

# LAW

## REPUBLIC OF UZBEKISTAN

December 9, 1992. N 754-XII

### On nature protection

Changes have been made in the present Law by laws dated 6.05.95, 25.04.97, 25.12.98. paragraph V of the Law of the Republic of Uzbekistan dated 26.05.2000, Item 2 of the Law dated 31.08.2000.

The present Law establishes legal, economic and organizational fundamentals for the preservation of conditions of natural environment and rational use of natural resources. It aims at ensuring a balanced harmonic development of relations between the human and the nature, protection of ecosystems, natural complexes and separate objects, to guarantee rights of citizens to enjoy a favourable environment.

#### I. General provisions

##### Article 1. Nature protection legislation of the Republic of Uzbekistan

Relations in the field of nature protection and rational usage of natural resources In the Republic of Uzbekistan are regulated by the present law, as well as land, water and forestry legislation, by the legislation on bowels, on the protection and usage of the atmospheric air, vegetative and animal world, various acts of the legislation of the Republic of Uzbekistan.

Relations in the field of nature protection in the Republic of Karakalpakstan are regulated by the legislation of the Republic of Karakalpakstan.

##### Article 2. Objects of nature protection, specially protected natural territories and objects

Protective measures from pollution, loss, damage, depletion, destruction and non-rational usage are applied to land, bowels, water resources, vegetative and animal world, atmospheric air.

Specially protected natural territories and objects include state reserves, national, historical-natural and memorial parks, zakazniks, monuments of nature, botanic and zoological gardens, dendro-parks, as well as animals and plants, included in the international Red Book and Red Book of the Republic of Uzbekistan.

Special protection measures are applicable also to resort and recreational zone, formation zones of surface and underground waters (river valleys, debris cones, foothills), deposits

of rare and valuable metals, maritime belts and water-protection zones (bands) of water objects, protection (buffer) zones of protected natural territories, fishery zones, prohibition bands of forests and other zones in the order, defined by the legislation of the Republic of Uzbekistan and international treaties.

Through decisions of local bodies of state authority and management other categories of specially protected natural territories and objects can be foreseen.

### Article 3. Purposes of nature protection

The purposes of nature protection are:

Creation of favourable conditions for health of people, preservation of ecological balance, rational non-depleting nature use in the interests of effective and sustainable socio-economic development of the Republic;

Preservation of rare species and genetic pool of the living nature;

Preservation of the diversity of ecosystems, landscapes and unique natural objects;

Maintenance of ecological safety;

Preservation of cultural heritage, related to objects of nature.

### Article 4. Achievement of the purposes of nature protection

For the achievement of the purposes of nature protection during economic, administrative and other activities, local bodies of state authorities, ministries and departments, enterprises, institutions, organizations, farmers and farming co-operatives, as well as individuals are obliged to be guided by the following principles:

Preservation of stability of the biosphere and its ecosystems as habitats of the human and care of ecological safety of people, of the genetic pool of humans and their future generations;

Ensuring rights of citizens to favorable natural environment, compulsory manner of ecological training in all kinds of educational institutions;

Scientifically reasonable combination of ecological, economic and social interests of the society;

Paid modality of special and free-of-charge modality of general nature use;

Compulsory manner of ecological expertise;

Promotion of rational management of nature and protection of nature;

Need of reproduction of natural resources, non-admission of harmful and irreversible consequences for the natural environment and health of people;

Openness and transparency in addressing nature protection issues;

Combination of national, regional and international interests in the field of nature protection;

Responsibility for violation of requirements provided in the nature protection legislation.

#### Article 5. Property on natural resources

According to the Constitution of the Republic of Uzbekistan, the land, its bowels, water resources, vegetative and animal world and other natural resources comprise national wealth, are subject to rational usage and are protected by the state.

Conditions, the order of extending, usage and protection of natural resources are determined by the legislation of the Republic of Uzbekistan.

#### Article 6. General and special usage of nature

In the Republic of Uzbekistan, there exist general and special use of nature.

General use of nature is implemented by citizens free of charge for the satisfactions of vitally indispensable needs without an allocation of natural resources to a single users and without a need to obtain special permissions.

