



ECO-LEGAL GUIDE

What investors in oil and gas field should know about environmental protection in Uzbekistan

Ed. 1 | 22 July, 2020



ABSTRACT

Complex overview of the current legislation on the norms applicable to environmental protection in the field of oil and petroleum industry.

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Contents

Disclaimer	3
About us	4
Introduction	5
Legislation of the Republic of Uzbekistan: Compliance with international standards adopted in the petroleum industry.....	6
Legal System of the Republic of Uzbekistan	7
State Regulation of the Environmental Issues	8
State Committee of the Republic of Uzbekistan on ecology and environmental protection.....	10
The State committee on industrial safety of the Republic of Uzbekistan.....	11
Environmental Impact Assessment.....	12
State EIA.....	12
State EIA	13
Public EIA.....	13
Environmental audit.....	13
State Environmental Monitoring	14
Economic Measures of the Regulation of Nature Use and Environment Protection	15
Compensatory payments for the disposal of waste.....	16
Payments for special use of natural resources and environmental pollution	16
Insurance of Environmental Liability	17
Crimes and Administrative Violations in the Sphere of Environmental Protection	17
Overview of the Environmental Legislation of Uzbekistan, Applicable to Petroleum Operations.....	18
Annex 1.....	25
Personal structure of the Cabinet of Ministers	25
Annex 2	26
List of Ministries of the Republic of Uzbekistan.....	26
Annex 3	27
List of functions of Goskomekologiya	27
Annex 4	28
List of functions of Goskomprombez	28
Annex 5.....	29
List of polluting substances	29
Annex 6	30

List of documents submitted for State EIA.....	30
Annex 7.....	31
Sums of compensatory payments for wastes disposal on the territory of the Republic of Uzbekistan	31
Annex 8	32
Water resource protection.....	32
Annex 9	35
Clean air protection legislation	35
Annex 10.....	38
Protected zones.....	38
Annex 11	39
Protection of fauna	39
Annex 12.....	41
Waste disposal	41
Annex 13.....	44
Radiation safety	44
Annex 14.....	46
Industrial safety.....	46
Our contacts	48

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About us

Tethys is a law firm established to ensure its clients' success in every step. Our strengths are in areas of government relations, legal services, dispute resolution and mediation. We help our customers to find a steady footing for accelerated expansion and development. Our team comprises of professionals, who have experience from a variety of fields, with a close understanding of tightly regulated industries such as healthcare, mining, and energy. We also help companies with issues regarding investment policy, tax and infrastructure development.

Our main services in the field of environmental protection are:

- Consulting on issues of environmental management and protection, compliance with environmental standards and compensation for damage caused, as well as other issues, including radiation and industrial safety, geological works and etc;
- Conducting regulatory due diligence on matters of environmental protection and use of natural resources;
- Challenging the decisions and orders of the supervisory and control authorities in the field of ecology and nature management;
- Assisting in drafting normative technical documents in the field of industrial and radiation safety, use and protection of mineral resources during their geological study, extraction of minerals, processing of mineral raw materials;
- Developing and implementing preventive measures in the field of industrial and mining works;
- Obtaining clearances, licenses and permits on various matters with regard to the environment and natural resources;
- Collaboration with regulatory authorities on various environmental and regulatory matters.

We also provide full range of other legal services for businesses in the following fields: Branding & Trade, Infrastructure & Construction; Mining & Subsoil Use; Chemicals; Green energy; Pharmaceuticals and etc.

If You come across any question reading this article, we are always ready to discuss them with You at any time convenient for You.

Introduction

Currently, the government of the Republic of Uzbekistan is paying much attention to the environmental regulations which are aimed to modernize and optimize the processes by which the nature is protected. In recent years, there have been adopted many laws of this sphere as well as old ones have been amended to satisfy modern demands. While these changes are here to deal with current matters, the recent Concept “On the protection of the environment of the Republic of Uzbekistan until 2030”¹ sets the measures that have to be implemented to achieve expected results by 2030. The Chapter VI of the Concept establishes the following results that are expected according to the Concept:

- expanding the area of forest plantations on the Uzbek part of the dried bottom of the Aral Sea to 60% of its territory;
- reduction of losses of water resources in agriculture by 10%;
- reduction of water consumption in agriculture (per unit hectare) by 15%;
- increasing the efficiency of wastewater treatment up to 80%;
- reduction of pollutant emissions into the air by 10%;
- transfer of 80% of public transport to gas-filled fuel and electric traction;
- an increase in the forest fund covered by forests to 4.5 million hectares;
- increase in the area of protected natural areas of category IV up to 12%;
- an increase in the release into nature of bustard-beauties grown in nurseries, listed in the Red Book, up to 4,000 individuals per year;
- bringing the coverage of the population with services for the collection and removal of municipal solid waste to 100%;
- increase in the volume of processing of generated solid household waste up to 65%;
- increase in the volume of processing of specific wastes (mercury-containing wastes, tires, batteries, used oils, packaging wastes and others) up to 30%.

Considering the above-mentioned, it is likely that there will be some more major changes in the environmental framework of the Uzbek legislation. Until they come into realization, most of the current norms have been penned in this article for your information.

¹ Approved by the Decree of the President of the Republic of Uzbekistan dd 30 October, 2019 N VII-5863

Legislation of the Republic of Uzbekistan: Compliance with international standards adopted in the petroleum industry

Environmental legislation in Uzbekistan is not in full compliance with the international standards and practice, adopted for the regulation of oil and gas exploration and production activity worldwide.

Except this, there are no detailed provisions, criteria and requirements in the legislation for contingency planning in case of emergency situations like oil spills or spills of other hazardous chemical substances, as it is, for example, provided in the International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990.²

There is no provision in Uzbek legislation that prohibits gas flaring. And due to exhaustion of the resource base and thereby the low pressure in **existing** deposits, the development has to be managed despite increased volumes of associated gas.

Moreover, while Uzbekistan is not party to **Aarhus Convention** on access to information, justice and participation of public in decision making in the environment protection (compared to Kazakhstan, Kyrgyzstan, Tajikistan and Turkmenistan). However, the work on ratification of this convention was indicated in the Concept of environmental protection of the Republic of Uzbekistan until 2030. In addition, Environmental movement of Uzbekistan founded in August 2008 has the purpose of enhancing public participation in the issues related to the environmental protection, as well as undertaking comprehensive program to ensure enforcement of all legislative acts in this sphere.

For example in Azerbaijan, unlike Uzbekistan, the requirements for investors before the commencement of the hydrocarbon project (for the ACG project, in particular) included overview of **different** ways of decommissioning of installations and other facilities and **assessment of the impact** of these different ways on the environment.

² Uzbekistan is not party to this Convention.

Legal System of the Republic of Uzbekistan

There is a system of codified law in Uzbekistan. National legislation comprises the following legislative and other normative acts³:

- Constitution;
- Laws, adopted by the Lower Chamber of the Parliament;
- Resolutions of the Chambers of the Parliament of RUz;
- Decrees of the President;
- Resolutions of the Cabinet of Ministers;
- Acts of Ministries, state committees and agencies;
- Decisions of the local government agencies.

That is to say, in addition to the Parliament – the supreme legislative branch of power – bodies that adopt legally binding acts are:

- President of the RUz;
- Cabinet of Ministers of RUz⁴;
- Ministries, state committees and agencies⁵;
- Local government agencies.

