

**INSON HUQUQLARI BO‘YICHA O‘ZBEKISTON RESPUBLIKASI  
MILLIY MARKAZI HUZURIDAGI ILMIY DARAJALAR BERUVCHI  
DSc.39/30.11.2020. Yu/S. 128.01 RAQAMLI ILMIY KENGASH**

---

**O‘ZBEKISTON RESPUBLIKASI  
HUQUQNI MUHOFAZA QILISH AKADEMIYASI**

**TURDIYEV BOBIR SOBIROVICH**

**INSONNING QULAY ATROF-MUHITGA BO‘LGAN HUQUQINI  
AMALGA OSHIRISH VA TA‘MINLASH:  
QIYOSIY-HUQUQIY TAHLIL**

12.00.13 – Inson huquqlari

**Yuridik fanlar bo‘yicha falsafa doktori (PhD) dissertatsiyasi  
AVTOREFERATI**

**Toshkent – 2025**

**Yuridik fanlar bo'yicha falsafa doktori (PhD) dissertatsiyasi avtoreferati  
mundarijasi**

**Contents of the dissertation abstract of the Doctor of Philosophy (PhD) in law**

**Оглавление автореферата диссертации доктора философии (PhD) по  
юридическим наукам**

**Turdiyev Bobir Sobirovich**

Insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish va ta'minlash:  
qiyosiy-huquqiy tahlil ..... 3

**Turdiev Bobir Sobirovich**

Realizing and ensuring the human right to a healthy environment: a comparative  
legal analysis ..... 25

**Турдиев Бобир Собирович**

Осуществление и обеспечение права человека на благоприятную  
окружающую среду: сравнительно-правовой анализ ..... 47

**E'lon qilingan ishlar ro'yxati**

List of published works

Список опубликованных работ..... 52

**INSON HUQUQLARI BO‘YICHA O‘ZBEKISTON RESPUBLIKASI  
MILLIY MARKAZI HUZURIDAGI ILMIY DARAJALAR BERUVCHI  
DSc.39/30.11.2020. Yu/S. 128.01 RAQAMLI ILMIY KENGASH**

---

**O‘ZBEKISTON RESPUBLIKASI  
HUQUQNI MUHOFAZA QILISH AKADEMIYASI**

**TURDIYEV BOBIR SOBIROVICH**

**INSONNING QULAY ATROF-MUHITGA BO‘LGAN HUQUQINI  
AMALGA OSHIRISH VA TA’MINLASH:  
QIYOSIY-HUQUQIY TAHLIL**

**12.00.13 – Inson huquqlari**

**Yuridik fanlar bo‘yicha falsafa doktori (PhD) dissertatsiyasi  
AVTOREFERATI**

**Toshkent – 2025**

**Falsafa doktori (PhD) dissertatsiyasi mavzusi O'zbekiston Respublikasi Oliy ta'lim, fan va innovatsiyalar vazirligi huzuridagi Oliy attestatsiya komissiyasida B2024.4.PhD/Yu1694 raqam bilan ro'yxatga olingan.**

Dissertatsiya ishi O'zbekiston Respublikasi Huquqni muhofaza qilish akademiyasida bajarilgan.  
Dissertatsiya avtoreferati uch tilda (o'zbek, ingliz, rus (rezyume) Ilmiy kengash veb-sahifasida (<http://nhrc.uz/>) va "Ziyonet" axborot-ta'lim portalida (<https://ziyonet.uz/>) joylashtirilgan.

**Ilmiy rahbar:**

**Tillabayev Mirzatillo Alisherovich**  
yuridik fanlar doktori, professor

**Rasmiy opponentlar:**

**Gulimov Amanlik Bazarbaevich**  
yuridik fanlar doktori, dotsent

**Bafaev Shuxrat Gafurovich**  
yuridik fanlar bo'yicha falsafa doktori

**Yetakchi tashkilot:**

**O'zbekiston Respublikasi Ichki ishlar vazirligi Akademiyasi**

Dissertatsiya himoyasi Inson huquqlari bo'yicha O'zbekiston Respublikasi Milliy markazi huzuridagi ilmiy darajalar beruvchi DSc.39/30.11.2020.Yu/S.128.01 raqamli Ilmiy kengashning 2025-yil 23-dekabr kuni soat 11:30 dagi majlisida bo'lib o'tadi (Manzil: 100029, Toshkent shahri, Islom Karimov ko'chasi, 15-uy. Tel.: (99871) 239-40-23; e-mail: [info@nhrc.uz](mailto:info@nhrc.uz)).