The procedure of special use of nature provides enterprises, institutions, organizations and citizens with the possession, use or lease of natural resources based on special permissions for a certain pay and with the purpose of implementing industrial and other activities.

## II. Competence of bodies of state power and management in the field of regulation of legal relations in the field of nature protection

#### Article 7. The competence of the Supreme Council of the Republic

Uzbekistan in the field of regulation of legal relations in the field of nature protection

The exclusive competence of the Supreme Council of the Republic of Uzbekistan includes:

Definition of main directions of a state policy in the areas of nature protection;

Approval of state ecological programs;

Development and acceptance of acts of republican legislation in the field of nature protection;

Declaration of territories as zones of extraordinary ecological situation, ecological disaster or ecological catastrophe, introduction of the legal regime for such zones and the status of

people who suffered;

Coordination of controlling activities to fulfil the nature protection legislation;

Setting of the marginal size of payments for the use of natural resources, as well as privileges for the collection of payments;

Addressing other issues related to the competence of the Supreme Council of the Republic of Uzbekistan.

#### Article 8. Governmental management of protection of natural environment

Governmental management of protection of natural environment and usage of natural resources in the Republic of Uzbekistan is implemented by the Cabinet of Ministers of the Republic of Uzbekistan, State Committee of the Republic of Uzbekistan For Nature Protection, local bodies of state authority in conformity with its laws and various legal acts.

#### Article 9. Competence of a Cabinet of ministers of the Republic of Uzbekistan in the field of nature protection

The competence of the Cabinet of Ministers of the Republic of Uzbekistan in the field of nature protection includes:

Pursuance of universal nature protection policies;

Regulation of usage of natural resources;

Establishment of the procedure and maintenance of management of state registries of natural resources, allocation of natural resources of republican significance;

Elaboration of measures for the prevention of ecological emergency situations, natural disasters and catastrophes;

Implementation of measures aiming at the elimination of consequences of natural disasters and major accidents;

Establishment of payment for the use of natural resources, pollution of natural environment, disposal of waste, other kinds of harmful effects, as well as limits to the usage of natural resources, disposal of wastes;

Creation of a system of ecological awareness and education, maintenance of its operations;

Approval of boundaries in the regions of special management of nature, modalities of nature protection and economic activities;

Development of inter-governmental relations in the field of nature protection and management of nature;

Implementation of various measures as foreseen by the acts of the legislation of the

Republic of Uzbekistan.

Article 10. Competence of local bodies of state authorities and management in the field of nature protection

The competence of local bodies of state authority and management in the field of nature protection includes:

Definition of main directions of nature protection on the appropriate territories, approval of regional (territorial) ecological programs;

Registration and estimation of natural resources, registration of ecologically hazardous objects;

Logistical support to the protection of nature;

Issuance and cancellation of the permissions to use of natural resources, to store or dump industrial or domestic wastes according to the appropriate procedure;

Collection of payment for the use of natural resources;

Management of nature protection, making decision on the suspension, discontinuance and re-profiling of activities of local objects which are affecting the environment;

Regulation of other issues as foreseen by the legislation of the Republic of Uzbekistan.

Article 11. Competence of the State committee of the Republic of Uzbekistan for nature protection

State committee of the Republic of Uzbekistan for nature protection is subordinate to the Supreme Council of the Republic of Uzbekistan and executes the state management and observance by ministries, state committees, departments, enterprises, institutions and organizations, as well as individuals of the legislation in the field of usage and protection of land, bowels, waters, forests, animal and vegetative world and atmospheric air.

The competence of the State Committee of the Republic of Uzbekistan for nature protection is determined by the Statute approved by the Supreme Council of the Republic of Uzbekistan.

Decisions of the State Committee of the Republic of Uzbekistan for nature protection adopted within the limits of its competence, are mandatory for state bodies, enterprises, institutions, organizations and citizens.

