

LEGAL PROCEDURES FOR THE USE OF WATER RESOURCES IN THE REPUBLIC OF UZBEKISTAN

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Abstract

This article contains ideas on ensuring the rational use of water for the needs of the population and economic sectors, preventing pollution and depletion, protecting the rights and legitimate interests of citizens, improving legal liability, protecting the environment, liability for damage to the environment and water resources, environmental problems, and an analysis of the impact measures used for environmental violations in foreign countries.

Keywords: Water resources, land degradation, surface waters, moratorium, environmental legislation.

Introduction

Currently, environmental problems, especially the water problem, are becoming more urgent in the regions of Central Asia. The demand for water resources has increased. Over the past 10 years, attention has been paid to the agricultural sector, which in turn has led to an increase in the demand for water. Article 62 of the Constitution of the Republic of Uzbekistan specifically states that citizens should be careful about the environment. A similar attitude is reflected in the environmental policy pursued by the state of Uzbekistan and in laws dedicated to environmental protection. As the first President of the Republic of Uzbekistan, Islam Karimov, rightly noted, "At the turn of the century, all humanity, the population of our country, faced a huge environmental threat. Not noticing this, sitting idly by is tantamount to condemning oneself to death." Therefore, this idea requires people to pay more attention to the protection of nature and the environment, the rational use of natural resources and energy, and the prevention of energy and environmental safety problems in line with the needs of the time.

The declaration of 2025 as the “Year of Environmental Protection and “Green” Economy” also indicates the need to address environmental issues. It was determined that the government will develop a state program on the most important tasks specified in the name of the year. This program emphasizes the need to prioritize issues such as the introduction of “green” technologies, water conservation, a sharp increase in green areas, mitigating the consequences of the Aral Sea tragedy, solving the waste problem, and most importantly, strengthening the health of the population. During his speech, the President noted that today not only Uzbekistan, but also many countries around the world are clearly feeling the negative consequences of climate change. Air and water pollution, soil erosion, desertification, and the indiscriminate use of fossil fuels are leading to global warming, an increase in natural disasters, and harming the environment and public health. In response, the “Green Space” nationwide project was launched in Uzbekistan three years ago. The implementation of the Regional Climate Strategy has been initiated together with neighboring countries. The Central Asian University for the Study of Environment and Climate Change has been established in the capital, Tashkent.

Main Part

If we analyze the implementation of laws on the proper and rational use of water resources, we can observe a significant level of laxity in their implementation. This is sometimes manifested in the form of violation of the requirements of legislative acts by citizens and legal entities. For example, the Law on “Water and Water Use” adopted on May 6, 1993 was adopted, Article 351 of which lists the obligations of water consumers, which include:

- I. rational use of water resources, prevention of wasteful consumption of water, economical use of water, care for the restoration and improvement of water quality;
- II. prevention of pollution, contamination and depletion of water in the implementation of measures to eliminate them, the participation of water users serving them, local government bodies, as well as the prevention of pollution of surface and groundwater catchment areas;
- III. taking water conservation measures;
- IV. compliance with established water resources and water withdrawal limits.

There are similar obligations, but unfortunately, there are many cases of consumers not following this law. According to World Bank experts, by 2050, water resources in the Syrdarya basin are expected to decrease by up to 5 percent, and in the Amu Darya basin by up to 15 percent. In 2050, freshwater shortages in Central Asia could lead to an 11 percent reduction in gross domestic product. By 2050, the demand for water in Uzbekistan will increase from 59 cubic km to 62-63 cubic km, and the available water resources will decrease from 57 cubic km to 52-53 cubic km, which will increase the current water deficit (from 2 cubic km to 11-12 cubic km) by five times. The results of the study show that we can see negative consequences in the future from excessive use of water resources.

According to the monitoring of environmental pollution, the main pollutants of groundwater are industry, agriculture and municipal enterprises. The unsatisfactory condition of surface water supply networks and drainage systems in some regions of our republic has led to an intensive rise in the groundwater level in some cities and other settlements. In particular, there are 6 groundwater deposits on the territory of the Republic of Karakalpakstan, which are the Lower Amu Darya, Karakalpak, Ustyurt, Buzuibay, Tortkul and South Aral Sea artesian groundwater deposits. Today, a total of 662 operational wells are used to extract 46.41 thousand m³/day of water for various purposes.

