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# PROSPECTS AND CURRENT TRENDS IN IMPROVING PLANT LEGISLATION

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## Abstract

This article analyzes concepts aimed at regulating flora and the specific experience of foreign countries. At the same time, the impact of digitalization and the development of artificial intelligence on flora legislation and its future prospects is scientifically discussed. The current state of legislation, scientific and theoretical opinions of scientists, and issues of improving legislation in this area were also studied in detail. Theoretical and legal aspects of implementing the tasks of biodiversity conservation and sustainable development, the importance of information and communication technologies in the regulation of flora, the need for zoning for the protection of flora, and legal aspects of ensuring biological safety are considered. Within the framework of the digital economy, opinions were expressed on the legal aspects of the introduction of modern and advanced information and communication technologies in the field of protection and use of flora, as well as issues of organizing a regulatory consortium through artificial intelligence. The application of legal (criminal and administrative) measures of responsibility for encroachment on objects of flora in legislation and scientific and practical conclusions in comparison with foreign experience are presented. In addition, the author's conclusions about existing problems and their solutions in legislation on the protection of flora objects are presented.

**Keywords** Objects of flora, artificial intelligence, digitalization, legal regime, green zone, concept of sustainable development.

## INTRODUCTION

The issues of plant protection, development, implementation and control of their legal order are recognized by the international community and certain states and their unions as an integral part of environmental protection. Considering that in the last years of the 20th century, positive steps have been taken by the international community and national legislation of a number of countries, this direction of legal and organizational activity is less active in relation to the protection of water, atmospheric climate, wildlife, etc.

The rapid development of the engineering

activities of the gene was followed by a sharp spread of new threats to the environment, the spread of illegal trade with the environment, the introduction of a carbon dioxide approach to environmental activities, primarily the adoption of international documents aimed at preserving sustainable development and biological diversity, as well as preserving the plant world remain.

## METHODS

In the preparation of this scientific article, logical and scientific methods of scientific knowledge were used, in particular, logical analysis, historical, comparative legal methods were used. In addition, empirical materials, in particular, statistical data,

legislation and practice of foreign countries were analyzed.

## **RESULT**

Based on foreign experience, we can describe the prospects for improving the legislation on the protection of flora and the right to use it in the Republic of Uzbekistan and the existing problems in the following directions.

## **ANALYSIS OF RESEARCH RESULTS**

1. An important measure for the protection of plants is to ensure their protection by dividing them into a single area, that is, zoning. Zoning is especially important in the protection of flora in urban areas, and it envisages the separation of areas (zones) with special conditions of use. It is worth noting that this zoning is fundamentally different from the area designated as a forest in terms of its ecological and economic functions. As a result of ecological zoning, cases of destruction or deterioration of environmental objects and subjects under the influence of man-made or natural factors, including landscape elements, water bodies and atmospheric surface layers, are recorded in a certain area. [1]

Based on this, zoning should be understood as a set of administrative, economic, legal and environmental measures aimed at state protection of all components of the flora, as well as the right of citizens to live in an ecologically clean environment, prevention of situations that may harm their health and well-being. The zoning of the protection of plant objects requires the establishment of a differentiated regime of special protection and the determination of the purpose of such zones.

From this point of view, zoning of flora protection helps to determine the legal status of flora objects. As noted in the legal literature in this regard, zoning is used to establish different legal regimes for participants with a single legal regime.[2]

It should be added that this difference in legal regimes applies to an indefinite number of persons and is manifested in the establishment of prohibitions or restrictions on economic and other activities intended for repeated use. Prohibitions related to zoning for the protection of flora can be related to any relationship, for example, cutting down trees, grazing livestock, not placing or building one or another dangerous object at a certain distance.

In these zones, prohibitions are imposed on the implementation or non-implementation of certain actions. As a clear example of this, protected natural areas and their conservation zones, resort natural areas and recreation zones, fishing zones, water protection zones should be mentioned.

Zoning for the protection of flora has two functions:

The first function is to protect the objects of the flora in the natural environment, which ensures that citizens live in a clean ecological environment;

The second function is to ensure the safety of areas in crisis and environmental threats in terms of protecting the objects of the declining flora.

Demarcation of separate areas is the main element in the implementation of these functions, and the ecological condition of the area (land) to be demarcated is the primary tool in the implementation of these functions.

For example, for the implementation of the first function, it is possible to include parks, recreation areas, public lands, etc. In order to implement the second function, it is appropriate to separate the areas where there are objects of flora that are decreasing due to anorogenic (construction) or environmental disaster.

