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12.00.04 - ФУҚАРОЛИК ПРОЦЕССУАЛ ҲУҚУҚИ. ХЎЖАЛИК ПРОЦЕССУАЛ ҲУҚУҚИ. ҲАКАМЛИК ЖАРАЁНИ ВА МЕДИАЦИЯ / ГРАЖДАНСКОЕ ПРОЦЕССУАЛЬНОЕ ПРАВО; ХОЗЯЙСТВЕННОЕ ПРОЦЕССУАЛЬНОЕ ПРАВО, АРБИТРАЖНЫЙ ПРОЦЕСС И МЕДИАЦИЯ / CIVIL PROCEDURE LAW; ECONOMIC PROCEDURAL LAW, ARBITRATION PROCESS AND MEDIATION

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12.00.05 - МЕҲНАТ ҲУҚУҚИ. ИЖТИМОИЙ ТАЪМИНОТ ҲУҚУҚИ / ТРУДОВОЕ ПРАВО; ПРАВО СОЦИАЛЬНОГО ОБЕСПЕЧЕНИЯ / THE LABOR LAW; SOCIAL SECURITY LAW

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ҲУҚУҚИЙ ТАДҚИҚОТЛАР ЖУРНАЛИ
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ФОРМИРОВАНИЕ ПРАВОВОЙ И ИНСТИТУЦИОНАЛЬНОЙ ОСНОВЫ РЕГУЛИРОВАНИЯ ИЗМЕНЕНИЯ КЛИМАТА В РЕСПУБЛИКЕ УЗБЕКИСТАН

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АННОТАЦИЯ

В данной статье рассматривается процесс формирования правовой и институциональной основы регулирования изменения климата в Республике Узбекистан. Автор выделяет два основных периода этого процесса: период первоначального становления институционально-правовых и международно-правовых аспектов изменения климата (1991–2016 гг.) и период активизации климатического управления и международно-правового взаимодействия (с 2016 г. по настоящее время). На основе анализа национального законодательства, стратегических документов, международных договоров и национальных сообщений в рамках РКИК ООН показана эволюция от общего природоохранного законодательства к целенаправленной климатической политике. Сделан вывод о том, что, несмотря на прогрессирующую институционализацию климатического управления, сохраняется необходимость повышения правовой согласованности, межведомственной координации и механизмов ответственности.

Ключевые слова: изменение климата, климатическое управление, Узбекистан, РКИК ООН, Киотский протокол, Парижское соглашение, определяемый на национальном уровне вклад, экологическое законодательство.

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O’ZBEKISTON RESPUBLIKASIDA IQLIM O’ZGARISHINI TARTIBGA SOLISHNING HUQUQIY VA INSTITUTSIONAL ASOSLARINING SHAKLLANISHI

ANNOTATSIYA

Ushbu maqolada O’zbekiston Respublikasida iqlim o’zgarishini tartibga solishning huquqiy va institutsional asoslarining shakllanish jarayoni o’rganilgan. Muallif ushbu jarayonni ikki asosiy davrga ajratadi: iqlim o’zgarishining institutsional-huquqiy va xalqaro-huquqiy jihatlarining dastlabki shakllanish davri (1991–2016-yillar) hamda iqlim boshqaruvi va xalqaro-huquqiy

hamkorlikning faollashuvi davri (2016-yildan hozirgi kungacha). Milliy qonunchilik, strategik hujjatlar, xalqaro shartnomalar va BMTning Iqlim o'zgarishi to'g'risidagi hadli konvensiyasi doirasidagi milliy axborotlar tahlili asosida umumiy tabiatni muhofaza qilish qonunchiligidan maqsadli iqlim siyosatiga o'tish evolyutsiyasi ko'rsatib berilgan. Iqlim boshqaruvining izchil institutsionallashuviga qaramay, huquqiy uyg'unlik, idoralararo muvofiqlashtirish va javobgarlik mexanizmlarini takomillashtirish zarurati saqlanib qolayotgani xulosa qilingan.
Kalit so'zlar: iqlim o'zgarishi, iqlim boshqaruvi, O'zbekiston, BMTning Iqlim o'zgarishi to'g'risidagi hadli konvensiyasi, Kioto protokoli, Parij kelishuvi, milliy darajada belgilanadigan hissa, ekologik qonunchilik.