Dissertatsiya bilan Inson huquqlari bo'yicha O'zbekiston Respublikasi Milliy markazining Axborot-resurs markazida tanishish mumkin (11-raqam bilan ro'yxatga olingan). Manzil: 100029, Toshkent shahri, Islom Karimov ko'chasi, 15-uy. Tel.: (99871) 239-40-23.

Dissertatsiya avtoreferati 2025-yil 9 dekabr kuni tarqatildi.

(2025-yil 9 dekabrda 11 raqamli reyestr bayonnomasi).

  
**M.T. Turg'unov**  
Ilmiy darajalar beruvchi Ilmiy kengash raisi o'rinbosari, yuridik fanlar doktori, professor

  
**O.S. Ochilov**  
Ilmiy darajalar beruvchi Ilmiy kengash kotibi, yuridik fanlar doktori, dotsent

  
**G. Yuldasheva**  
Ilmiy darajalar beruvchi Ilmiy kengash huzuridagi ilmiy seminar raisi, yuridik fanlar doktori, professor



## KIRISH (falsafa doktori (PhD) dissertatsiyasi annotatsiyasi)

**Dissertatsiya mavzusining dolzarbligi va zarurati.** Dunyoda iqlim o'zgarishi va atrof-muhit ifloslanishi sharoitida insonning qulay atrof-muhitga bo'lgan huquqini ta'minlashning ahamiyati tobora ortib bormoqda. Bu nafaqat iqtisodiy, ijtimoiy oqibatlariga, balki bevosita yoki bilvosita insonning asosiy huquq va erkinliklarini amalga oshirishda ham jiddiy xavf soladi. Ekologik sabablar bois har yili 13 mln. kishi halok bo'ladi,<sup>1</sup> global miqyosda 24% o'limlar (5 yoshgacha bo'lgan bolalar o'rtasida esa 28%) o'zgartirish yoki oldini olish mumkin bo'lgan ekologik omillar sababli yuz beradi.<sup>2</sup> Bunda o'lim ko'rsatkichlari quyi daromadli davlatlarda sezilarli darajada yuqori hisoblanadi. Mazkur holat ayniqsa bolalar, ayollar, qariyalar, nogironligi bo'lgan shaxslar va aholining boshqa zaif qatlamlariga, ularning salomatligi va farovon hayot kechirishiga salbiy ta'sir ko'rsatadi.

Jahonda ekologik ahvolning degradatsiyasi, iqlim o'zgarishiga qarshi kurashish choralarining yetarli darajada emasligi va davlatlar o'z zimmasiga olgan majburiyatlar bo'yicha belgilangan maqsadli ko'rsatkichlarga erishish orqada qolayotganligini ta'kidlash lozim. Xususan, BMTning Atrof-muhit dasturi (UNEP) ma'lumotlariga ko'ra, 161 davlatda (jami BMT a'zolarining 83 foizi) shaxsning qulay atrof-muhitga bo'lgan huquqi e'tirof etilgan va 138 davlatda (71,5 foiz) mazkur huquqlarni amalga oshirishga oid protseduraviy huquqlar mustahkamlangan bo'lsa, faqat 76 davlatda (39,4 foiz) mazkur huquqlarni sud orqali himoya qilish imkoniyatidan foydalanilgan.<sup>3</sup>

Yangi tahrirdagi O'zbekiston Respublikasi Konstitutsiyasining 49-moddasida har kim qulay atrof-muhitga, uning holati to'g'risidagi ishonchli axborotga ega bo'lish huquqiga egaligi kafolatlangan. Shuningdek, mamlakatimizda ushbu masala qaratilayotgan e'tibor va 2025-yil "Atrof-muhitni asrash va "yashil" iqtisodiyot yili" deb e'lon qilinganligi masalaning qanchalik dolzarb va muhim ahamiyatga egaligini ko'rsatadi. O'zbekiston Respublikasi Prezidenti Sh.M. Mirziyoyev ta'kidlab o'tganidek: "atrof-muhitni asrab-avaylashda mas'uliyat barchamizning zimmamizda. Bu kun tartibimizdagi eng muhim masaladir."<sup>4</sup> Shu sababli, insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish va ta'minlashning mexanizmlarini yanada takomillashtirish hamda ushbu mavzuni chuqur tadqiq etish dolzarb ahamiyatga ega.