The fact that governmental bodies which belong to executive branch of power are entitled to adopt normative acts is contradictory to the principle of separation of powers, as they thereby provide a detailed legislative framework for regulating a specific activity, which is contrasted to the general legislative framework provided in acts of Parliament.

A normative act, which is adopted by the ministry, state committee or agency, is higher in the hierarchy than a normative act adopted by other ministry, state committee or agency, if the former is entitled to regulate that particular sphere of activity. This principle is applied in case if an act provides “...unless the legislation provides otherwise”. Hence, normative acts of these governmental bodies are adopted to provide details for regulation,

³ This list is formed in accordance with article 5 of the law “On normative acts” and the legal hierarchy

⁴ See also Annex 1 – structure of the Cabinet of Ministers

⁵ See also Annex 2 – list of ministries of the Republic of Uzbekistan

to establish the specific order and the requirements, while the acts of the Parliament determine the general policy with respect to the regulated activity.

Priority of international law is stipulated in the Constitution, thus, if there is a contradiction to the norm of international treaty, which Uzbekistan is a party to, a norm of this treaty will prevail. However, it should be mentioned that for application of international treaty provisions, the Uzbek legislation should provide an order of its implementation on the national level.

State Regulation of the Environmental Issues

In accordance with the Constitution of Uzbekistan, the following are subject to environmental protection:

- land, subsoil;
- water⁶;
- flora and fauna;
- air.

Surface, subsoil and sea water resources can be used subject to efficient and safe utilization. Flora and fauna, the cleanliness of the water resources should be protected. For the purposes of environmental protection, air resources are considered to be a space over the territory of Uzbekistan.

Governmental functions for regulating the issues of environmental protection are implemented by a number of bodies (see the scheme below).

⁶ State water fund of the Republic of Uzbekistan includes: rives, lakes, water reservoirs, water channels, surface and subsoil water resources, glaciers.

Governmental bodies which regulate environmental protection issues

Parliament

Legislative Chamber:

- designates the committee from the deputies of the Chamber to draft laws, as well as to obtain preliminary consideration of issues which are subject to consideration by the whole Legislative Chamber, to control implementation of laws and resolutions adopted by the Legislative Chamber. There is a Committee for agricultural, water and environmental issues within the structure of Legislative Chamber.

Senate:

- designate and the position of the chairman of the State Committee for environmental protection;
- hears the reports of the chairman of the State Committee for environmental protection.

State Committee of the Republic of Uzbekistan on ecology and environmental protection

General procurator office:

- controls the accuracy and conformity of implementation of legislation on the territory of Uzbekistan.

President:

- is a head of the state and ensures conformity in functioning and cooperation of governmental bodies;
- is a guarantee for the protection of rights and freedoms of the citizens, ensures the compliance with the Constitution and other acts of Uzbekistan;
- forms the structure of executive branch and is a head of it;
- stops, repeals the acts of governmental bodies.

Cabinet of Ministers:

- establishes the order and ensures the proper registry of natural resources in the state cadastres, confirms the national reserves
- elaboration of measures for prevention and liquidation of environmental catastrophes;
- establishes the order for the usage of natural resources, disposal of waste and other hazardous substances, as well as limits/standards to the usage of natural resources and disposal of waste;
- confirmation of borders of special protected zones, special regimes for environmental protection and economic activity therein;
- issue and annulment of licenses for the usage of natural resources, for warehousing and burial of economic and other discharges;
- authorization of environmental standards and sizes of compensatory payments.

Local governmental bodies:

- with respect to the objects of state property, control the rational use of natural resources and measures undertaken for environmental protection;
- are entitled to pass state objects for temporary or permanent ownership and usage;
- are entitled to pass lands for ownership, usage and lease for enterprises, organizations, citizens, as well as annul the ownership and usage rights. They can also withdraw the lands with the subsequent confirmation by Kengash of deputies.

The key specialized body which is competent to control issues related to environmental protection as well as coordinate the related activity is State Committee of the Republic of Uzbekistan on ecology and environmental protection (Goskomekologiya), whose Chairman is Shavkatjon Shokirdjanovich Abdurazakov.

State Committee of the Republic of Uzbekistan on ecology and environmental protection

Competence of State Committee of the Republic of Uzbekistan on ecology and environmental protection, hereinafter Goskomekologiya, is determined by the Decree of the President of the Republic of Uzbekistan.⁷

The functions, inter alia,⁸ include:

- **Conducting the state EIA** (Environmental Impact Assessment) of the projects, as well as EIA of new equipment, technologies and substances which may have an impact on the environment;
- Control and coordination of agencies responsible for **state environmental monitoring**;
- **Issue of licenses** for discharges and emissions, usage of air resources for economic activity, special water usage, well-sinking, work organization for environmental norm setting, right to subsoil use for burial of hazardous substances, radioactive and other discharges from economic activity;
- **Suing legal entities and physical persons** on the issue of compensation for environmental degradation caused by pollution and irrational use of natural resources; and transferring the recovered amounts to the account of local funds for environmental protection and other specially assigned accounts;
- **Suspending industrial and other enterprises**, which violate the environmental law norms, from economic activity.

⁷ Presidential Decree of April 21, 2017 No. UP-5024 “On improving the system of public administration in the field of ecology and environmental protection.”

⁸ The full list of responsibilities of Goskomekologiya see in Annex 3

Resolutions, decisions, instructions of Goskomekologiya, which are adopted within its competence, are legally binding for all governmental bodies as well as legal entities and physical persons. If there is a collision between a normative act that is adopted by Goskomekologiya itself or in collaboration with other state agencies, which are responsible for regulation of the healthcare and other environment-related issues, and other legislative act adopted by the state agency of the same level, the former will prevail.

The State committee on industrial safety of the Republic of Uzbekistan

Main objectives of Goskomprombez are determined by the Decree of the President of the Republic of Uzbekistan⁹. The main objectives of the Committee include activities related to industrial entities and areas in terms of radiation and nuclear safety. Moreover, in the course of their activities they work closely with entities so to coordinate and monitor the process of subsoil usage. Their objectives, inter alia, include:

- development of proposals on priority areas of state policy in the field of radiation and nuclear safety
- organization and provision of effective state supervision and control in the field of radiation and nuclear safety in the implementation of activities in the field of circulation of sources of ionizing radiation and the use of atomic energy;
- development and implementation of preventive measures to ensure radiation and nuclear safety at controlled facilities;
- development of normative legal acts and normative documents in the field of technical regulation on issues of ensuring radiation and nuclear safety in the handling of nuclear and radioactive materials, the use of atomic energy, production, processing, transportation, storage, use, disposal, as well as physical protection and accounting nuclear materials, radioactive substances containing their radioactive sources and radioactive waste;

⁹ Resolution of the President of the Republic of Uzbekistan “On the organization of the activity of the State committee of industrial safety of the Republic of Uzbekistan” dd 12 December, 2018, N PP-4058

- ensuring the fulfillment of the obligations of the Republic of Uzbekistan under international treaties in the field of peaceful use of atomic energy.¹⁰

Environmental Impact Assessment

According to national legislation¹¹, environmental impact assessment is classified into **state** and **public** EIA, and also may take a form of **environmental audit**.

