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STATE CONTROL OVER THE PROTECTION AND USE OF NATURAL RESOURCES

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Abstract

In this article, the issues of public administration in the field of ecology were considered. In particular, the issues of control and protection over the rational use of natural resources and the activities of relevant government agencies were investigated.

Keywords Ecology, natural resources, environmental management, management efficiency, state policy.

INTRODUCTION

State control in the field of protection and use of natural resources is one of the main conditions for ensuring the rational and expedient use of natural resources.

In the process of developing business relations, the use of natural resources and the exercise of state control over the rational use of these resources have an important role, since the implementation of entrepreneurial activity is directly related to natural resources (land, water, electricity, mining, etc.), and at the same time the effective use of natural resources is ensured only by the implementation of permanent state control.

Environmental control is a system of state and public measures aimed at preventing, detecting and suppressing violations of the requirements of legislation in the field of environmental protection and rational use of natural resources, increasing the effectiveness of environmental protection activities.

"Environmental control is the most important legal measure to ensure rational use of natural resources and environmental protection from harmful influences, the function of public administration and the legal institute of environmental law." It is

through environmental control that the enforcement of relevant subjects of environmental law to comply with environmental requirements is mainly ensured.

The famous Russian scientist I.B.Kalinin rightly emphasizes: "Public administration in the field of resource management can be defined as the organizational activities of the state executive authorities of the country and its subjects aimed at creating conditions for rational and safe resource management and control over it."

The object of environmental control is, on the one hand, the environment (its components), on the other hand, the activities of public authorities, enterprises, organizations, officials and citizens in compliance with environmental rules and regulations.

In the Republic of Uzbekistan, the main legal acts in the field of state environmental control are:

- The Constitution of the Republic of Uzbekistan;
- The Law of the Republic of Uzbekistan "On Nature Protection";
- The Law of the Republic of Uzbekistan "On Environmental Control";
- The Law of the Republic of Uzbekistan "On

Environmental expertise", etc.

The main tasks of the state control in the field of environmental protection are to ensure compliance with the requirements of legislation on environmental protection by all state bodies, enterprises, institutions and organizations, regardless of ownership and subordination.

Environmental legislation and other legal norms in force in this area highlight the powers of the relevant state bodies to carry out state environmental control and supervision, environmental monitoring and environmental expertise.

According to Professor J.Kholmuminov: "environmental control has three common concepts:

- firstly, it is an integral part of the legal protection of the country's nature;
- secondly, it is a manifestation of the ecological function of the state;
- thirdly, it is an element of the environmental quality management mechanism".

Indeed, environmental control, being the most important function of the state, the preservation of natural resources in a suitable state largely depends on the proper organization and implementation of state environmental control.

The bodies carrying out environmental control and management in the field of environmental protection and rational use of natural resources can be divided into 2 groups:

- bodies of general competence;
- bodies of special competence.

The bodies of general competence include the Cabinet of Ministers of the Republic of Uzbekistan, Parliament, local government authorities, state and economic management bodies, non-governmental non-profit organizations, etc. These bodies determine the main directions of environmental policy, approve and control environmental programs, ensure environmental safety, establish legal norms and requirements within their competence.

The bodies of special competence include the following:

- Ministry of Ecology, Environmental Protection and Climate Change;
- Ministry of Health of the Republic of Uzbekistan;
- Inspection for the Control of Mining, Geological and Industrial Safety under the Ministry of Mining Industry and Geology of the Republic of Uzbekistan;
- Cadastre Agency under the Ministry of Economy and Finance of the Republic of Uzbekistan;
- Ministry of Agriculture of the Republic of Uzbekistan;
- Ministry of Water Resources of the Republic of Uzbekistan;
- Ministry of Internal Affairs of the Republic of Uzbekistan, etc.

The Ministry of Ecology, Environmental Protection and Climate Change coordinates the activities of other specially authorized State bodies in the field of State environmental control.

It should be noted that according to the relevant Decrees of the President of the Republic of Uzbekistan, the priority areas of activity of the Ministry of Ecology, Environmental Protection and Climate Change are:

- a) development and implementation of a unified state policy in the field of nature protection, rational use and restoration of natural resources, waste management, as well as climate change;
- b) conducting state environmental control for the protection of nature, including atmospheric air, lands, subsoil, waters, forests, protected natural areas, protection of wildlife, waste management;
- c) ensuring the protection, protection, breeding, restoration of forests, increasing productivity and rational use of forests;
- d) organization of the hydrometeorological service, monitoring of climate change and environmental pollution;
- e) development of cooperation with civil society institutions and the public in the field of nature protection, systematic organization of

environmental education, propaganda, education and support for scientific research;

f) implementation of the principles of "green" development, reduction of harmful emissions into the environment, reduction of the negative impact of human activities on nature;

g) the introduction of digital technologies in the field of nature protection, the establishment of a system for reducing and automating the human factor in monitoring;