O'zbekiston Ekologik samaradorlik indeksiga ko'ra 107-o'rin (42.6 ball), shu jumladan ekologik salomatlik ko'rsatkichi bo'yicha 111-o'rin (38.2 ball), havo sifati bo'yicha 133-o'rin (27.5 ball), ichimlik suvi va sanitariya holati bo'yicha 56-o'rinni

---

<sup>1</sup> Health, Environment and Climate Change: Report by the Director-General // World Health Organization. A71/10. – 2018. URL: <https://apps.who.int/iris/handle/10665/276332>.

<sup>2</sup> Preventing disease through healthy environments: a global assessment of the burden of disease from environmental risks // World Health Organization. – 2018. URL: <https://www.who.int/publications/i/item/9789241565196>.

<sup>3</sup> Environmental Rule of Law: Tracking Progress and Charting Future Directions // United Nations Environment Programme. – 2023; The Right to a Healthy Environment, A User's Guide // Special Rapporteur on the human right to a clean, healthy and sustainable environment. – 2024.

<sup>4</sup> O'zbekiston Respublikasi Prezidenti Shavkat Mirziyoyevning Samarqand xalqaro iqlim forumidagi nutqi, 2025. URL: <https://president.uz/oz/lists/view/8025>.

(72.8 ball) egallab kelmoqda.<sup>1</sup> Inson hayoti va yashashi uchun noqulay atrof-muhit o'z navbatida iqlim migratsiyasini kuchaytirishi, Markaziy Osiyo mintaqasida 2050-yilga borib 1.7-2.4 mln. iqlim migrantlari boshqa hududlarga ko'chib o'tishi, ichki migratsiyaga turtki beradigan asosiy omillar ichida iqlim o'zgarishining ta'siri 20-38 foizni tashkil etib, o'z vaqtida va samarali choralar ko'rilsa, ushbu choralar migratsiya oqimini 80 foizgacha pasaytirishi ta'kidlangan.<sup>2</sup> Bu esa atrof-muhit muhofazasi, insonning qulay atrof-muhitga bo'lgan huquqini va barqaror rivojlanish choralari kuchaytirish zaruratini ko'rsatadi.

O'zbekiston Respublikasi Konstitutsiyasi (2023), "Iqlim o'zgarishi sharoitida inson huquqlarini global himoya qilish: barqaror kelajak uchun majburiyatlar va harakatlar to'g'risidagi Samarqand deklaratsiyasi" (2024), Shaharsozlik kodeksi (2021), "Ekologik nazorat to'g'risida"gi (2013), "Aholining sanitariya-epidemiologik osoyishtaligi to'g'risida"gi (2015), "Ekologik ekspertiza, atrof-muhitga ta'sirni baholash va strategik ekologik baholash to'g'risida"gi (2025) qonunlar, O'zbekiston Respublikasi Prezidentining 2020-yil 22-iyundagi PF-6012-son Farmoni bilan tasdiqlangan Inson huquqlari bo'yicha O'zbekiston Respublikasining Milliy strategiyasi, 2019-yil 30-oktabrdagi PF-5863-son Farmoni bilan tasdiqlangan 2030-yilgacha bo'lgan davrda O'zbekiston Respublikasining Atrof muhitni muhofaza qilish konsepsiyasi, 2023-yil 11-sentabrdagi PF-158-son Farmoni bilan tasdiqlangan "O'zbekiston — 2030" Strategiyasining atrof-muhitni muhofaza qilish bo'yicha belgilangan maqsadlar hamda 2025-yil 15-maydagi PQ-184-son qaror bilan tasdiqlangan 2030-yilgacha bo'lgan davrda aholining ekologik madaniyatini yuksaltirish konsepsiyasi va boshqa tegishli normativ-huquqiy hujjatlarda belgilangan vazifalarning ijrosini ta'minlashda ushbu dissertatsiya ishi muayyan darajada xizmat qiladi.

**Tadqiqotning respublika fan va texnologiyalari rivojlanishining ustuvor yo'nalishlariga mosligi.** Mazkur dissertatsiya respublika fan va texnologiyalari rivojlanishining I. "Axborotlashgan jamiyat va demokratik davlatni ijtimoiy, huquqiy, iqtisodiy, madaniy, ma'naviy-ma'rifiy rivojlantirishda innovatsion g'oyalar tizimini shakllantirish va ularni amalga oshirish yo'llari" ustuvor yo'nalishiga muvofiq bajarilgan.

