

“REFORMING THE LEGAL MECHANISMS OF SUSTAINABLE DEVELOPMENT AND ENVIRONMENTAL SAFETY IN RESORT AREAS OF UZBEKISTAN”

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Annotation. This article examines the legal mechanisms of sustainable development and environmental safety with a particular focus on resort areas in the Republic of Uzbekistan. Sustainable development is approached as a multidimensional concept integrating economic progress, social stability, and ecological preservation. The paper provides a critical analysis of Uzbekistan’s legislative and regulatory base concerning environmental safety, addressing issues such as the efficient use of natural resources, health and life protection of citizens, and prevention of ecological threats, particularly in ecologically sensitive resort territories. In highlighting both achievements and ongoing challenges, the article offers concrete legal-policy recommendations aimed at strengthening the environmental governance system and enhancing sustainability practices in resort zones.

Keyword. Sustainable development, national goals, direction, legal documents, green space, national wealth.

The term sustainable development was introduced into widespread use in 1987 by the World Commission on Environment and Development (WCED), headed by Gro Harlem Brundtland. The Commission's task was to develop the basic principles, indicators of sustainable development, and a global environmental and economic action program for the next decade. The result was the report Our Common Future. It was in this report that a clear definition of the term "sustainable development" in its

modern sense was first formulated and a new concept of sustainable development was put forward as an alternative to development based on unlimited economic growth.

Such development involves the joint solution of economic, social and environmental problems, taking into account their interdependence and interaction, and ensuring the right of people to a healthy and quality life in harmony with nature. This is one of the main problems of the concept of sustainable development and it must be solved. The main elements of the concept of sustainable development were developed and strengthened at the conference held in Rio de Janeiro in 1992. Also, at the World Summit on Sustainable Development held in Johannesburg in 2002, the participating countries reached an agreement on the Johannesburg Declaration on Sustainable Development and the Summit Implementation Plan.

One of the main principles of the state environmental policy of the Republic of Uzbekistan is the achievement of the Sustainable Development Goals (SDGs), adopted at the United Nations Summit on Sustainable Development in 2015. In particular, such goals as ensuring a healthy lifestyle and improving well-being for all ages are important. In order to support the global sustainable development goals by 2030, the Government of the Republic of Uzbekistan issued a resolution “On additional measures to accelerate the implementation of national goals and objectives in the field of sustainable development for the period up to 2030” on the implementation of the SDGs, taking into account the specific development characteristics of Uzbekistan.

Article 48 of the Constitution of the Republic of Uzbekistan recognizes the right of everyone to health and access to qualified medical care. According to Article 49, every person has the right to a safe environment for life and health, as well as to reliable information about his condition. At the same time, Article 13 of the Law of the Republic of Uzbekistan “On the Protection of Citizens’ Health” establishes the right of every citizen to health care. This right implies a safe and healthy living environment, working, studying, living and leisure conditions, which indicates the connection between the right to health care and the right of citizens to leisure (Article 45 of the Constitution).

According to Article 15 of the Law of the Republic of Uzbekistan "On the Protection of Citizens' Health", the state ensures environmental protection as an important factor for human life and health. This includes the preservation of living and inanimate nature, the protection of people from negative environmental impacts, the provision of harmonious relations between people, society and nature, the rational use of natural resources and their restoration.

During the first 9 months of 2021, 34,275 cases of citizens' claims of violation of the right to a safe environment for life and health resulting from violations of environmental safety laws were identified. During this period, 15 billion soums of fines and materials submitted to law enforcement agencies for recovery of damage caused to nature in 1,365 cases indicate that this right is being strengthened. This is due to the right to respect for private and family life, officially recognized in Article 25 of the Universal Declaration of Human Rights. Health care, as an inalienable natural right of citizens, is regulated by almost all branches of national law, among which environmental legislation plays an important role. Our legislation on environmental protection enshrines the basic principle that human health and life are protected by the state from the negative impact of environmental factors (Article 3 of the Law of the Republic of Uzbekistan "On Nature Protection"). According to our legislation, citizens may use natural resources (wildlife, flora, forests, water bodies, etc.) for health and recreational purposes on the basis of the right of general or special use. The legal basis for the exercise of such rights is Article 16 of the Land Code of the Republic of Uzbekistan¹, Article 2 of the Law "On Water and Water Use"², Article 5 of the Law "On Forests"³, Article 4 of the Law "On Land Use"⁴, as well as Article 4 of the Law

¹ O'zbekiston Respublikasi Yer kodeksi. URL: <https://lex.uz/docs/-152653>

² O'zbekiston Respublikasi "Suv va suvdan foydalanish to'g'risida"gi qonuni. URL: <https://lex.uz/acts/-12328>

³ O'zbekiston Respublikasi "O'rmon to'g'risida"gi qonuni. URL: <https://lex.uz/docs/-3683529>

⁴ O'zbekiston Respublikasi "Yer qari to'g'risida"gi qonuni. URL: <https://www.lex.uz/docs/-7182161>

"On the Protection and Use of Flora"⁵, Article 4 of the Law "On the Protection and Use of Wildlife"⁶ and Article 6 of the Law "On Protected Natural Areas".

When carrying out economic and other activities, especially those related to the use of natural resources and complexes, environmental protection requirements must be observed and the environmental rights of others must not be violated. The need to protect and rationally use the natural resource base for economic and social development arises from the fact that human activity is increasingly affecting the integrity of ecosystems, which in turn provide resources and services that are important for human well-being and economic activity. The President of the Republic of Uzbekistan signed a Decree "On Approval of the Concept of Environmental Protection of the Republic of Uzbekistan for the Period Until 2030" in order to determine priority measures to neutralize them, taking into account the high level of risk to natural ecosystems and public health.

Resort natural areas include natural resources used for health and recreation purposes. The state of natural objects in these areas directly depends on the environmental conditions in which they are located. Climate change has a significant impact on the quality and sustainability of natural resources, especially in resort areas. For example, climate change, the reduction or deterioration of water resources, and changes in flora and fauna as a result of climate change directly affect the ecological state of resort areas. This also affects the provision of natural resources intended for health and recreation. The availability of high-quality water, clean air, and natural landscapes in resort areas are important factors. Climate change can pose a serious threat, especially to resorts in high-mountainous or desert regions, since these areas are more sensitive to natural balance and climate. Such circumstances force Uzbekistan, among others, to direct its policy to solving the problems of protecting the natural territory of the resort within the framework of adaptation to climate change, since this

⁵ O'zbekiston Respublikasi "O'simlik dunyosini muhofaza qilish va undan foydalanish to'g'risida"gi qonuni. URL: <https://lex.uz/acts/-3030362>

⁶ O'zbekiston Respublikasi "Hayvonot dunyosini muhofaza qilish va undan foydalanish to'g'risida"gi qonun <https://lex.uz/acts/-3029502>

direction ensures the right of citizens to health through the use of useful natural resources.

The above points are of great importance today, since there is a direct connection between the state of human health and the state of environmental safety of the environment, industry and other facilities, as well as the level of threat of man-made events that pose a threat to human life and health. Therefore, determining the characteristics of such concepts as “ecological safety” and “environmental state” has become the focus of attention of scientists.

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