State EIA

State Committee of the Republic of Uzbekistan on ecology and environmental protection is a specialized state body which is competent to implement EIA. The deputy chairman of the State committee for environmental protection is assigned to be the head of state EIA.

Environmental impact assessment is implemented for the purposes of:

- Determination of the level of **environmental degradation** which is, or might be (in case if the activity has not still commenced), the outcome of the economic activity;
- **Sufficiency of undertaken measures** for environmental protection and rational use of natural resources.

Objects of state EIA are:

- Project-related documents;
- Normative and other methodological documents, which regulate the economic activity related to the usage of natural resources;
- Existing enterprises and other objects, which influence the environment and the health of citizens (if the activity has already commenced);
- Materials related to impact assessments, which include the written letter that includes information on impact assessments, written letter that includes information on environmental degradation outcomes, and, if the legislation prescribes, the written letter which describes influence on the environment (for the activity that has not yet commenced);

¹⁰ See Annex 4 for full list of Committee's functions

¹¹ Law of the RUz «On EIA» № 73-ii adopted on 25.05.2000

- For existing objects – relevant environmental norms/standards, written letter on environmental influence of this object which was submitted due to finding of the fact that this particular object has a negative impact on the environment and health of the citizens. Materials of environmental audit may be also presented in this case.

State EIA has an obligatory character and is aimed to:

- Check the compliance of the presented information with the environmental legislation;
- Analyze the authenticity and integrity of information on environmental and social impact assessments of the planned or commenced economic activity;
- Check the validity of impact assessments of biological, chemical substances and other technologies on the environment;
- Check the correctness of impact assessments with respect to outcomes and the level of degradation from the planned or commenced economic activity;
- Revelation whether the measures undertaken for environmental protection are sufficient;
- Check the validity of the relevant environmental norms/standards.

For the list of documents that need to be submitted for EIA see Annex 6.

Public EIA is realized by the initiative of NGOs and citizens, and may be implemented with respect to any economic activity that requires EIA. Public EIA may be implemented independently from the state EIA. Conclusions of the public EIA have the recommendation status, not a mandatory one. It is, however noteworthy that the results of the public EIA has no mandatory character and is aimed to provide merely recommendations.

Environmental audit – independent EIA of existing enterprises and other objects that negatively influence the environment. Environmental audit is implemented by the independent environmental auditing firms and is conducted if the project management decides to do so.

State Environmental Monitoring

State environmental monitoring¹² is a system of regular observations which are performed on the basis of confirmed state program that is aimed to control the state of environmental degradation.

Environmental monitoring is performed by a number of agencies and ministries (see table 1), while Goskomekologiya is responsible for the work coordination in this regard.

Table 1. Agencies and ministries, which are responsible for environmental monitoring in accordance with the sphere of competence:

Goskomekologiya	Monitoring the sources of environmental degradation and monitoring of surface ecosystems.
Hydro and meteorological center of the Republic of Uzbekistan (Uzgidromet)	Monitoring of air degradation, surface and subsoil water resources and background monitoring
Ministry of water resources of the Republic of Uzbekistan	Monitoring of the quality of water resources used in agriculture
State committee for land resources, geodesy, cartography and state cadastre	Monitoring of land pollution
State committee for geology and mineral resources	Monitoring of pollution of subsoil water resources and other dangerous geological processes
Ministry of healthcare	Sanitary and hygienic monitoring of the environment

¹² Regulation on Environmental monitoring in the Republic of Uzbekistan was adopted by the Resolution of the Cabinet of Ministers on 05.09.2019 N 737

That is to say, Goskomekologiya is also responsible for environmental monitoring, which has the following purposes:

- **Observation of environmental conditions and their changes**, and the impact of commercial and other activity on the environment;
- **Overlooking programs execution and other measures** for environmental protection, rational use of natural resources, restoration of the environment, compliance with the environmental legislation and standards of the environment quality.

Object of the monitoring is the use of natural resources and as well as natural, anthropogenic and natural-anthropogenic factors and sources of impact to the environment.

Economic Measures of the Regulation of Nature Use and Environment Protection

In 1992 the Cabinet of Ministers decided to implement monetary measures against the entities which violate the allowed limit of pollution arising out of their activity. The payments are made to the benefit of the local and republican funds for environmental protection. As a consequence, a new phase of the environmental protection in Uzbekistan was achieved owing to these funds and the payments made to them.

Economic measures of environmental protection include the following:

- Payments for special use of natural resources, for pollution of the environment (including waste disposals) and other negative effects on the environment;
- Issue of licenses (permits) for disposal of wastes and other substances to the environment or for other environmentally hazardous activity;
- Collection of payments in prescribed order for the damage, which results from contamination and extinction of nature objects;
- Application of fiscal sanctions for irrational use of natural resources and economic rewards for its appropriate and rational use

Compensatory payments for the disposal of waste

Sizes of compensatory payments are determined on the basis of limits, which are prescribed for the disposal of waste and are dependent on the level of hazard to life, health of the population and the environment¹³.

The object of compensatory payments is the amount of standard discharges and of those which exceed the allowed limit, including:

- the amount of emissions to the air from stationary and movable sources of pollution;
- the amount of discharges to the water objects and ground surfaces;
- the amount of toxic and non-toxic wastes disposed;
- the amount of excess emissions of pollutants into the municipal sewer networks of cities and other settlements from legal entities, as well as individuals engaged in entrepreneurial activities without forming a legal entity.

Payments for special use of natural resources and environmental pollution

Payments for special use of natural resources and environment pollution consist of mandatory payments for the use of natural resources, as well from compensatory payments for environmental pollution (such as disposal of the waste, emissions) for preservation and restoration of those natural resources.

In order to establish environmental standards, the breach of which will entail compensatory payments, an enterprise should conduct the inventory of polluting sources. On the basis of the results of this inventory, highest permitted limits (HPL) are established.

It is also notable that the highest permitted limit is not to exceed the standard set by the inventory of polluting sources.

¹³ **Annex 7**; Annex N 1 «On application of compensatory payments for the pollution of the environment and wastes disposal on the territory of the Republic of Uzbekistan» adopted by the Cabinet of Ministers' Decree dd. 10.11.2018 No. 820

Amounts of compensatory payments are established by the Cabinet of Ministers of the Republic of Uzbekistan.¹⁴

Such payments are to be collected from the income of the entity.

Insurance of Environmental Liability

Liability for harm to life, health and/or to the property of third parties and to the environment in the course of hazardous industrial activity, which may cause emergency situations, must be insured.¹⁵

Crimes and Administrative Violations in the Sphere of Environmental Protection¹⁶

Responsibility for administrative violations, as well as criminal liability in the sphere of environmental protection and nature use are stipulated in Chapter 8 of the Code on administrative responsibility of RUz and Chapter XIV of the Criminal Code of the RUz respectively.

¹⁴ **Annex 5**, Annex N 1 «On application of compensatory payments for the pollution of the environment and wastes disposal on the territory of the Republic of Uzbekistan» adopted by the Cabinet of Ministers' Decree dd. 10.11.2018 No. 820

¹⁵ Art.20 of the Law N 3PY-57«On industrial safety» dd. 28.09.2006.

¹⁶ According to Chapter XIV. Liability in the sphere of environment protection and nature use. Part IV. Crimes in ecology sphere of the Criminal Code of the RUz. Approved by the Law N 2012-XII of RUz dd.22.09.1994. Brought into force from 01.04.1995 r.