**Muammoning o'rganilganlik darajasi.** Tadqiqot bilan bog'liq ayrim nazariy va amaliy muammolar mamlakatimiz olimlari A. Saidov, Sh. Fayziev, M. Tillabaev, A. To'laganov, I. Turg'unov, M. Turg'unov, S. Utemuratova, G. Yuldasheva, M. Usmonov, Sh. Bafayev, L. Isoqov va boshqalar tomonidan o'rganilgan. Shuningdek, R. Ikramov, K. Babanazarov, A. Gulimov, I. Mamarayimov, B. Tadjixanov, O. Utegenov, G. Uzakova, M. Hamidova, X. Isanov, B. Kalonov, M. Mamayusupov, M. Najimov, O. Narzullaev, A. Nuridullaev, N. Rajabov, O'. Xamraev, J. Safarov asarlarida<sup>3</sup> insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish va ta'minlashning ayrim jihatlarini tadqiq qilingan.

<sup>1</sup> Environmental Performance Index // New Haven, CT: Yale Center for Environmental Law & Policy. – 2024. URL: <https://epi.yale.edu/country/2024/UZB>.

<sup>2</sup> Groundswell Part 2: Acting on Internal Climate Migration // World Bank, Washington. – 2021. URL: <http://hdl.handle.net/10986/36248>.

<sup>3</sup> Bu va boshqa manbalar dissertatsiyaning foydalanilgan adabiyotlar ro'yxatida keltirilgan.

Xususan, B. Kalonov “O‘zbekiston Respublikasida davlat ekologiya nazoratining huquqiy muammolari” (2005), R. Ikramov “Fuqarolarning qulay atrof tabiiy muhitga ega bo‘lish huquqini takomillashtirish muammolari” (2006), K. Babanazarov “Tabiat obyektlari va inson salomatligini radiatsiya ta’siridan huquqiy muhofaza qilish” (2010), O‘. Xamraev “Ekologik qonunchilik talablarini amalga oshirishda jamoat birlashmalari ishtirokining huquqiy masalalari” (2011), M. Mamayusupov “Inson ekologik huquqlarini ta’minlashning huquqiy kafolatlari va mexanizmlari” (2012), O. Utegenov “Ekologiya sohasida jamoatchilik nazoratini huquqiy ta’minlashni takomillashtirish” (2020), N. Rajabov “Ekologik me’yorlash tizimini huquqiy tartibga solish masalalari” (2023), A. Gulimov “Orol dengizi mintaqasida ekologiya va atrof-muhitni muhofaza qilish sohasida xalqaro huquqiy hamkorlik” (2024) mavzusidagi ilmiy tadqiqotlarida insonning qulay atrof-muhitga bo‘lgan huquqini ta’minlash yuzasidan ilmiy mushohada yuritilgan.

Xorijiy olimlar – S. Atapattu, D. Boyd, R. Bratspies, S. Çakan, S. Giorgetta, U. Habiba, J. Knox, N. Kobylarz, B. Peters, B. Preston, O. Ruppel, M. Thornton, A. Schwerdtfeger, D. Shelton, O. Spijkers, D. Weaver, T. Zaharchenko, MDH olimlaridan – A. Alixadjieva, M. Brinchuk, Y. Chulichkova, I. Krasnova, M. Permilovskiy, D. Shakirova, S. Shataeva va T. Sorokina tomonidan mazkur huquqning turli jihatlari keng o‘rganib chiqilgan.

Biroq tanlangan mavzu bo‘yicha nazariy-huquqiy muammolar insonning qulay atrof-muhit huquqini amalga oshirish va ta’minlashga oid milliy va xalqaro mexanizmlar, milliy qonunchilik va huquqni qo‘llash amaliyoti, xalqaro standartlar hamda xorijiy davlatlarning ilg‘or tajribalarini inobatga olgan holda inson huquqlari nuqtayi nazardan alohida monografik tadqiq etilmagan. Bu esa tadqiqot mavzusining dolzarb ahamiyat kasb etishini belgilab, uni ilmiy va amaliy jihatdan o‘rganish zarurligini ko‘rsatadi.