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FORMATION OF THE LEGAL AND INSTITUTIONAL FRAMEWORK OF CLIMATE CHANGE REGULATION IN THE REPUBLIC OF UZBEKISTAN

ANNOTATION

This article examines the formation of the legal and institutional framework of climate change regulation in the Republic of Uzbekistan. The author distinguishes two main periods of this process: the period of initial formation of the institutional-legal and international legal aspects of climate change (1991–2016) and the period of intensified climate governance and international legal engagement (from 2016 to the present). Based on an analysis of national legislation, strategic documents, international treaties and national communications under the UNFCCC, the article traces the evolution from general environmental legislation towards a targeted climate policy. It concludes that, despite the progressive institutionalization of climate governance, there remains a need to improve legal coherence, inter-institutional coordination and accountability mechanisms.
Keywords: climate change, climate governance, Uzbekistan, UNFCCC, Kyoto Protocol, Paris Agreement, nationally determined contribution, environmental legislation.

The establishment and evolution of the modern legal and institutional framework for climate change in the Republic of Uzbekistan constitute a multifaceted historical process. In the author's view, this process can be divided into two main periods: the period of initial formation of the institutional-legal and international legal aspects of climate change (from 1991 to 2016) and the period of intensified climate governance and international legal engagement (from 2016 to the present). The purpose of this article is to identify the principal legal acts, institutions and international commitments that shaped each of these periods and to assess their significance for the development of climate governance at the national level.

1) The period of initial formation (1991–2016)

The establishment of the modern legal and institutional framework for climate governance in Uzbekistan should be understood as a gradual process of transforming the country's general environmental protection system into a framework increasingly connected with international climate obligations. The principal characteristic of the period from 1991 to 2016 was the simultaneous construction of a national environmental legal order, the establishment of public institutions responsible for environmental and hydrometeorological governance, and the progressive integration of Uzbekistan into international environmental and climate cooperation. Although the initial legislative framework was not designed as a comprehensive system of climate change regulation, it provided the legal and institutional foundations upon which subsequent climate-related policies and obligations were developed.

The declaration of independence of the Republic of Uzbekistan on August 31, 1991 marked a new chapter in the history of the legal framework for environmental protection. The formation of an autonomous legal system commenced with the adoption of the Constitution of the Republic of

Uzbekistan on December 8, 1992, which established the constitutional underpinnings of environmental law, including the obligation to protect the environment and the recognition of land, subsoil, water, flora and fauna and other natural resources as national wealth subject to rational use and state protection [1].

The Law “On Nature Protection”, enacted on December 9, 1992, was the first major environmental law adopted in independent Uzbekistan [2]. Its legal significance for the subsequent development of climate governance lies not in the existence of a comprehensive climate regime within the law, but in its establishment of general regulatory principles and institutional mechanisms capable of supporting the development of more specialized environmental policies. Among the principles enshrined in the law were the priority of protecting human life and health, the scientific justification of environmental protection measures, a comprehensive approach to nature protection and the rational use of natural resources, the combination of environmental and economic interests, and international cooperation in the field of environmental protection. The law also defined the system of management bodies in the field of nature protection and laid the foundations of environmental standardization, environmental assessment and environmental control.

Building on this framework law, a number of specialized laws regulating particular areas of natural resource use were enacted in the 1990s. Each of them established rules for the preservation, sustainable use and protection of a specific component of the natural environment. Of particular importance for the future climate regime was the Law “On the Protection of Atmospheric Air” of December 27, 1996 [3]. It defined the legal framework for atmospheric air protection, set requirements for economic and other activities affecting the atmosphere, and established measures to prevent and mitigate negative impacts on atmospheric air, including the regulation of emissions of pollutants. In this way, the law created the first legal basis on which the regulation of greenhouse gas emissions could later be developed.

Alongside legislative development, the institutional framework was also being formed. In 1992 the hydrometeorological service of Uzbekistan, as the legal successor of the corresponding structures of the USSR Hydrometeorological Service, received the status of the Main Administration for Hydrometeorology (Glavgidromet) under the Cabinet of Ministers; in 2004 it was transformed into the Centre of Hydrometeorological Service (Uzhydromet) [4]. This body assumed responsibility for environmental monitoring, meteorological and climate observations and the provision of hydrometeorological information, which subsequently became the scientific and technical basis for fulfilling the country’s reporting obligations under international climate agreements.

A key focus of environmental policy in independent Uzbekistan was integration into the global system of environmental agreements. Uzbekistan’s accession to the United Nations Framework Convention on Climate Change (UNFCCC) on June 20, 1993 was pivotal for the development of climate policy [5]. It marked the country’s initial step into international climate cooperation and laid the groundwork for a national climate policy. In 1995 Uzbekistan also joined the Convention on Biological Diversity adopted in Rio de Janeiro in 1992, which required the country to develop a national biodiversity conservation strategy and to take measures to protect rare and endangered species of plants and animals [6].

