was tasked with systematizing, modernizing and optimizing the management of landfills. This should also be included in the newly amended law among the specially authorized state bodies in the field of waste-related work or be registered as another general authority.

Also, the powers of local government bodies in the field of waste-related work are defined in the old version of the law, according to which they independently resolve the issues of placing waste-related work facilities in the appropriate territory in accordance with PQ-2916. For this, it is imperative to include a condition for coordination with the responsible agencies.

In general, the issue of saving water resources and protecting the environment, especially landfills, is today a responsible task of the population for life, but also for the future. To solve these problems, it is necessary to act together on a global scale. Innovative technologies, effective management and global initiatives for environmental protection will help solve these problems. If we together make a firm

⁴ <https://lex.uz/uz/docs/-4600882>

decision to save resources and protect nature, we will have the opportunity to restore the balance between nature and humanity in the future.

So, environmental protection and waste management, landscaping and the creation of green areas are among the most important tasks before us, as well as the fact that it is planned to plant 200 million trees and shrubs specified in the State Program, and reaching an agreement on opening a representative office of the UN Environment Program in Uzbekistan are among the biggest tasks ahead of us.

In short, the "Uzbekistan - 2030 Strategy" will go down in history as an important historical document that includes comprehensive initiatives aimed at protecting the environment and ensuring sustainable development, and aims to ensure the country's environmental sustainability through measures such as saving water resources, developing renewable energy sources, introducing green economy principles, waste management, and restoring natural landscapes.

It is no exaggeration to say that it is an important historical event that, according to the Resolution of the President of the Republic of Uzbekistan No. PQ-233 dated June 24, 2024 "On measures to create a sustainable agroecosystem in relation to climate change and increase the resilience of agricultural producers to risks associated with climate change", the Ministry of Ecology, Environmental Protection and Climate Change was allocated 100 billion soums for expenses within the framework of the "Green Space" nationwide project and 40 billion soums for the creation of protective forest reserves. We can also say that the resolution stipulates the organization of a competition based on the principle of "one tree for each citizen" and measures to popularize it in the republic. The fact that this project is currently being implemented throughout the republic is also a great motivation for our citizens.

I would ask everyone to support the above project, not indifferent to your future destiny, and to promote the greening of our country and our surroundings, leaving a worthy name for future generations.