**Dissertatsiya tadqiqotining dissertatsiya bajarilgan oliy ta’lim muassasasining ilmiy-tadqiqot ishlari rejalari bilan bog‘liqligi.** Dissertatsiya mavzusi O‘zbekiston Respublikasi Huquqni muhofaza qilish akademiyasining ilmiy tadqiqot ishlari rejasiga kiritilgan “Insonning qulay atrof-muhitga bo‘lgan huquqini amalga oshirish va ta’minlash: qiyosiy-huquqiy tahlil” mavzusidagi ilmiy tadqiqot ishi doirasida amalga oshirilgan.

**Tadqiqotning maqsadi** insonning qulay atrof-muhitga bo‘lgan huquqini amalga oshirish va ta’minlashning mexanizmlarini takomillashtirishga qaratilgan taklif hamda tavsiyalar ishlab chiqishdan iborat.

**Tadqiqotning vazifalari:**

insonning qulay atrof-muhitga bo‘lgan huquqi tushunchasi va xususiyatlarini ilmiy-nazariy jihatdan tahlil etish;

insonning qulay atrof-muhitga bo‘lgan huquqini ta’minlashga qaratilgan xalqaro va mintaqaviy standartlar, mazkur huquqni amalga oshirish va ta’minlash mexanizmlarini tahlil etish;

insonning qulay atrof-muhitga bo‘lgan huquqini ta’minlash bo‘yicha xorijiy davlatlar qonunchiligi va tajribasini tahlil qilish hamda milliy amaliyotda qo‘llash imkoniyatlarini ko‘rib chiqish;

iqlim o'zgarishi va atrof-muhit ifloslanishi sharoitida insonning qulay atrof-muhitga bo'lgan huquqini ta'minlashing dolzarb masalalarini tahlil qilish;

shaxsning qulay atrof-muhitga bo'lgan huquqini amalga oshirishning konstitutsiyaviy huquqiy asoslarini tahlil qilish, mazkur yo'nalishda mavjud muammolar va tizimli kamchiliklarni aniqlash;

mamlakatimizda insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish va ta'minlashni takomillashtirish bo'yicha ilmiy asoslangan taklif va tavsiyalarni ishlab chiqish.

**Tadqiqotning obyekti** insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish va ta'minlash bilan bog'liq bo'lgan ijtimoiy munosabatlardan iborat.

**Tadqiqotning predmetini** insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish va ta'minlash bilan bog'liq bo'lgan ijtimoiy munosabatlarni tartibga soluvchi milliy, mintaqaviy va xalqaro huquqiy hujjatlar, xorijiy davlatlar qonunchiligi va tajribasi, konseptual yondashuvlar, ilmiy-nazariy qarashlar, shuningdek huquqni qo'llash amaliyoti tashkil qiladi.

**Tadqiqotning usullari.** Tadqiqot davomida analiz, sintez, deduksiya, induksiya, qiyosiy-huquqiy tahlil, empirik material va statistik ma'lumotlar tahlili, sotsiologik so'rov, kuzatish, tizimli yondashuv, mantiqiylik va boshqa usullardan keng foydalanilgan.

**Tadqiqotning ilmiy yangiligi** quyidagilardan iborat:

atrof-muhit bilan bog'liq bo'lgan masalalar bo'yicha axborotga ega bo'lish, qarorlar qabul qilishda ishtirok etish va odil sudlovni ta'minlashda milliy qonunchilikni xalqaro standartlarga muvofiqlashtirish, mazkur yo'nalishda Orxus konvensiyasiga qo'shilish zarurati asoslantirilgan;

atrof-muhitga ta'sirni baholashda ochiqlik va oshkoralik hamda jamoatchilik ishtirokini ta'minlash, davlat ekologik ekspertizasi xulosasi bajarilishini monitoring qilish, davlat boshqaruvi va mahalliy ijro etuvchi hokimiyat organlari bilan maslahatlashuvlar o'tkazish asoslab berilgan;

insonning qulay atrof-muhitga, uning holati to'g'risidagi ishonchli axborotga ega bo'lish huquqlarini amalga oshirish, ekologik osoyishtalikni ta'minlash choralarini ko'rish, ekologik ta'lim va tarbiya tizimini tashkil etish asoslantirilgan;