Overview of the Environmental Legislation of Uzbekistan, Applicable to Petroleum Operations

General	Legal act	Basic provisions
Requirements for the use of subsoil and minerals	Law "On protection of nature" RUz	Art. 18 – Subsoil and minerals are used under the conditions: - rational use as well as protection from environment pollution; - revegetation of lands harmed during subsoil use
Requirements for the usage of water resources	Law "On protection of nature" RUz	Art. 19 - Surface, underground and sea waters on the territory of the Republic of Uzbekistan are to be used under the condition of protection and preservation of natural conditions of waters, its clearness, flora and fauna protection, protection from pollution and securing of natural balance as well as preserving the water basin as the landscape element
Requirements for air use	Law "On protection of nature" RUz	Art. 20 - Air is used under the condition of its preservation from quality change, and from its pollution or exhaustion
Elaboration of contingency planning	Law of RUz " On protection of nature", chapter IX, Resolution by Cabinet of Ministers "On grading of emergency situations of anthropogenic, natural and environmental impact"	Imposes on entity obligation to start immediate settlement of an emergency situation according to its own plan of actions. In the same time, please note that, there are no precise requirements as to coordination of the activity, classification of emergency situations in accordance with the level of hazard and the response measures to be undertaken

		in accordance with this qualification. General qualification of emergency situations is defined by Cabinet of Ministers Ruling "On grading of emergency situations of anthropogenic, natural and environmental impact "
Environmental Impact Assessment (hereinafter, EIA)		
State EIA	Law of RUz "On protection of nature"	Imposes obligatory EIA before making decision on subsoil use projects and refinery of mineral raw materials.
Public EIA	Chapter VI of Law of RUz " On protection of nature"	Sets that public EIA results have the recommendation character
Environmental audit	Law "On environmental assessment"	Environmental assessment, of existing entities and other objects regarded as having negative impact on environment, to be conducted by environmental auditors (firms). Environmental audit can be conducted, if the management of the project decides to do so.
Environmental monitoring		
State environmental monitoring/control	Law "On protection of nature", chapter VII	There are following kinds of environmental control levels: state, ministry/agency, production and public ecology control. State, production and public environmental control is applicable to entities. There is no time frame/frequency currently provided in legislation
Responsibility for breach of environmental legislation		

Insurance for environmental damage	Law «on industrial safety» dd. 28.09.2006 N 3PY-57	The law prescribes obligatory insurance of responsibility for damage brought by emergency situation to life, health, and/or property of third parties and to environment
Criminal liability for the breach of environmental protection	Chapter XIV of Criminal Code of the Republic of Uzbekistan	Determines liability depending on level of breach and its consequences
Administrative responsibility in the sphere of environmental protection	1) Code of administrative responsibility of the Republic of Uzbekistan, Chapter 8; 2) Instruction on applicability of administrative responsibility for breach of environmental protection legislation	1) Determines liabilities for different types of breaches and consequences, 2) Defines conditions which exclude liability; as well as types of administrative sanctions, and administrative process for liability in this sphere
Emissions to air, water objects and land surface, localization of wastes		
Instruction on inventory of emission sources and standardization of emissions to air	Instruction on inventory of emission sources and standardization of emissions to air for legal entities. Approved by the order dd. 15.12.2005 r. N 105 of the Chairman of Goskomprirodi (now Goskomekologiya), registered by Ministry of Justice dd. 03.01.2006 r. N 1533	Inventory of air emission sources, establishment of standards for documenting emissions, including climate and meteorological conditions, as a source for establishing HPL.
Compensatory payments for air emissions	Regulation “On the procedure for applying compensation payments for environmental pollution and waste disposal on	Determines sizes of compensatory payments for air emissions. In local contract there could be a clause specifying that these payments are to be made by the

	the territory of the Republic of Uzbekistan” approved by the Resolution of the Cabinet of Ministers N 820 dd. 11.10.2018	_____ In the equipment lease contract there could be a clause specifying that compensatory payments are to be paid by the lessor of the equipment.
Compensatory payments for wastes disposal in water objects and land surface	Regulation “On the procedure for applying compensation payments for environmental pollution and waste disposal on the territory of the Republic of Uzbekistan” approved by the Resolution of the Cabinet of Ministers N 820 dd. 11.10.2018	Determines compensatory sums for wastes disposal to water objects and to land surface on the territory of Uzbekistan
Compensatory payments for wastes disposal on the territory of Uzbekistan	Regulation “On the procedure for applying compensation payments for environmental pollution and waste disposal on the territory of the Republic of Uzbekistan” approved by the Resolution of the Cabinet of Ministers N 820 dd. 11.10.2018	Determines compensatory sums for wastes disposal on the territory of Uzbekistan
Euro-2 auto vehicle emissions standard	Temporarily instruction approved by the Ruling dd. 28.02.2007 г. issued by State agency "Uzstandart" under N 1- п, Goskomprirodi's (now Goskomekologiya's) Act N 80-TK dd. 07.04.2007 г. N 1670 «On the procedure of ecologic certification of auto vehicles equipped with gasoline and diesel engines type "M2", "M3" и "n2" and having	This instruction established the standard for vehicles imported to the territory of Uzbekistan equipped with gasoline and diesel engines type "M2", "M3" и "n2" have to accord to the norms of environmental class not lower than "euro-2". Shall be applied to vehicles of _____ imported to Uzbekistan.

	environmental class not lower than "euro-2"»	
Import of goods and accordance to environment protection norms		
Goods imported by the entities with foreign capital for own needs	Rules for classifying goods, imported by the entities with foreign capital for own needs	Obligatory compliance with environmental protection norms and standards of the Republic of Uzbekistan
Goods imported by the entities with foreign capital for own needs	1) Rules for conduction of certification of Goods imported by the entities with foreign capital for own needs; 2) Procedures for conduction of environmental certification of goods produced in Uzbekistan and regulation for export and import operations of environmentally hazardous goods; 3) List of goods that have to pass environmental certification	Positive conclusion of environmental expertise for certification of goods to be given by Goskomekologiyi (According to the list of goods and wastes that have to pass environmental certification issued in accordance with the Cabinet of Ministers Resolution N 151 dd. 19.04.2000)
Other provisions		
State sanitary-and-epidemiologic supervision	Sanitary rules and norms for the organization of collection, inventory, classification, neutralization, storage and disposal of industrial waste in the conditions of Uzbekistan SanPiN RUz dd 16 November, 2011 N 0300-11 Law No. 3PY-393 «On sanitary and epidemiological well-being of the population»	Has to be conducted for radiation safety and sanitary welfare of the population. Has to be conducted by Sanitary-and-epidemiologic agency