III. Rights and responsibilities of citizens of the Republic of Uzbekistan in the field of nature protection

Article 12. The right to a favourable living natural environment and responsibilities on its

preservation

The citizens of the Republic of Uzbekistan have the right to live in favourable conditions for their health and health of their future generations, and to the protection of health from unfavorable environmental effects.

For these purposes, the citizens of the Republic of Uzbekistan have the right to be associated in public organizations for nature protection, to demand and receive information on the state of natural environment and measures which are being taken for its protection.

The citizens of the Republic of Uzbekistan are obliged to rationally use natural resources, to carefully preserve wealth of the nature, and to keep to ecological requirements.

#### Article 13. Legal powers of public nature protection associations

Legal powers of public associations which operate in the sphere of nature protection are determined in their statutory charters adopted pursuant to the legislation of the Republic of Uzbekistan.

#### IV. Normative regulation of quality of natural environment

##### Article 14. Norms and quality standards for natural environment

Unfavorable effects of economic activities on natural environment are limited by the norms and standards defining the quality of natural environment, guaranteeing ecological safety of the population, reproduction and protection of natural resources.

During the formation of territorial-production complexes, development of industry, agriculture, construction and renovation of cities and other settlements, maximum permissible norms (standard) of load on natural environment are established.

##### Article 15. Development and approval of ecological standards

Enterprises, organizations and institutions are obliged to develop ecological and other criteria regulating the maximum permissible environmental loads.

The ecological standards are approved by the State committee Republic of Uzbekistan for nature protection, Ministry of Public Health of the Republic of Uzbekistan, State committee of the Republic of Uzbekistan for the supervision of secure management of activities in industry and mining pursuant to their competence.

Application of chemical substances in agriculture is authorized pursuant to the legislation of the Republic of Uzbekistan.

#### V. Regulation of the usage of natural resources

##### Article 16. Admissibility of nature use

The use of nature is allowed under condition that a suitable living natural environment is preserved, the use of natural resources is carried out within the limits established by appropriate standards, and maintenance of the reproduction of renewing and renewable natural resources.

#### Article 17. Conditions of usage of soil

Soil is defined as the surface prolific layer of the earth crust, inhabited by living forms and operating together with the vegetative cover.

The soil shall be used for obtaining crops of natural and cultural plants without a decrease in its fertility.

The humus layer beneath buildings is subject to removal and carry over for the increase of fertility of soils in other places.

#### Article 18. The conditions for the use of earth bowels and mineral resources

Bowels of earth are defined as the space in the upper part of the earth crust which is accessible to researches and mining of useful minerals; as mineral resources, bowels are defined as geologic formations possessing an economic and recreational value.

Bowels and mineral resources shall be used provided that:

During mining activities, complex and economical usage of bowels and accompanying natural resources shall be ensured, as well as preventing of pollution of the natural environment and bowels;

Recultivation of lands, disturbed while mining useful minerals;

Usage of renewable mineral resources only in the limits of their natural restoration.

#### Article 19. Conditions of use of water and water reservoirs

Surface, underground and sea water on the territory of the Republic of Uzbekistan shall be used on the condition of preserving in the natural turnover of a required quantity of water, ensuring its standard purity, preservations of aquatic flora and fauna, non-admission of pollution of reservoirs, preservation of ecological balance in them and avoidance of damage to reservoirs as parts of a landscape.

Local government bodies, bodies of forestry and water management are obliged to conduct reafforestation and forest planting in the zones of river drain formation, maritime belts of reservoirs and to preserve them.

#### Article 20. Conditions for use of atmospheric air

Atmospheric air is defined as the air space above the territory of the Republic of

Uzbekistan. The air can be used on the condition of non-admission of changes in its quality over the territory, or its pollution or depletion exceeding the established standards.

Pursuant to the international agreement, ministries and government departments, enterprises, institutions, organizations and private individuals are obliged to reduce and gradually stop the production and usage of chemical agents which are depleting the ozone layer.

#### Article 21. Conditions for the use of objects of living nature

Living nature is defined as natural flora, including forests, animals living in wild nature and other living organisms.

Objects of the living nature are used on the following conditions:

preservations of their reproduction ability;

preservations of their specific diversity and stability of communities;

non-admissions of biological pollution of the natural environment.