shovqin, tebranish va inson salomatligi hamda atrof-muhitga salbiy ta'sir ko'rsatadigan boshqa fizik omillar bilan ishlashda sanitariya qoidalarini va normalariga rioya etilishini nazorat qilish, inson hayoti va salomatligi uchun jiddiy xavf yuzaga kelganda tekshirishlar o'tkazish, xo'jalik faoliyati va boshqa faoliyatni cheklashga doir chora-tadbirlarni amalga oshirish asoslab berilgan;

oziq-ovqat zanjirining barcha bosqichlarini amalga oshiruvchi joylarning sanitariya himoya mintaqasiga rioya etilishi, xavflarni nazorat va monitoring qilish, birlamchi ishlab chiqarishda pestitsidlarning qo'llanilishiga rioya qilinishi, sanitariya-gigiena talablari buzilganda ularni bartaraf etish choralarini ko'rish asoslantirilgan;

iqlim o'zgarishi bilan bog'liq inson huquqlari buzilishi jabrlanuvchilari uchun odil sudlovdan foydalanishni ta'minlaydigan mexanizmlarni yaratish va



mustahkamlash, shu jumladan ixtisoslashtirilgan mexanizmlar va qo'llab-quvvatlash dasturlarini joriy etish asoslab berilgan.

**Tadqiqotning amaliy natijalari** quyidagilardan iborat:

milliy qonunchilikni Orxus konvensiyasi normalariga muvofiqlashtirish va qulay atrof-muhit huquqini ta'minlashga oid qonunchilikka o'zgartirish va qo'shimchalar kiritish bo'yicha normativ-huquqiy hujjatlar loyihasi ishlab chiqilgan;

atrof-muhitga ta'sirni baholashda jamoatchilik ishtirokini kengaytirish, jamoatchilik muhokamasi va eshituvini tashkil etishni yo'lga qo'yish, ularda davlat boshqaruvi organlari bilan maslahatlashuvlar o'tkazish, loyiha talablariga rioya etilishi bo'yicha monitoringni amalga oshirish, jarayonni raqamlashtirish maqsadida Jamoatchilik ekologik axborot portalini tashkil etish asoslantirilgan;

insonning qulay atrof-muhitga bo'lgan huquqini ifodalash uchun qo'llanilayotgan turli atamalar o'rniga yagona "qulay atrof-muhit huquqi" atamasini qo'llash asoslantirilgan;

"atrof-muhit", "qulay atrof-muhit" va "qulay atrof-muhit huquqi" tushunchalariga mualliflik ta'rifi berilgan;

insonning qulay atrof-muhitga bo'lgan huquqini ta'minlash, inson hayoti va salomatligi uchun jiddiy xavf yuzaga kelganda vakolatli davlat organlari tomonidan tezkor muhofaza choralari ko'rishga oid mexanizmlarni takomillashtirishga qaratilgan takliflar berilgan.

**Tadqiqot natijalarining ishonchliligi.** Tadqiqot natijalari xalqaro, mintaqaviy va milliy qonunchilik normalari, huquqni qo'llash amaliyoti, BMT va boshqa xalqaro va mintaqaviy tashkilotlar hamda sudlar tomonidan ishlab chiqilgan tavsiya va hujjatlarga tayanilgan, ilg'or xorijiy tajribalar, huquqni qo'llash amaliyoti, yetakchi olimlarning ilmiy-nazariy qarashlari va metodologik yondashuvlari, statistik ma'lumotlar tahlili natijalarini umumlashtirish orqali asoslantirilgan. Hujjatli tahlil dorasida 1000 ga yaqin davlat ekologik ekspertiza xulosalari tahlil qilingan. O'tkazilgan sotsiologik so'rovnoma 337 nafar ishtirokchilar ishtirok etgan. Tadqiqot natijalari empirik materiallarga asoslanilgan va tegishli hujjatlar bilan rasmiylashtirilgan. Tadqiqot xulosa, taklif hamda tavsiyalari aprobatsiyadan o'tkazilib, natijalari yetakchi milliy va xorijiy nashrlarda e'lon qilingan. Olingan natijalar vakolatli tuzilmalar tomonidan tasdiqlangan va amaliyotga joriy qilingan.