Wastes disposal to water objects	Law «On treatment of wastes» N 362-ii dd. 05.04.2002 r.; Law No. 3PY-393 «On sanitary and epidemiological well-being of the population»	Documents and Goskomekologiya establish the procedure and amounts of waste disposals to water objects depending on their classification of hazard to the environment.
Limit for wastes storage	Law «On treatment of wastes» N 362-ii dd. 05.04.2002 r.; Law No. 3PY-393 «On sanitary and epidemiological well-being of the population»	Documents and Goskomekologiya establish the procedure and amounts of waste storages depending on their classification of hazard to the environment.
Wastes inventory	Law «On treatment of wastes» N 362-ii dd. 05.04.2002 r.; Law No. 3PY-393 «On sanitary and epidemiological well-being of the population»	Norms of these legal acts regulate the procedure for treatment of production wastes.
Issue of waste passports	Law «On treatment of wastes» N 362-ii dd. 05.04.2002 r.; Law No. 3PY-393 «On sanitary and epidemiological well-being of the population»	Regulation of the procedure for the issue of waste passport for the entities for each kind of waste. Waste passport contains information on waste.
Certification of wastes	Cabinet of Ministers Regulation N 151 dd. 19.04.2000 r. «On import and export of environmentally hazardous wastes and goods». List A. Wastes that are to pass obligatory environmental certification, export and import of which have to be regulated by the state in accordance with Basel convention of 1988	This legal act has the aim to implement norms of the Basel convention of 1988 to the national legislation of Uzbekistan and regulates the procedure of certification of environmentally hazardous wastes and goods, as well as determines the list of products that has to pass through this certification
Licensing of activity connected with ionizing substances	Annex No. 2 to the Ruling of the Cabinet of Ministers N 728 dd. 02.10.2018 «On measures	Establish the order for circulation of ionizing substances

	for further improvement of licensing of certain activities and passing of permitted procedures in the field of industrial and radiation safety»	
Water well drilling	1) Ruling N 232-I dd. 26.04.1996«On State Committee of the Republic of Uzbekistan for environmental protection» 2) Law «On local government agencies»	Permit is to be issued by the local government body in agreement with a local fund for environmental protection
Compensatory payments for emission of waste substances to air at consumption of motor fuel	Annex № 2 to the Cabinet of Ministers Regulation N 820 «Sizes of compensatory payments for air pollution from 1 ton of motor fuel burning (except individual transport) on the territory of the Republic of Uzbekistan»	Sets procedure for compensatory payments for air pollution (including normative standards) from motor fuel burning without any classification.

Annex 1

Personal structure of the Cabinet of Ministers

Prime minister of the Republic of Uzbekistan – Aripov Abdulla Nigmatovich

Deputies of the Prime minister of the Republic of Uzbekistan:

- First Deputy Prime minister of the Republic of Uzbekistan – Ramatov Achilbay Zhumaniyazovich
- Deputy Prime minister of the Republic of Uzbekistan – Minister of Economy and Industry of the Republic of Uzbekistan – Kuchkarov Jamshid Anvarovich
- Deputy Prime minister of the Republic of Uzbekistan – Minister of Investment and Foreign Trade of the Republic of Uzbekistan – Umurzakov Sardor Uktamovich
- Deputy Prime minister of the Republic of Uzbekistan – Head of Secretariat for Social Development – Musaev Behzod Anvarovich
- Deputy Prime minister of the Republic of Uzbekistan - Head of Agriculture and Food Development Secretariat– Barnoev Uktam Isaevich

Annex 2

List of Ministries of the Republic of Uzbekistan

Ministry for the Development of
Information Technology and
Communications

Ministry of Agriculture

Ministry of Construction

Ministry of Culture

Ministry of Defense

Ministry of Economics and Industry

Ministry of Economic Development and
Poverty Reduction

Ministry of Education

Ministry of Emergency Situations

Ministry of Employment and Labor
Relations

Ministry of Energy

Ministry of Finance

Ministry of Foreign Affairs

Ministry of Health

Ministry of Higher and Secondary
Specialized Education

Ministry of Housing and Public Utilities

Ministry of Innovation Development

Ministry of Internal Affairs

Ministry of Investment and Foreign
Trade

Ministry of Justice

Ministry of Physical Culture and Sports

Ministry of Preschool Education

Ministry of Transport

Ministry of Water Resources

Annex 3

List of functions of Goskomekologiya

Goskomekologiya of the Republic of Uzbekistan, according to the tasks that it was given, has the following functions:

- State administration in the field of ecology, environmental protection, rational use and reproduction of natural resources;
- Ensuring a favorable ecological state of the environment, the protection of ecological systems, natural complexes and individual objects, the improvement of the ecological situation;
- Implementation of state control over compliance with legislation in the field of waste management, the organization of an effective system for the collection, transportation, disposal, recycling and disposal of household waste, in close cooperation with the local authorities and the self-government of citizens;
- State environmental control over compliance with legislation in the field of protection and use of land, mineral resources, water, forests, protected natural areas, flora and fauna, protection of atmospheric air;
- Coordination of work on ecology and environmental protection, ensuring interdepartmental cooperation in the development and implementation of a unified environmental and resource-saving policy;
- Maintaining a state cadaster in the field of ecology and environmental protection, as well as state registration of nurseries for the breeding and maintenance of wild animals, wild plants, zoological and botanical collections;
- Organization of environmental education, propaganda and education, as well as retraining and advanced training of specialists in the field of ecology and environmental protection.

Annex 4

List of functions of Goskomprombez¹⁷

- coordination of work on the implementation of a single state policy and control in the field of ensuring radiation and nuclear safety at nuclear power and nuclear technology facilities, as well as in the field of industrial safety at hazardous production facilities;
- implementation of state supervision and control over compliance by legal entities and individuals with the requirements of legislation and regulations in the field of technical regulation in the areas of industrial, radiation and nuclear safety, safety of work in the use of subsoil, as well as the operation of amusement parks;
- participation in the development of strategic plans and programs for the further development of the fuel and energy complex and basic sectors of the republic's economy in terms of ensuring industrial, radiation and nuclear safety;
- licensing in the field of atomic energy use, coordination of the activities of state control bodies in the field of industrial, radiation and nuclear safety;
- improvement of the system of examination and accreditation of industrial safety, as well as organization of examination of the safety substantiation of nuclear facilities and (or) activities in the field of atomic energy use;
- development and adoption, in accordance with the established procedure, of regulatory legal acts and regulatory documents in the field of technical regulation in the areas of industrial, radiation and nuclear safety, safety of work in the use of mineral resources, as well as the operation of amusement parks;
- implementation of close cooperation with international and foreign organizations, as well as ensuring the fulfillment of the obligations of the Republic of Uzbekistan under international treaties related to the field of activity;
- advanced training of specialists working in the areas of industrial, radiation and nuclear safety, safety of work in the use of subsoil, taking into account the dynamic development of engineering and technology.