h) further development of the sphere of ecotourism, hunting and safari tourism, effective use of the possibilities of forestry and national natural parks (with the exception of areas transformed into reserves) and the construction of appropriate infrastructure facilities, creation of favorable conditions for foreign and domestic tourists and provision of their services;

i) the application of effective measures to prevent, identify and suppress violations of the requirements of legislation in the field of nature protection and rational use of natural resources;

j) monitoring the state of the environment, identifying factors that can lead to environmental pollution, irrational use of natural resources, and pose a threat to the life and health of citizens;

k) monitoring the compliance of economic and other activities with standards, norms, rules of nature protection and the requirements of other regulatory legal acts, as well as the application of legal measures;

l) ensuring the observance of the rights and legitimate interests of legal entities and individuals, their performance of duties in the field of nature protection and rational use of natural resources;

m) establishment of control over the rational use of forests, regulation of relations in the field of nature protection, control over the organization of ground and aviation protection of forests;

n) implementation of a unified state policy in the field of tourism, coordination of activities in this area of the state bodies participating in it, as well as monitoring compliance with legislation in this area;

o) development of comprehensive programs in the field of tourism, development of competition in the market of tourist services, as well as support for non-governmental non-profit organizations and other civil society institutions operating in the field of tourism;

p) Expanding the scale of the country's tourism potential, developing tourism as one of the strategic sectors of the economy, increasing types of tourism, developing new tourist routes and strengthening the image of tourism .

According to Professor A.Smirnov, "the state carries out environmental control by administrative and coercive methods." Administrative methods are: licensing, rationing, limiting, state environmental expertise, state environmental inspection control, planning, forecasting and establishing control over their prices. .

The compulsory method of state environmental control is the application of a certain measure of responsibility (fine, suspension of activities, confiscation of property, etc.) against environmental management entities for violation of environmental norms and standards.

The State policy in the field of environmental protection is based on the following principles:

- the priority of protecting human life and health in comparison with other environmental management goals;
- compliance with the requirements of the legislation on environmental protection;
- a scientifically based combination of environmental and economic interests of the society;
- combination of national and international interests in the field of environmental protection;
- rational use of natural resources, taking into account the possibilities of the environment, the need to reproduce natural resources and prevent irreversible consequences for the environment and human health.

Professor M.K.Zhusupbekova rightly notes: "The purpose of state policy in the field of environmental

safety is to ensure the protection of natural systems, vital interests of society and individual rights from threats arising from anthropogenic and natural impacts on the environment" .

According to the Law of the Republic of Uzbekistan "On Environmental Control", there are the following types of environmental control:

- State environmental control;
- departmental environmental control;
- industrial environmental control;
- public environmental control.

State environmental control is carried out by specially authorized state bodies and local government authorities.

The procedure for the implementation of state environmental control is determined by the Cabinet of Ministers of the Republic of Uzbekistan.

Departmental environmental control is carried out by state and economic management bodies in subordinate organizations of public administration bodies, as well as in organizations that are part of economic management bodies.

Industrial environmental control is carried out by business entities in their economic and other activities.

Public environmental control is carried out by citizens' self-government bodies, non-governmental non-profit organizations and citizens.

The forms of environmental control are:

- verification of compliance by legal entities and individuals with the requirements of legislation in the field of environmental protection;
- environmental monitoring.

Thus, State environmental control plays an important role in ensuring the rational use of natural resources and reliable environmental protection. In our opinion, at the same time, it is necessary to strengthen the control of the relevant state bodies over compliance with environmental legislation, strictly punish those responsible for violating environmental legislation, involve the general public in the process of effective

environmental control and constantly improve environmental legislation.

In the process of environmental protection and ensuring the rational use of natural resources, issues of legal responsibility (of nature users) for violation of environmental legislation play an essential role, since through the application of legal liability, violated rights and interests are restored, as well as disputes between natural resource users that have arisen are fairly resolved. The effective application of environmental responsibility issues ensures the preservation of the environment from the degradation of natural systems, the depletion of natural resources, the health of citizens and, ultimately, the environmental safety of the state.

The legislation of the Republic of Uzbekistan more specifically establishes legal liability for environmental offenses. Nevertheless, nature users do not always comply with the established norms and sometimes officials of authorized state bodies themselves make significant mistakes and abuse their powers when applying environmental legislation. In this regard, in our opinion, it is necessary to further strengthen the responsibility of both natural resource users and officials who monitor compliance with environmental legislation, as well as accurately regulate the responsibility of experts and regulatory authorities responsible for the effective use of natural resources.

Based on the above, we can say that a solid legislative framework has been created in the Republic of Uzbekistan in the field of protection and use of natural resources. And in order to further improve environmental legislation, in our opinion, it is necessary to increase the normative activity of the Environmental Party of the Republic of Uzbekistan in Parliament, codify environmental legislation, constantly carry out international cooperation in the field of nature protection and rational use of natural resources, as well as strengthen the control of state bodies over the actual implementation of environmental legislation.

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