**Tadqiqot natijalarining ilmiy va amaliy ahamiyati.** Tadqiqot natijalarining ilmiy ahamiyati atrof-muhitni muhofaza qilishda inson huquqlari orqali yondashuvni o'zida aks ettiradi, ishlab chiqilgan ilmiy xulosa, taklif va tavsiyalardan insonning qulay atrof-muhitga bo'lgan huquqini himoya qilishning xorijiy va milliy mexanizmlari yuzasidan ilmiy izlanishlar olib borishda, inson huquqlari, atrof-muhit muhofazasiga oid qonun ijodkorligi, milliy qonunchilikni takomillashtirish, qonun hujjatlarining tegishli normalarini sharhlashda foydalanish mumkinligi bilan izohlanadi. Shuningdek, tadqiqotdan "Inson huquqlari", "Konstitutsiyaviy huquq", "Ekologiya huquqi", "Xalqaro ekologiya huquqi", "Ma'muriy huquq" kabi fanlarni ilmiy-nazariy jihatdan boyitishda, O'zbekistonda "Insonning qulay atrof-muhitga bo'lgan huquqi" fanini shakllantirishda foydalanilishi mumkin.

Tadqiqot davomida ishlab chiqilgan tavsiya va xulosalarning amaliy ahamiyati insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish va ta'minlashga oid qonunchilik hujjatlarini takomillashtirish va huquqni qo'llash amaliyotini rivojlantirish, mazkur yo'nalishda inson huquq va erkinliklarini ishonchli himoya qilish, ushbu huquqning moddiy komponentlarini aniqlashtirish, tizimlashtirish va huquqiy jihatdan mustahkamlash, amalga oshirish mexanizmlarini takomillashtirish, strategiya, dastur va standartlarni ishlab chiqish, davlat va korporativ sektorning mas'uliyatini oshirish, atrof-muhitga oid axborotning ochiqligini oshirish, jamoatchilik ishtirokini kengaytirish, odil sudlov va ma'muriy vositalarga murojaat qilish imkoniyatini yaxshilashga xizmat qilishi bilan belgilanadi.

**Tadqiqot natijalarining joriy qilinishi.** Insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish va ta'minlash mexanizmlarini takomillashtirish bo'yicha olingan ilmiy natijalar asosida:

atrof-muhit bilan bog'liq bo'lgan masalalar bo'yicha axborotga ega bo'lish, boshqaruvda (qarorlar qabul qilishda) ishtirok etish va odil sudlovni ta'minlashda milliy qonunchilikni xalqaro standartlarga muvofiqlashtirish, mazkur yo'nalishda Orxus konvensiyasiga qo'shilish zarurati haqidagi taklif 2025-yil 11-martdagi "Atrof-muhit bilan bog'liq bo'lgan masalalar bo'yicha qarorlar qabul qilish jarayonida jamoatchilikning axborot olish imkoniyati, ishtiroki va odil sudlovga erishish imkoniyati to'g'risidagi Konvensiyaga (Orxus, 1998-yil 25-iyun) O'zbekiston Respublikasining qo'shilishi haqida"gi O'RQ-1045-sonli Qonunini ishlab chiqilishida inobatga olingan (*O'zbekiston Respublikasi Oliy Majlisi Qonunchilik palatasi huzuridagi Parlament tadqiqotlari institutining 2025-yil 9-iyuldagi 3/dn-148-son ma'lumotnomasi*). Natijada, ushbu konvensiyaga qo'shilish insonning qulay atrof-muhitga bo'lgan huquqini kafolatlash hamda ekologik demokratiyani mustahkamlashga ishonchli zamin yaratgan;

atrof-muhitga ta'sirni baholashda ochiqlik va oshkoralik hamda jamoatchilik ishtirokini ta'minlash, davlat ekologik ekspertizasi xulosasi bajarilishini monitoring qilish, davlat boshqaruvi va mahalliy ijro etuvchi hokimiyat organlari bilan maslahatlashuvlar o'tkazish haqidagi taklif 2025-yil 24-fevraldagi "Ekologik ekspertiza, atrof-muhitga ta'sirni baholash va strategik ekologik baholash to'g'risida"gi O'RQ-1036-sonli Qonunining 5, 24 va 36-moddalarini ishlab chiqilishida foydalanilgan (*O'zbekiston Respublikasi Oliy Majlisi Qonunchilik palatasi huzuridagi Parlament tadqiqotlari institutining 2025-yil 9-iyuldagi 3/dn-148-son ma'lumotnomasi*). Ushbu taklifning amalga oshirilishi atrof-muhitga ta'sirni baholashda ochiqlikni ta'minlash, jamoatchilik va davlat hokimiyati organlari vakillarining ishtirokini kengaytirish, davlat ekologik ekspertizasi xulosasiga rioya etilishi ahvolini yaxshilashga imkoniyat yaratgan;