¹⁷ Annex N 1 to the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan “On the approval of the regulation on the state committee of industrial security of the Republic of Uzbekistan” dd 01 February, 2019, N 75

Annex 5

N	<i>List of polluting substances</i> ¹⁸	Compensatory payments for emission of one ton of waste substances to air
1.	Nitrogen dioxide	0,0114
2.	Nitrogen oxide	0,0076
3.	Anhydride sulfurous (sulfurous gas, sulfurous dioxide)	0,0091
4.	Methane	0,00001

¹⁸ Regulation “On the procedure for applying compensation payments for environmental pollution and waste disposal on the territory of the Republic of Uzbekistan” approved by the Resolution of the Cabinet of Ministers N 820 dd. 11.10.2018

Annex 6

List of documents submitted for State EIA¹⁹

- a) for projected facilities (environmental impact assessment of pre-design and project documentation, all types of urban planning documentation, facilities with a special regime) - materials of environmental impact assessment, containing the following stages:
- a draft statement on the impact on the environment, which is carried out at the stage of conception of the planned or projected economic and other activities, prior to the start of financing of the facility;
 - a statement on the environmental impact, which is carried out in the case when, based on the results of the state ecological expertise of the draft statement on the environmental impact, it was established that it was necessary to perform additional research, surveys, special laboratory analyzes, model experiments and the development of reasoned environmental measures. An environmental impact statement is submitted before the approval of the feasibility study of the object of the state environmental impact assessment. The need to develop an environmental impact statement is determined by a specialized expert subdivision of Goskomekologiya based on the results of consideration of a draft environmental impact statement;
 - a statement of environmental consequences, which is carried out before the facility is put into operation and is the final stage of the procedure for assessing the environmental impact of the designed facilities;
- b) for operating facilities (operating enterprises and other facilities that have a negative impact on the environment and the health of citizens) - draft environmental standards. In the event of reconstruction, conversion, modernization, expansion or relocation of the facility, an environmental impact assessment is carried out. The customer has the right to additionally provide environmental audit materials.
- Development and approval of environmental standards is carried out in the manner prescribed by law;

¹⁹ Sec 5 of the “Regulation on the State ecological expertise” approved by the Resolution of the Cabinet of Ministers dd 22 November, 2018 N949.

Annex 7

Sums of compensatory payments for wastes disposal on the territory of the Republic of Uzbekistan²⁰

Wastes kinds	Unit of measurement	Sums of compensatory payments for disposal of one ton of wastes
Toxic wastes: including: I class of toxicity – extremely hazardous substances	T	0,0813
II class of toxicity – highly hazardous substances	T	0,0408
III class of toxicity – moderately hazardous substances	T	0,0245
IV class of toxicity – low hazardous substances	T	0,0082
Untoxic wastes of Mining industry	T	0,0001
Processing industry	Cubic m.	0,0004
Other untoxic wastes	T	0,0022

²⁰ Annex N 1 «On application of compensatory payments for the pollution of the environment and wastes disposal on the territory of the Republic of Uzbekistan» adopted by the Cabinet of Ministers' Decree dd. 10.11.2018 No. 820

Annex 8

*Water resource protection*²¹

Work in the water objects

Work on localization, projecting, construction, launching of new and modernized plants and enterprises, structures and other objects, and process of deployment of new technological processes affecting the state of waters is to be carried out in accordance with the principles of rational use of waters and the requirements of health protection of the population.

Constructing, dredging and explosion works, mining operations, cabling, installation of pipelines and other communications, lumbering, drilling, agricultural and other operations on water objects and in the areas of water protection areas, zones and inshore of basins, as well as in the specially protected zones of water sources effecting the waters has to be performed with the permission of local area state bodies and governance, and local funds for environmental protection. State body managing regulation surface waters use is the Ministry of agricultural and water economy of the Republic of Uzbekistan, State committee of the Republic of Uzbekistan on geology and mineral resources is competent for underground waters and State inspection of the Republic of Uzbekistan is responsible for supervision over safe works in industry, mining and communal sector (thermal and mineral waters) in the frames of their competency.

Use of water objects

Use of water objects for disposal of industrial, communal and household, drainage and other sewage waters has to be executed in accordance with the special permission of local funds for environmental protection as well as agricultural and water protection bodies after approval of bodies of state sanitary control, state mining control on geology and mineral resources.

General water use – performed without use of constructions or technologies, affecting the waters. Special water use is performed with the application of constructions or

²¹ Law «On water and water use» N837-XII dd. 06.05.1993

technologies for water usage. In special cases water use could be also regarded as such without application of constructions or technical gadgets but affecting the waters. Types of limits for water use are defined by state bodies on protection of nature as well as agricultural and water economy bodies and approved by the Cabinet of Ministers of the Republic of Uzbekistan. Special water use could be performed on the basis of permissions given by the agencies of Goskomekologiya according to propositions of the Ministry of agriculture and water of the Republic of Uzbekistan (if it is concerned with surface waters – by State inspection of the Republic of Uzbekistan over safe works in industry, mining and communal and household sector, and by State Committee of the Republic of Uzbekistan on Geology and Mineral resources if water use is concerned with underground sources).

Payment for water use

Complete and partial water use payment is introduced in order to maintain water system, safety and renewal of water objects. Water objects could be given in partial or full usage by the Cabinet of Ministers of the Republic of Uzbekistan or other competent body. Conditions and order for introduction of full or partial payment for water use, limited water use as well as control over its implementation is conducted by the Cabinet of Ministers of the Republic of Uzbekistan.

Water use restrictions

For the purposes of state policy in the sphere water protection following restrictions for entities, organizations, and citizens were introduced:

- prohibition for disposal of production, household, communal and other wastes;
- pollution of waters by motor oils, timbers, chemicals, petrochemicals and other products;
- pollution of water outlet surfaces, ice covers, basins and surfaces of glaciers by production , and household wastes, garbage and wastes, as well as petroleum and chemical products, washing of which will bring worsening of surface and underground waters;
- pollution of waters by fertilizers and pesticides.

Economical measures

For rational water use and protection of waters following measures were introduced:

- charging for special water use, for pollution and for other negative effect on water objects;
- tax and other preferences, are given to entities, enterprises and organizations and physical persons in case implementation of rational water use technologies, and performing of activity that has in effect water preservation and rational usage of water;
- application of effective system legal, economical, organizational, social, environmental and other stimulation measures for complex and rational use and protection of waters.

Monitoring of waters

Monitoring of waters including monitoring of underground waters is a system of supervision of the waters condition for timely detection of changes, assessment, prevention and troubleshooting of negative processes. Structure, content and procedure of waters monitoring to be conducted by the Cabinet of Ministers of the Republic of Uzbekistan.

Annex 9

*Clean air protection legislation*²²

The main objectives of the clean air protection legislation are:

- Preservation of the natural composition of clean air;
- Prevention and reduction of harmful chemical, physical, organic and other type of air pollution.

State management in the area of clean air protection is exercised by the Cabinet of Ministers of the Republic of Uzbekistan, Goskomekologiya, and local administrative bodies (local authorities).

The national legislation lays down requirements, as well as unified norms and standards to issue operating permits for assessing the clean air quality established throughout the country. They concern:

- Permissible levels of industrial and organic pollution;
- Permissible levels of acoustic and electromagnetic waves, ionization and other hazardous physical pollutants.

Highest permitted levels for industrial, organic and physical pollution are identified individually for every installed source of pollution, by each polluting factor. Norms of allowed concentrations of emissions for industrial installations are developed by plants, enterprises and related organizations themselves, but need an endorsement or approval by Goskomekologiya and the Ministry of Health.

The approval procedure for highest permitted levels for industrial emissions and organic pollution is developed by Goskomekologiya, while the same procedure for identifying the norms for physical factors – by the Ministry of Health, in cooperation with Goskomekologiya. Goskomekologiya is also responsible for approving the norms for clean air consumption.

²²The Law of the Republic of Uzbekistan «On protection of clean air» adopted 27.12.1996 r. under N 353-I

The norms for consuming air for industrial needs are identified at levels that do not affect its natural composition. Developed by plants, enterprises and other concerned agencies, the norms must receive an approval by Goskomekologiya . For mobile means produced and utilized within Uzbekistan, the norms of emissions are established, as well as the standards for assessing their impact on clean air. Any emissions of industrial and organic pollutants by installed sources (plants, enterprises), as well as their consumption of clean air, are allowed only after permissions issued by Goskomekologiya.