2. It is known that the flora of our country has a rich potential. The sustainable development concern can be used for the legal protection of this potential, which serves to balance the economic,

social and environmental interests of society.

Based on the analysis of the rules of this convention, the following should be implemented in order to apply it to the field of legal protection of flora:

- a) adoption of the national strategy of sustainable development;
- b) making changes to the regulatory legal documents that ensure its implementation;
- c) creating a data bank on problematic objects and areas of the flora;
- g) monitoring of flora objects;
- g) to take measures to inform the society of the value of flora and the need for its legal protection;
- d) in cooperation with the UN Commission on sustainable development, to ensure that international events are held to solve the problems of introducing the principles of sustainable development.

3. To expand the list of protected objects in the legislation of the Republic of Uzbekistan on protection and use of flora, to modernize the provisions of international conventions on plant protection, to objects of flora it is appropriate to improve criminal-legal and administrative-legal prohibitions and sanctions for aggression.

After all, in foreign countries, criminal and administrative liability measures for violation of environmental requirements are determined on the basis of codified documents, special environmental legislation, and even economic legislation. For example, an analysis of criminal law prohibitions in the criminal codes of Austria [3], Belarus [4], Bulgaria [5], Germany [6], Netherlands [7], Israel [8], China [9], Latvia [10], Poland [11], Tunisia [12], Thailand [13], Ukraine [14], Switzerland [15], Iran [16] and a number of other countries shows that in national legislation more attention is paid to the application criminal

legislation on environmental cases. Before proceeding to the analysis of the content of criminal legal prohibitions and the signs of crimes related to the attack on the flora and its elements, it is worth noting that these prohibitions are usually specific to crimes against the environment. (Belarus Criminal Code, Latvia Criminal Code, Germany Criminal Code, Poland Criminal Code, etc.).

But the legislation of foreign countries provides for criminal liability measures not only in criminal codes, but also in special environmental laws or laws regulating economic activity. There are many such documents, especially in the Netherlands, Russia, Germany and many other countries.

Based on this, it can be concluded that the legal (criminal and administrative) liability measures for encroachment on flora objects are widely covered in foreign legislation. They not only comply with the norms established by national legislation regulating the protection of plants from pests and diseases, the negative effects of chemicals and radiation, the introduction of alien species, but also the preservation of biodiversity, forest protection, phytosanitary safety also ensures the execution of international legal documents.

4. The unprecedented development of information and communication technologies is rapidly penetrating the state administration and legislative system. The impact of the Internet, a global communication and communication tool, on society, state and individual life is so important that this process not only requires relevant in-depth scientific research in various fields, but also appropriate organizational measures by states and the international community. There is no doubt that the rapid development of social relations, which in some cases is difficult to predict, poses very complex tasks to the law of the present time.

In this regard, it is natural to ask what are the

current trends in the development of environmental law. As shown in the scientific sources, today, along with the global trends in the development of law, globalization processes and the unprecedented development of information and communication tools are a strong impetus for the development of mutual cooperation between states and peoples [17].

5. Today, reforms related to digitization of environmental legal relations are mainly limited to automation. The ultimate goal and the next step is to organize the industry on the basis of a regulatory consortium through artificial intelligence. In this sense, there is a big difference between the concepts of digitization and artificial intelligence. For example, it would be appropriate to integrate the relevant state bodies into a single system used in the process of environmental control, create a system for detecting cases of use of natural resources and possible damage to them, and control and manage the entire process using artificial intelligence. Therefore, the opportunity has come to introduce artificial intelligence, study its theoretical and legal aspects, develop a fundamental concern, and carry out scientific research in the field of environmental protection, rational use of natural resources, and environmental safety of the population.

In order to implement these and other urgent issues, on February 17, 2021, the decision of the President of the Republic of Uzbekistan "On measures to create conditions for the rapid introduction of artificial intelligence technologies" was adopted. The document envisages the creation of a local ecosystem in the field of artificial intelligence and the necessary conditions for developers, legal regulation of the field, etc.

## **CONCLUSION**

By implementing the stated recommendations, it is possible to ensure that cyber security measures are taken to protect information about the

environment and natural objects in the Republic of Uzbekistan, and that environmental protection organizations comply with the relevant cyber security rules.

In general, it is natural that the form and content of regulatory legal documents regulating the relations related to the protection and use of the flora will change under the influence of modern approaches and technologies.

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