#### Article 22. Conditions for waste discharges from production and household activities

Wastes, including transferred substances, are removed from the industrial and communal household sectors by means of their recycling, storing, dispersion or dumping.

An environmentally secure removal of industrial wastes shall be the responsibility of the organization or individual who produced the wastes. The disposal of domestic wastes shall be organized by local bodies of state authorities and management.

The wastes shall be removed by means which make it possible to use them in further economic processes, and their safety for natural environment.

Enterprises, organizations and institution, whose production or packaging materials may partially become wastes, are obliged to ensure their processing.

#### Article 23. Forfeiture of the right to use natural resources

A user systematically breaking the requirements for the usage of natural resources, can forfeit the right to use them.

### VI. Ecological expertise

#### Article 24. State ecological expertise

The name of the article is laid down in the version as provided in paragraph 1 of section II of the Law dated of 31.08.2000.

State ecological expertise is a mandatory measure designed for the protection of natural environment, prior to acceptance of an economic decision.

Realization of state ecological expertise is implemented in the order defined by the legislation of the Republic of Uzbekistan.

Part 3 has been removed according to paragraph 1 of section II of the Law dated from 31.08.2000.

Article 25. Objects of the state ecological expertise

Part 1 is laid down in the version as provided by paragraph 2 of section II of the Law dated of 31.08.2000 of the previous version

Objects of state ecological expertise are defined by the legislation.

Implementation of projects without a positive conclusion by the State ecological expertise is prohibited.

Article 26 was removed according to paragraph 3 of section II of the Law dated from 31.08.2000.

Article 27. Public ecological expertise

Public ecological expertise is implemented by independent groups of specialists upon an initiative of public associations funded at their own expense or from public donations.

Conclusions of the public ecological expertise have a recommendatory character.

the VII. Ecological control

Article 28. Monitoring of the natural environment

With the purposes of conducting observations, registration, estimation and forecasting of the conditions of natural environment and its resources on the territory of the Republic of Uzbekistan, a system of state monitoring of the natural environment shall be established.

Monitoring of the conditions of natural environment and usage of natural resources is implemented by specially authorized bodies, as well as enterprises, organizations and institutions, whose activities has resulted or may result to aggravation of natural environment conditions.

Specially authorized bodies, as well as the above-mentioned enterprises, organizations and institutions are obliged to gratuitously transfer materials of observations to appropriate state bodies.

The structure, contents and procedure of monitoring are developed by the State committee of the Republic of Uzbekistan for nature protection and are approved by the Cabinet of

Ministers of the Republic of Uzbekistan.

#### Article 29. Goals of ecological control

The ecological control pursues the following goals:

Monitoring conditions of natural environment and changes taking place in it under the effects of economic and other activities;

Monitoring of environmental programs and their activities aiming at the protection of the environment, rational usage of natural resources, environmental rehabilitation, observance of the requirements of nature protection legislation and standards of natural environment.

The system of the ecological control consists of state services for monitoring of condition of natural environment, and governmental, departmental, industrial and public control in the field of nature protection.

#### Article 30. Governmental monitoring service for natural environment

Governmental monitoring service for natural environment is organized with the purpose of monitoring changes happening in the environment caused by physical, chemical or biological processes; pollution level of the atmospheric air, soils, surface and underground water, effects of pollution of the vegetative and animal world; provision of day-to-day and emergency information to individuals and concerned agencies on changes in the natural environment as well as forecasts.

The information on the condition of natural environment shall be open, with its main parameters regularly published by state bodies of nature protection.

State bodies of nature protection are obliged to immediately inform the public on emergencies and other cases, which resulted in excessive pollution of natural environment.

For the registration of quantitative, qualitative and other characteristics of natural resources, the volume, character of the mode of their usage, state cadastres of natural resources are maintained.

Also, certain objects are subject to monitoring and state registration if they affect or are able to render unfavorable effects on the conditions of natural environment, types and quantity of polluting substances affecting natural environment, volumes and structure of waste from production and household activities.