Activities violating the standards and requirements set for industrial, organic and physical emissions, can be restricted, suspended and even entirely stopped by a decision of local authorities, Goskomekologiya and Ministry of Health, in accordance with their competence. Any restriction, suspension or discontinuance of operations by a source of pollution are exercised in legal order.

All types of oil and fuel materials used on the territory of Uzbekistan, should meet standards and norms set by Goskomekologiya.

Import and entry of transport and other mobile means to the territory of Uzbekistan are allowed only if the level of their emissions doesn't exceed the norms and standards set in Uzbekistan²³.

Plants and enterprises which use and/or produce chemicals, must identify highest level of allowed concentration in air, as well as the methodology of control including environmental passport for monitoring its toxic levels by a procedure, established by Goskomekologiya and the Ministry of Health.

Environmental norms set highest permitted level (HPL) for each pollutant, and for each source of pollution, notwithstanding to which category of affecting the nature the entity

²³ Provisional instructions for environmental certification procedure for new auto and motor transport means of "M2", "M3" и "N2" categories, equipped by petrol and diesel engines, imported into the Republic of Uzbekistan, for meeting the requirements of Euro-2, were approved by the Uzstandard agency decision of N 1-п, Goskomekologiya N 80-TK, registered by the Ministry of Justice of the Republic of Uzbekistan of 07.04.2007 г. N 1670

is referred to, depending on the results of calculations of landing concentrations of polluting substances in the industrial areas according to set requirements with further compliance of the results of permitted quotes for each polluting substance²⁴. In order to develop norms for HPL, an inventory is carried out for:

- state control over plants to prevent air pollution;
- identifying the parameters of sources for harmful emissions;
- defining a baseline and ensure adequate state monitoring;
- assessing environmental characteristics and impact of technologies and materials used in a given plant.

²⁴ Instructions for conducting inventories of pollution sources and setting norms for emissions for enterprises and plants of the Republic of Uzbekistan, approved by the Resolution of 15.12.2005 r. N 105 of the Goskomekologiya, registered by the Ministry of Justice on 03.01.2006 r. N 1533

Annex 10

Protected zones

Protected zones²⁵ are pieces of lands and/or water space (water area) that have priority driven by their environmental, scientific, cultural, aesthetic, recreational and sanitary-health improving significance, and which completely or partially, permanently or temporarily withdrawn from economic exploitation.

Protection conditions are established in protected zones in order to conserve, reproduce and restore the natural objects and complexes.

Protected zones, depending on their purpose and conditions are divided into following categories:

- state reserve;
- complex (landscape) reserves;
- natural parks;
- natural state monuments;
- territories for conservation, reproduction and restoration individual natural objects and complexes;
- protected landscapes;
- territories for managing individual natural resources.

²⁵ Law of the Republic of Uzbekistan «On protected natural territories» was adopted December 03, 2004 # 710-ii

Annex 11

Protection of fauna

Legislation requirements on preserving the environment and conditions for the reproduction of animals under reclamation of territories for economic purposes²⁶

Activities for preserving the environment and conditions for the reproduction of the animals should be foreseen and taken in the process of placing, designing and constructing community settlements, enterprises, facilities and other buildings, improving the existing and introducing new technological processes, implementing of swampy and shrubbery territories into economic usage, ameliorating lands, implementing forest usage, carrying out the exploration works, extracting mineral resources, with particular attention to providing inviolability of lands, demonstrating themselves as an environment for wild animals.

Protection of flora

Activities on exploration works and extraction of mineral resources should be coordinated with Goskomekologiya and Main Department of Forestry under the Ministry of Agriculture and water industry of the Republic of Uzbekistan. Activities, involving the impact on growth of flora should be accomplished with the observance of requirements, favoring the conservation of objects of flora²⁷.

²⁶ In accordance with the Law of the Republic of Uzbekistan «On protection and usage of fauna» dated December 26, 1997 N 545-I (in the new edition approved by the Law of the Republic of Uzbekistan «On introducing amendments and additions to the Law of the Republic of Uzbekistan "On protection and usage of fauna" dd September 19, 2016 N 3PY-408)

²⁷In accordance with the Law of the Republic of Uzbekistan «On protection and usage of flora» dated December 26, 1997 N 543-I (in the new edition approved by the Law of the Republic of Uzbekistan «On introducing amendments and additions to the Law of the Republic of Uzbekistan "On protection and usage of flora" dd September 21, 2016 N 3PY-409)

Protection of soil and land resources

Exploitation of land for surveying works²⁸

- 1.** Enterprises, agencies and organizations, engaged in geological surveys, exploration, geodesic and other related works may carry out these activities on all land categories on the basis of adopted resolutions and contracts, without withdrawal of lands from landowners, land users, tenants and proprietors.
- 2.** The permission for these surveying works on arable lands, gardens, vineyards, plantations, lands covered with forests, as well as on specifically protected territories, is issued by Khokims (mayor, governor) of the regions for the duration of not more than one year, and, where required, prolongation of the term is allowed for another year only.
- 3.** Enterprises, agencies and organizations, engaged in surveying works, are obliged to put the operated disturbed lands into order, make them suitable for designated usage and pass over to landowners, land users, tenants and proprietors, take necessary steps to provide the preservation of lands, crops, plantations, forests, water and other natural objects, pipelines, sewage and other facilities, as well as to reimburse the landowners, land users, tenants and proprietors the losses (including, loss of profit) caused by the temporary occupation of lands.

²⁸ Land Code of the Republic of Uzbekistan

Annex 12

Waste disposal

Protection of the nature from waste pollution²⁹

1. Enterprises, agencies and organizations and individuals are obliged to abide by the environmental requirements, established norms and rules during production, storage, transportation, application, neutralization and burial of radioactive and chemical substances, take necessary steps to prevent and eliminate the damaging consequences of their application, immediately inform respective radioactive and chemical safety ensuring bodies when exceeding these norms.
2. Permissions for the burial of radioactive wastes and chemical substances are issued by Goskomekologiya in accordance with the local authorized state bodies and state sanitary-epidemiological agency.
3. It is prohibited to store and bury the wastes in the community settlements, nature protected, health-improving, recreational and historical-cultural places, within the range of water protection basins and in sanitary protected water areas, and in any places, where the threat for human life and health may take place, as well as, in extra protected natural territories and objects.
4. Burial of waste in subsoil is allowed in exclusive cases as per results of special investigations with observance of requirements of providing the safety of life and health of citizens, environment, and preservation of natural resources.
5. Waste recycling, burial and storage of wastes at polygons are carried out with the permission of state bodies for environmental protection.
6. Enterprises, agencies, organizations and individuals inducing damage to the environment should compensate it, including loss of profit, in accordance with the legislation.

²⁹ The Law of the Republic of Uzbekistan «On Wastes» dated April 05, 2002 N 362-II

7. Bringing the guilty people to the administrative and criminal liability for violating the environmental requirements, does not release them from performing the compensation for induced damage to the environment. Excessive taxation is levied on enterprises, agencies, organizations and individuals for irrational, deliberate nature management, above-standard and above-limit emissions and discharge of pollutants into the environment, placement of production wastes in the framework of the legislation of the Republic of Uzbekistan.