Studies show that we can see that Article 15 of the Law "On Water and Water Use", adopted on May 6, 1993, is not working. Article 15 of this Law prohibits the commissioning of enterprises, structures and other facilities that affect the state of waters and water bodies, which includes the following:

- 1) new and reconstructed enterprises, workshops, units, utility and other facilities that are not equipped with devices to prevent water pollution and contamination, as well as those that have a negative impact on the state of waters and water bodies;
- 2) irrigation and water supply systems, reservoirs and canals until the measures provided for in the projects to prevent flooding, silting, waterlogging, salinization of lands and soil erosion are implemented;
- 3) sewage networks without the completion of water intake and other facilities in accordance with approved projects;
- 4) water intake facilities that do not have fish conservation devices in accordance with approved projects;

5) hydraulic structures with flood and fish diversion devices not ready in accordance with approved projects;

6) groups of water intake structures with unapproved groundwater reserves;

it is prohibited to put wells drilled for water extraction into operation without providing them with water regulating devices and, where appropriate, without defining sanitary protection zones.

Goal 31 of the Decree of the President of the Republic of Uzbekistan No. 60 dated January 28, 2022 “On the Development Strategy of the New Uzbekistan for 2022-2026” establishes “Implementation of a separate state program for radical reform of the water resources management system and water economy”. As a result of the establishment of this goal, the issue of introducing a completely new procedure for the use of water resources in Uzbekistan is being considered, which also requires reform of water-related legislation. But this situation makes it possible to develop a new regime for the use of water resources, that is, a legislative system that is suitable for today's world, global warming, drought and other conditions.

Due to the increasing water shortage, as a result of excessive use of the AmuDarya and SirDarya basins, which pass through some of the countries located in Central Asia, there is a possibility of problematic situations between the countries on the following issues:

- increased desire for unilateral and uncoordinated management of the water resources of transboundary rivers;
- increased sentiment towards commercialization of water and treating it as a commodity;
- construction of new large hydroelectric reservoirs by upstream countries on the main transboundary tributaries of the Amu Darya and Syr Darya to meet domestic energy needs as a result of climate change the desire to build a dam increases.

Currently, 85 percent of electricity in Kyrgyzstan and 91 percent in Tajikistan is generated by hydroelectric power plants. The reduction of water resources has a serious impact on the increase in electricity shortages in these countries. For comparison, the share of hydroelectric power plants in energy supply in Uzbekistan is about 15 percent, and in Kazakhstan - about 10 percent.

Based on the above, it is important to reach a new agreement on the use of transboundary water that is stable and mutually beneficial for both parties, and to quickly decide on the transition to a single strategic approach to rational use of

water. Therefore, it is undoubtedly gratifying that Uzbekistan is the first in Central Asia, the second among the CIS countries, the fourth in Asia and the 13th in the world in terms of the introduction of water-saving technologies. This can be said to be the result of the effective implementation of measures aimed at further reforming the functioning of the system.

Currently, in order to further accelerate reforms in this area, the Ministry of Water Resources has been given important tasks. One of them is to fully cover irrigated areas with water-saving technologies by 2030. It should be noted that our country's economy is based on agriculture, and a large part of our territory and population are engaged in it. Therefore, reducing water consumption in agriculture by one percent will save millions of tons of water and direct it to the needs of the population.

Conclusions and proposals

It is necessary to widely introduce the laws of the Republic of Uzbekistan on the proper use of water resources, taking into account their specific aspects, into society and ensuring the implementation of all articles of the law. Today, improving the use of water resources remains an urgent issue. Because today, against the background of the depletion of water resources in almost all countries, measures are being taken in our country to improve this area. However, at the same time, most of the irrigated land in our country is not based on water-saving techniques. That is, there are cases of excessive water consumption in irrigating these lands. Taking this into account, despite the introduction of drip irrigation, this practice has not been implemented in all regions. Also, the procedure for using drinking water also needs to be improved. In particular, improving the procedure for using groundwater is an important issue.

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