The structure, order of organization and activities of state services for the monitoring of natural environment, and the procedure for the maintenance of state cadastres of natural resources, state registration of environmentally hazardous objects, are established by the Cabinet of ministers of the Republic of Uzbekistan.

#### Article 31. State control in the area of nature protection

State control in the field of nature protection is implemented by bodies of state power and control, and specially authorized state bodies for nature protection.

Specially authorized bodies for nature protection include:

State committee of the Republic of Uzbekistan for nature protection;

Ministry of Public Health of the Republic of Uzbekistan;

Agency on supervision of secure management of activities in industries and mining inspectorate. (In the version of paragraph 4 of section II, Law of 31.08.2000)

Ministry of Internal Affairs of the Republic of Uzbekistan;

Ministry of agricultural and water management of the Republic of Uzbekistan; (effected by the Law of the Republic of Uzbekistan No. 421-I dated 25.04.97)

State committee on land resources of the Republic of Uzbekistan; (effected by the Law No. 729-I of 25.12.98).

The specially authorized bodies for nature protection may involve departmental ecological services according to the appropriate procedure for participation in the implementation of state control activities in the field of nature protection.

#### Article 32. Departmental, industrial and public control in the field of nature protection

Departmental control in the field of nature protection is implemented by ecological services of ministries, state committees and departments to oversee activities of subordinate enterprises and organizations.

Industrial control in the field of protection of natural environment is implemented by ecological services of enterprises, associations, and organizations, and aims at the fulfillment of programs and separate activities for nature protection, rational usage and reproduction of natural resources, environmental rehabilitation of natural environment, and compliance with the requirements of nature protection legislation.

Public control in the field of protection of natural environment is implemented by public associations, staff collectives and citizens.

The procedure of organization and activities of departmental, industrial, ecological services and public ecological control is regulated by the present Law and their Statutes.

#### VIII. Economic measures for nature protection

##### Article 33. Economic mechanisms for nature protection

The economic mechanism of nature protection envisions the following :

collection of payment for the special use of natural resources, pollution of natural environment (including disposal of waste) and other kinds of environmentally hazardous activities;

Tax, credit and other privileges, being granted to enterprises, institutions and organizations, as well as individuals who apply low-waste and resource-saving technologies, or implementation of activities with nature protection or nature rehabilitation effect;

Introduction of special taxation for enterprises, institutions and organizations for the application of ecologically dangerous technologies and implementation of other environmentally hazardous activities;

obtaining of licenses (permissions) for the right to discharge/emission of substances polluting natural environment, or implementation of other environmentally hazardous activities;

Imposing of responsibilities on enterprises, institution, organization and citizens for the restoration of favourable conditions of the environment which they had affected;

Collection according to the appropriate procedure of money compensations for damage caused as a result of destruction of natural objects;

Full or partial forfeiture of bonuses from officials or other staff which are awarded for participation in production activities, in case of failure to fulfil plans and measures for nature protection, violation of normative, technical and other requirements of the legislation in the field of nature protection;

Incentive prices and additions to the price of ecologically clean production;

Application to nature users of economic penalties for wasteful or excessive usage of natural resources or, on the contrary, provision of economic privileges for their economic and rational usage;

Material incentives with respect to labor collectives and separate staff members of state, cooperative, public and other enterprises, institutions and organizations, as well as individuals who achieved best results in the field of nature protection and production of environmentally clean production.

Legislation of the Republic of Uzbekistan, decisions of local bodies of state power and control may establish other provisions for economic incentives which enable activities for the protection of nature.

Application of economic incentives for activities dealing with nature protection is implemented in the order, defined by the legislation of the Republic of Uzbekistan, as well as decisions of local bodies of state authorities and control.

#### Article 34. Payments for special use of nature

Payments for the special use of nature consist of the payment for the pollution of natural environment (discharges, emissions of polluting substances and disposal of waste), and the payment for the protection and reproduction of natural resources.

The rates of taxes and amounts of other payments, including rental payments, for the use of natural resources, take into account their prevalence, quality, ability of reproduction, availability/accessibility, integrated approach, productivity, location, possibility of recycling and waste utilization and other factors; the appropriate limits/quotas are determined and approved in the order, established by the legislation of the Republic of Uzbekistan.