8. Waste storage is fulfilled in accordance with the sanitary norms and rules, environmental safety requirements, and methods, providing rational utilization of wastes and pass over to other person. Wastes, generated in the territory of the Republic of Uzbekistan are subject to passport system.

9. Waste passport is drawn up by legal entities for each kind of waste. In cases, when individual properties of a waste change, as per technology of production, amendments and appendices are introduced.

10. Waste formation guidelines are developed and verified by legal entities in coordination with special authorized state bodies in the field of waste treatment. Limits of placement of wastes are elaborated by legal entities and verified by special authorized state bodies in the field of waste treatment. Activities of legal entities in the field of waste treatment should provide the safety of life and health of the citizens and environment.

11. Activities of legal entities can be restricted, suspended or ceased in established order at detection of violation of the requirements of the legislation on treatment of the wastes that induce damage to the life and health of the citizens or environment, as well as, in cases of formation of harmful pollutants with the absence of technical or other possibilities to provide the safety for life and health of citizens, environment.

12. Taking into consideration these facts, legal entities are to:

- observe established sanitary norms and rules, environmental guidelines in the field of waste treatment;
- keep records of wastes, submit statistical reporting in established by the legislation manner;

- determine in established order the extent of danger of wastes for life and health of the citizens, environment;
- elaborate the projects of norms of formation of wastes and limits for placement of wastes;
- provide the collection, proper storage and prohibiting the destruction and spoiling of wastes, which have resource value and subject to utilization;
- take necessary steps to develop and implement technologies for waste utilization, whose owners they are;
- not allowing the blending of wastes, with the exception of cases, where it is required by technological process;
- not allowing the storage, recycling, utilization and burial of wastes in unauthorized places and objects;
- exercise control over sanitary and environmental conditions of own objects of placement of wastes;
- conduct operations on reclamation of disturbed lands while waste treatment;
- conduct package for maximal utilization of wastes, realization and pass over to other legal and physical entities person, engaged in collection, storage and utilization of wastes, as well as provide environmentally friendly burial of wastes, not subject to utilization;
- submit, in established manner, the information about the cases of unauthorized fall into the environment and taken steps on them to the state bodies on-site, specially authorized state bodies in the field of waste treatment;
- introduce in established manner, compensation payments for waste placement;
- compensate the damage, induced for life, health and properties of citizens, environment, as a result of waste treatment.

Annex 13

Radiation safety

1. State Control on radiation safety³⁰ is exercised by the State committee on industrial safety of the Republic of Uzbekistan, mining and communal sector of the Republic of Uzbekistan, by the Ministry of Healthcare of the Republic of Uzbekistan, by Goskomekologiya and State Customs Committee of the Republic of Uzbekistan.

2. Operations on extraction, production, manufacturing, processing, utilization, storage, service, transportation, radiation are carried out on the ground of licenses, issued in established order.

3. Appraisal of the condition of radiation safety is conducted at planning and carrying out the activities ensuring the radiation safety, at performance analysis of specified activities by state authorities on-site, by state bodies that are responsible for regulations in radiation safety, as well as by the users of sources of ionized radiation.

4. Appraisal of the condition of radiation safety includes the following main indicators:

- description of radioactive pollution of environment;
- analysis of supported activities for radiation safety and fulfilling the norms, rules and hygienic norms of radiation safety;
- likelihood of radioactive accidents and their scale;
- the degree of preparedness for the elimination of the consequences of radioactive accidents and their consequences;
- analysis of radiation dose, receiving, received and potential to receive by the employees (personnel) and population from all sources of ionized radiation;
- number of people, exposed to radiation above the established major limits of radiation dose.

³⁰ According to the Law of the Republic of Uzbekistan «On radiation safety » dated August 31, 2000 N 120-ii

5. Definitions

- *ionized radiation* stand for the radiation, originating in radioactive decay, nuclear transformation, inhibition of charged particles in substances and that, in interaction with the environment forms ions of different signs;
- *ionized radiation sources* – device and (or) radioactive substance, emitting and capable for emitting ionized radiation;
- *users of ionized radiation sources* – legal and physical entities, engaged in extraction, production, manufacturing, processing, utilization, storage, service, transportation, rendering the ionized radiation sources harmless and burying them.

Annex 14

Industrial safety

Dangerous manufacturing entities³¹

1. Dangerous manufacturing entities are considered to be enterprises, or their plants, areas, yards and other manufacturing entities, that:

a) utilize, manufacture, process, form, store, transport, annihilate following dangerous substances:

- substances, capable of inducing highly explosive and fire environment;
- dangerous substances, related to I, II and III category of danger according to their influence to living organism (extremely dangerous, highly dangerous, and moderately dangerous), in accordance with the verified standards;
- explosives, which under circumstances of external influence are capable to form very fast self-propagating chemical transformation with heat discharge and gas formation;
- production wastes, containing the substances in concentration that are dangerous for a human health and environment;

b) utilize the equipment, operating at pressure of above 0,07 mPa or temperature, prevailing the temperatures of boiling operating liquids at normal atmospheric pressure;

c) utilize fixed load-lifting machineries, escalators, cableway, funicular railways;

d) obtain melts of ferrous and non-ferrous metals and melt on the basis of these melts;

e) conduct mining, extraction and enrichment of mineral resources, as well as operations in underground conditions.

2. State regulation in industrial safety is conducted by the State committee on industrial safety of the Republic of Uzbekistan

3. State regulation in industrial safety includes:

- establishment of regulations of industrial safety;

³¹ Qualification of dangerous manufacturing entities in conducted according to the Law of the Republic of Uzbekistan «On industrial safety of dangerous manufacturing entities» dated September 28, 2006 N -57

- state supervision to observe the regulations of industrial safety;
- certification of technical devices, employed in dangerous manufacturing entities;
- licensing individual sorts of activities;
- examination of industrial safety;
- other measures in accordance with the legislation.

4. Organization, employing dangerous manufacturing entity, should:

- plan and conduct activities for localization and elimination the consequences of accidents at dangerous manufacturing entity;
- conclude agreement with the corresponding professional survival departments for rendering their services, and in cases foreseen by legislation, create own survival departments or freelance survival formations from the employees;
- possess reserves of financial means and material resources for localization and elimination of consequences of accidents at dangerous manufacturing entities in accordance with the legislation;
- train personnel to actions in case of accidents or incidents at dangerous manufacturing entity;

Following responsibilities refer to the organization, employing dangerous manufacturing entity:

5. Declaration of industrial safety

1. Declaration of industrial safety is developed by organization, employing dangerous manufacturing entity in order to ensure the protection of population and territories from accidents at dangerous manufacturing entities and to inform state bodies, citizen's self-administration bodies and population about the condition of industrial safety. Declaration of industrial safety should contain comprehensive appraisal of risk of an accident at dangerous manufacturing entity, analysis of adequacy of adopted measures to prevent the accidents, securing the preparedness of the organization, employing the dangerous manufacturing entity, for utilization of dangerous manufacturing entity, as well as localization and elimination the consequences of accidents. Declaration of industrial safety is developed in the composition of project documentation for construction, expansion, reconstruction, technical re-equipment, suspension and elimination of dangerous manufacturing entity, and verified by the head or organization, employing dangerous manufacturing entity.

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