The post-independence period was also marked by the initiation of regional cooperation on environmental issues, particularly concerning transboundary water resources and the Aral Sea crisis. In 1992 the Central Asian states established the Interstate Commission for Water Coordination (ICWC) [7]. In 1993 the International Fund for Saving the Aral Sea (IFAS) was founded as a financial instrument for initiatives aimed at improving the environmental situation in the Aral Sea region, and the Interstate Commission for Sustainable Development (ICSD) was subsequently created within its structure to coordinate the efforts of the countries of the region. The Nukus Declaration of the Central Asian states, adopted in 1995, addressed the sustainable development of the Aral Sea basin and represented a significant advancement in regional cooperation [8]. Uzbekistan participated actively in the work of all these regional bodies and initiatives.

The signing and ratification of the Kyoto Protocol to the UNFCCC marked an important moment in the evolution of climate regulation. Uzbekistan signed the Protocol on November 20, 1998

and ratified it on August 20, 1999 [9]. As a country not included in Annex I to the Convention, Uzbekistan did not assume quantified emission reduction commitments; nevertheless, ratification stimulated the creation of a national system for assessing greenhouse gas emissions by sources and removals by sinks. This required the development of a methodological basis, the training of specialists and the creation of institutional arrangements for the collection and processing of data, and also opened the possibility of participating in the Clean Development Mechanism.

In accordance with its commitments under the UNFCCC, the preparation of national communications on climate change became an important direction of climate policy. The First National Communication of the Republic of Uzbekistan was prepared with the support of the Global Environment Facility and the United Nations Development Programme and published in 1999 [10]. It contained an inventory of national greenhouse gas emissions for the early 1990s, an analysis of the vulnerability of key economic sectors to climate change, and proposals for adaptation and mitigation measures. The document showed that the main sources of greenhouse gas emissions in Uzbekistan were the energy sector, agriculture and industrial processes.

The Second National Communication, completed in 2008, provided an expanded inventory of greenhouse gas emissions, a more detailed analysis of vulnerability to climate change and a broader set of adaptation and mitigation measures [11]. The Third National Communication followed in 2016 [12]. The preparation of national communications facilitated the development of national expertise on climate change, the establishment of inter-agency coordination mechanisms and greater awareness of climate change issues among government bodies and the public.

Thus, the period from 1991 to 2016 may be characterized as a formative stage of Uzbekistan's climate governance. During this period the state established the principal legal and institutional foundations of environmental protection, expanded its participation in international environmental and climate cooperation, and began to develop national capacities for climate-related assessment and reporting. However, the legal framework remained largely distributed across general environmental legislation, sector-specific regulatory instruments and international commitments. This characteristic provides a basis for examining the subsequent intensification of climate governance and the development of more targeted legal and institutional mechanisms after 2016.

2) The period of intensified climate governance (from 2016 to the present)

The year 2016 initiated a transformative phase in Uzbekistan's climate governance, coinciding with broad political reforms and a transition towards a proactive environmental and climate policy. This phase is characterized by extensive institutional reforms, long-term strategic planning and the unprecedented incorporation of climate factors into national development frameworks. It was reflected in the adoption of strategic documents, the development of specialized climate-related institutional mechanisms, the strengthening of international climate commitments and the integration of environmental and climate objectives into broader economic and development planning.

The significance of this period should not be assessed solely by the number of adopted strategies or institutional reforms. Rather, its legal and institutional importance lies in the changing relationship between environmental protection, climate policy, national development planning and international legal cooperation. Climate change increasingly became a matter of public administration and strategic policy, requiring coordination across economic sectors. At the same time, the development of this framework remained dependent on the interaction between presidential and governmental acts, sectoral legislation, international commitments and institutional capacities for implementation.

The new phase commenced with the adoption of strategic documents that set the country's long-term development priorities. The first of them was the Strategy of Actions on Five Priority Areas of Development of the Republic of Uzbekistan for 2017–2021, approved by Presidential Decree of February 7, 2017 [13]. Among its objectives was the improvement of the environmental protection system and the efficient use of natural resources. The legal significance of this development lies in the incorporation of environmental objectives into the broader strategic framework of state policy: environmental protection was no longer addressed exclusively through sectoral legislation or the activities of specialized administrative bodies. In the same year, by Presidential Decree of April 21,

2017, the State Committee of the Republic of Uzbekistan for Ecology and Environmental Protection was established on the basis of the former nature protection committee [14].

The ratification of the Paris Agreement marked a significant milestone in the evolution of Uzbekistan's climate policy. The Agreement was signed on April 19, 2017 and ratified by the Law of the Republic of Uzbekistan of October 2, 2018 [15]. Its ratification created new international commitments and necessitated the updating of national climate policy. Together with the signing of the Agreement, Uzbekistan submitted its first (intended) nationally determined contribution, which envisaged a 10% reduction in specific greenhouse gas emissions per unit of GDP by 2030 compared with 2010 [16].