The amounts of payments for discharges and emissions of pollutants in the natural environment and disposal of waste are approved by the Cabinet of Ministers of the Republic of Uzbekistan. (In the version of paragraph V, Law of the Republic of Uzbekistan dated from 26.05.2000)

The amounts of payments for the protection and reproduction of natural resources which are of nation-wide significance, are established by the Cabinet of ministers of the Republic of Uzbekistan, and for natural resources of local significance by local bodies of state power and control.

The payments for the use of natural resources are included in the production costs of goods/activities/services of nature using enterprises.

Payments for discharges/emissions of pollutants into the natural environment, disposal of industrial and domestic wastes, as well as for the excess of limits (above permitted standards) and other non-rational special nature use are collected from the profit (income) of nature using enterprises.

Payments for the use of natural resources, their protection and reproduction are accumulated in the budgets of local bodies of state authorities and control as a separate budget line.

The procedure of collection of payments for discharges/emissions of polluting substances in the natural environment and disposal of industrial and domestic wastes, as well as usage of such funds is determined by the legislation. (In the version of paragraph V, Law of the Republic of Uzbekistan dated from 26.05.2000)

Legislation of the Republic of Uzbekistan, decisions of local bodies of state power and the control can stipulate cases of exemption from payment for the use of nature, as well as other tax privileges.

Depositing of payments for the use of natural resources and for discharges/emissions of hazardous substances does not exempt enterprises, association and organizations, as well as individuals from the compliance with ecological requirements and from the responsibility to reimburse the caused damages.

#### Article 35. Funds for nature protection

For financing activities of nature protection, State committee of the Republic of Uzbekistan for nature protection and its branches in the field shall establish the republican and local funds for the protection of nature.

The order for the formation and usage of nature protection funds is established in the Statutes of funds of nature protection, to be approved by the Cabinet of ministers of the Republic of Uzbekistan.

Public funds for nature protection are established based on voluntary installments of people, enterprises, institutions, organizations, public associations and from other sources, as well as deductions from foreign legal entities and citizens. The procedure for the collection and spending of public funds is determined by their Statues accordingly, to be approved by appropriate public associations.

#### Article 36. Ecological insurance

In the Republic of Uzbekistan, there are voluntary and mandatory property insurance and insurance of incomes of enterprises, institutions and organizations, insurance of life, health and property of citizens in case of damages, inflicted due to the pollution of natural environment and deterioration of quality of natural resources.

The order and conditions of ecological insurance are established by the legislation of the Republic of Uzbekistan.

#### Article 37. Incentives in the system of nature protection

Inducing rational use of nature, protection of natural environment shall be implemented through the following:

Granting of taxation privileges to enterprises, institutions, organizations and citizens in cases when they implement measures to ensure rational usage of natural resources and nature protection;

Granting of favourable short-term and long-term credits (loans) for the implementation of measures to ensure rational usage of natural resources and nature protection;

Establishment of increased norms of depreciation of fixed production assets;

Reduction of payments for discharges/emissions of pollutants to natural environment and

disposal of waste in case the discharges/emissions are gradually being reduced;

Transfer of a part of funds designed for nature protection on contractual basis as loans to enterprises, institutions, organizations and individuals for the implementation of measures to decrease of discharges and emissions of pollutants.

#### IX. Emergency ecological situations

##### Article 38. Elimination of accidents and their negative ecological consequences

In case of accidents, enterprises, institutions or organizations are obliged to immediately initiate measures for their elimination in accordance to the operation plans for emergency ecological situations. At the same time they shall immediately inform local bodies of state power and controls, state bodies for nature protection, as well as specialized services for the liquidation of negative ecological repercussions of such emergencies about the emergency and measures being taken to deal with it.

##### Article 39. Zones of emergency ecological situation and ecological disaster

Zones of emergency ecological situation are declared on territories, including water and airspace, where negative changes in natural environment due to economic and other activities, destructive phenomena of the nature or accidents and catastrophes posing a threat to health of people, condition of natural ecosystems and genetic pools of plants and animals.

The zones of ecological disaster are announced on the territories, where there have taken place or are taking place steady or irreversible changes in the environment, caused by the disturbance of natural balance or by destruction of natural ecosystems.

The decisions on the announcement of zones of emergency ecological situation in cases of ecological disaster are made in the order, established by the legislation.

In the zones of emergency ecological situations and ecological disasters, all activities which caused such a situation shall be suspended; it is prohibited to conduct activities (except for those dealing with servicing of the population), which is affecting natural environment; measures shall be taken for the recovery and environmental rehabilitation.

##### Article 40. Potentially dangerous environmental situations

Potentially dangerous environmental situations are defined as those related to threat of increased pollution of natural environment, damage of natural systems, affecting health and life of people while storing, transporting or using highly toxic, radioactive and other substances, referred to the First Class Hazard Category by the State Committee of the Republic of Uzbekistan for nature protection.

In case of potentially dangerous ecological situations around appropriate industrial objects or along transport highways a special legal regime is established by bodies of State committee of the Republic of Uzbekistan for nature protection.

#### X. Ecological requirements to economic and other activities

Article 41. Ecological requirements to location, designing, construction, renovation, operations and liquidation of enterprises, facilities and other objects

While implementing location, designing, construction, renovation, operations and liquidation of enterprises, facilities and other objects, the requirements of ecological safety should be fulfilled and measures for the protection of nature designed.

Enterprises, organizations, institutions and individuals are obliged to promote no-waste and low-waste technologies, reduce generation of waste by production and household activities, ensure re-processing and recycling, observe rules of their sorting, warehousing, dumping and utilization.

Decisions on the development and location of large national-scale economic objects, which can make serious ecological effect on natural environment, are made by the Supreme Council of the Republic of Uzbekistan on the basis of the conclusions of the State ecological expertise.

Putting into operation of objects which are incompliant to ecological requirements is prohibited.

Article 42. Ecological requirements to the treatment of radioactive and chemical agents

Enterprises, institutions, organizations and private individuals are obliged to follow ecological requirements, established standards and rules in the course of production, storage, transportation, application, recycling and dumping of radioactive and chemical agents; to take appropriate measures for prevention and elimination of negative consequences caused by their application, to immediately inform radiation and chemical safety administration in cases when these standards are exceeded.

The permissions to burial of radioactive wastes and chemical substances are issued by the State committee of the Republic of Uzbekistan for nature protection in consensus with local bodies of state authorities and bodies of State Sanitary and Mining Inspectorate. (In the version of the Law of the Republic of Uzbekistan of 6.05.95)

Article 43. Protection of nature from effects of noise, vibration, electromagnetic fields and other negative physical effects

Local bodies of state power and control, enterprises, institutions, organizations and private individuals are obliged to ensure measures to prevent, or eliminate negative industrial

noises, vibrations, effects of electromagnetic fields and other factors rendering negative physical consequences.

#### Article 44. Protection of nature from uncontrolled and harmful biological effects

Enterprises, institutions and organizations which may or are making negative biological effects on the nature, are obliged to take measures for the prevention and liquidation of consequences caused by such effects.

Obtaining and usage of new micro-organisms, viruses and forms, as well as their import in the Republic of Uzbekistan are allowed only upon receipt of a positive conclusion of the state sanitary inspection.

#### Article 45. Protection of nature from pollution of wastes caused by industrial production and public consumption

Burial of harmful wastes is prohibited, including high-level radioactive wastes on the territory and near cities and other settlements, in locations with high density of population, in the areas of resorts, recreational zones, as well as in water objects and water-protection zones.

Decontamination of wastes using special installations, burial and storing of waste on special fields are implemented based on the permission of State bodies for nature protection.

#### Article 46. Ecological certification

The usage of raw materials and components, introduction of manufacturing processes and production of finished products (including food products) without an ecological or hygienic certificate, or with deviations from defined parameters is prohibited.

The order of ecological certification is approved by the Cabinet of ministers of the Republic of Uzbekistan.