To implement these commitments, the Strategy for the Transition of the Republic of Uzbekistan to a "Green" Economy for 2019–2030 was approved by Presidential Resolution of October 4, 2019 [17]. The Strategy set out concrete measures for decarbonizing the economy, developing renewable energy sources, improving energy efficiency and adapting to climate change. In the same month, the Concept of Environmental Protection of the Republic of Uzbekistan until 2030 was approved by Presidential Decree of October 30, 2019; it defined the main directions of state environmental policy, including climate change adaptation and the reduction of greenhouse gas emissions [18]. The legal basis for the energy transition was strengthened by the Law "On the Use of Renewable Energy Sources" of May 21, 2019 [19].

In 2021 Uzbekistan submitted an updated nationally determined contribution with more ambitious targets. The updated NDC provides for a 35% reduction in specific greenhouse gas emissions per unit of GDP by 2030 compared with 2010, and for an increase in the share of renewable energy sources in total electricity generation to at least 25% by 2030 [16].

An important stage was the adoption of the Development Strategy of New Uzbekistan for 2022–2026, approved by Presidential Decree of January 28, 2022 [20]. At the highest political level, it identified "green" development as one of the priorities of national policy, outlining objectives for the development of renewable energy, the improvement of energy efficiency and adaptation to climate change. The "Uzbekistan – 2030" Strategy, approved by Presidential Decree of September 11, 2023, further consolidated these priorities, linking the reduction of greenhouse gas emissions, the expansion of renewable energy and the introduction of low-carbon technologies with the country's commitments under the Paris Agreement [21].

The institutional framework of climate governance evolved in parallel. By Presidential Decree of December 21, 2022 "On measures to implement the administrative reforms of New Uzbekistan", the State Committee for Ecology and Environmental Protection was reorganized into the Ministry of Ecology, Environmental Protection and Climate Change; the hydrometeorological service was placed within the ministry as the Agency of Hydrometeorological Service [22]. For the first time, climate change was explicitly reflected in the name and mandate of the central state body responsible for environmental policy, which emphasized the growing role of climate issues in public administration.

Finally, by Presidential Decree of November 19, 2025, the Ministry was reorganized into the National Committee of the Republic of Uzbekistan on Ecology and Climate Change, accountable directly to the President [23]. This institutional transformation marked a significant step towards strengthening the country's governance framework in the fields of environmental protection and climate policy. The newly established Committee was entrusted not only with traditional environmental oversight, but also with coordinating national climate action, integrating mitigation and adaptation measures into sectoral policies and ensuring compliance with Uzbekistan's international obligations.

Thus, the analysis of the development of Uzbekistan's legal and institutional framework for climate governance since 2016 demonstrates a gradual transformation in the relationship between environmental regulation, national development planning and international climate cooperation. Unlike the preceding period, the post-2016 stage is characterized by the increasing incorporation of climate-related objectives into national strategic planning and public administration. The adoption of successive strategic documents, the formulation and updating of nationally determined contributions

under the Paris Agreement and the development of specialized institutional mechanisms indicate a progressive institutionalization of climate governance at the national level.

From a legal perspective, however, strategic documents and institutional arrangements have strengthened the policy and organizational foundations of climate action, but their effectiveness depends on the extent to which international climate commitments are translated into coherent domestic legal norms, clearly defined institutional competences, effective implementation procedures and appropriate accountability mechanisms. The distribution of climate-related responsibilities among different legal instruments and public authorities further demonstrates that the process of institutional consolidation remains ongoing.

In conclusion, the formation of the legal and institutional framework of climate change regulation in Uzbekistan has passed through two qualitatively different periods. The first period (1991–2016) laid the foundations of environmental legislation, created the bodies responsible for environmental and hydrometeorological governance and integrated the country into the international climate regime through the UNFCCC and the Kyoto Protocol. The second period (from 2016 to the present) may be characterized as a stage of progressive institutionalization and strategic integration of climate governance within the national development framework, the principal legal significance of which lies in strengthening the link between Uzbekistan's international climate commitments and its domestic policy and institutional mechanisms. At the same time, the analysis reveals a continuing need to improve legal coherence, inter-institutional coordination, implementation mechanisms and accountability in order to ensure the effective realization of international climate obligations at the national level. In the author's view, a promising direction is the adoption of a specialized law on climate change that would consolidate the scattered norms, define the competences of the authorized bodies and establish procedures for monitoring, reporting and verification of greenhouse gas emissions.

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