### XI. Responsibility for the violation of nature protection legislation, settlement of disputes in the field of nature protection

#### Article 47. The responsibility for the violation of nature protection legislation

People who were found guilty in:

Violation of standards, norms, rules and other normative technical requirements to nature protection, including violations of established ecological capacity of a territory, ecological norms, rules applied to planning, construction, renovation, operation or liquidation of enterprises, facilities, transport means and other objects; exports and imports of ecologically dangerous production;

Unauthorized use of natural resources, failure to follow the requirements of state ecological expertise;

Refuse of depositing established payments for the use of natural resources, for discharges and emissions of pollutants, disposal of solid wastes, pollution of natural environment and other kinds of negative environmental effects;

Failure to keep to schedules for the construction of nature protection objects, other activities for nature protection;

Inactivity for the restoration of natural environment, liquidation of negative effects and reproduction of natural resources;

Failure to follow the instructions of bodies, executing state control and supervision of nature protection;

Violation of the legal regime of specially protected territories and objects;

Violation of rules applicable to the registration of negative effects on natural environment;

Violation of environmental requirements to storage, transportation, usage, decontamination and dumping of industrial and domestic wastes, means of chemical treatment, as well as radioactive and toxic chemical agents;

Impeding officials, executing the state control and supervision in the field of protection of natural environment from visiting objects; and private individuals and public nature protection organizations - from implementation of their rights and responsibilities;

Refusal of granting timely and reliable information about the conditions of natural environment and use of its resources

shall be subject to disciplinary, administrative, criminal and other responsibility pursuant to the legislation of the Republic of Uzbekistan.

Article 48. Limitation, suspension, discontinuance and re-profiling of activities of objects, providing a negative effect on natural, environment

In cases where a negative effect on health or living conditions of people, natural resources, specially protected territories is made or there is a potential threat of such effects, activities of enterprises, organizations, facilities and other objects can be limited, suspended, and when it is impossible to eliminate causes of negative effects, it can be discontinued or re-profiled.

Decisions on limitation, suspension, discontinuance or re-profiling of activities of such objects with simultaneous discontinuance of their funding are made by bodies of state authorities and control, bodies for nature protection in accordance to their competence.

Article 49. Responsibility for compensation of damages, caused by the violation of nature protection legislation

Enterprises, institutions, organizations and private individuals who caused damage to natural environment, are obliged to compensate for it, including lost profit, in accordance to the legislation.

Bringing of violators of the ecological requirements to administrative or criminal liability does not free them from the responsibilities of compensation for the caused damage to natural environment.

Article 50. Ecological responsibility for the violation of nature protection legislation

Non-rational special use of nature, excessive and over-limit discharges and emissions of pollutants into natural environment, disposal of industrial and domestic wastes, conducted by enterprises, institutions, organization or private individuals are subject to discriminatory taxation in accordance to the legislation of the Republic of Uzbekistan.

In appropriate cases, upon a decision of local bodies of state authority and control, bodies of nature protection can suspend funding of economic activities of legal and physical persons pending elimination of causes of the violations.

Article 51. Responsibility of officials and other staff which were found guilty for violations of nature protection legislation

Officials and other staff guilty for inflicting damage to enterprises, institutions or organization due to damages caused to natural environment, health and property of people and national economy, are subject to material responsibility pursuant to the legislation of the Republic of Uzbekistan.

Article 52. Legal actions/lawsuits for discontinuance of ecologically negative activities

Legal and physical persons have the right to apply to court with suits to discontinue ecologically negative activities, affecting natural environment, health, property of people and national economy.

The court decree on the discontinuance of ecologically negative activities is the basis for the termination of funding of such activities.

Article 53. International treaties in the area of nature protection

In cases when an international treaty, signed by the Republic of Uzbekistan, provides other rules than those contained in the present Law or other act of the Republic of Uzbekistan on nature protection, the provisions of the international treaty shall be applied, except for cases, when by the legislation of the Republic of Uzbekistan sets more strict requirements.

President of the Republic of Uzbekistan

I. Karimov

Tashkent,

December 9, 1992.

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