insonning qulay atrof-muhitga, uning holati to'g'risidagi ishonchli axborotga ega bo'lish huquqini amalga oshirish, ekologik osoyishtalikni ta'minlash choralari ko'rish, ekologik ta'lim va tarbiya tizimini tashkil etish to'g'risidagi takliflar 2024-yil 29-avgustdagi "O'zbekiston Respublikasining ayrim qonun hujjatlariga o'zgartirish va qo'shimchalar kiritish to'g'risida"gi O'RQ-951-sonli Qonunining 1-moddasi uchinchi bandini ishlab chiqilishida foydalanilgan (*O'zbekiston Respublikasi Oliy Majlisi Qonunchilik palatasi huzuridagi Parlament tadqiqotlari*

*institutining 2025-yil 9-iyuldagi 3/dn-148-son ma'lumotnomasi*). Ushbu taklifning amalga oshirilishi atrof-muhit muhofazasi, insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish ahvolini yaxshilash va ekologik xabardorlikni oshirishga xizmat qilgan;

shovqin, tebranish va inson salomatligi hamda atrof-muhitga salbiy ta'sir ko'rsatadigan boshqa fizika omillar bilan ishlashda sanitariya qoidalari va normalariga rioya etilishini nazorat qilish, inson hayoti va salomatligi uchun jiddiy xavf yuzaga kelganda tekshirishlar o'tkazish, xo'jalik faoliyati va boshqa faoliyatni cheklashga doir chora-tadbirlarni amalga oshirishga oid takliflar Vazirlar Mahkamasining 2025-yil 29-yanvardagi 48-son qarori bilan tasdiqlangan O'zbekiston Respublikasi Sog'liqni saqlash vazirligi huzuridagi Sanitariya-epidemiologik osoyishtalik va jamoat salomatligi qo'mitasi to'g'risidagi nizomning 10-11-bandlarida o'z ifodasini topgan (*Sanitariya-epidemiologik osoyishtalik va jamoat salomatligi qo'mitasining 2025-yil 22-avgustdagi 02-21/8186-son ma'lumotnomasi*). Ushbu taklifning amalga oshirilishi sanitar osoyishtalikni ta'minlashga mas'ul davlat boshqaruvi organi faoliyati va uning vakolatlarini takomillashtirishga xizmat qilgan;

oziq-ovqat zanjirining barcha bosqichlarini amalga oshiruvchi joylarning sanitariya himoya mintaqasiga rioya etilishi, xavflarni nazorat va monitoring qilish, birlamchi ishlab chiqarishda pestitsidlarning qo'llanilishiga rioya qilinishi, sanitariya-gigiena talablari buzilganda, ularni bartaraf etish choralari ko'rishga oid takliflar Adliya vazirligi tomonidan 2024-yil 16-dekabrda hisobga olingan Oziq-ovqat mahsuloti xavfsizligining umumiy sanitariya qoidalari, normalari va gigiena normativlarining 8, 10-13, 73-75-bandlarini ishlab chiqilishida (*Sanitariya-epidemiologik osoyishtalik va jamoat salomatligi qo'mitasining 2025-yil 22-avgustdagi 02-21/8186-son ma'lumotnomasi*) foydalanilgan. Ushbu taklifning amalga oshirilishi insonning qulay atrof-muhitga bo'lgan huquqining moddiy komponenti hisoblangan oziq-ovqat mahsulotlari xavfsizligini ta'minlashga hissa qo'shgan;

iqlim o'zgarishi bilan bog'liq inson huquqlari buzilishi jabrlanuvchilari uchun odil sudlovdan foydalanishni ta'minlaydigan mexanizmlarni yaratish va mustahkamlash, shu jumladan ixtisoslashtirilgan mexanizmlar va qo'llab-quvvatlash dasturlarini joriy etish yuzasidan takliflar "Iqlim o'zgarishi sharoitida inson huquqlarini global himoya qilish: barqaror kelajak uchun majburiyatlar va harakatlar to'g'risidagi Samarqand deklaratsiyasi" (BMT Bosh Assambleyasi 78-sessiyasi rasmiy hujjati (A/78/999) sifatida 2024-yil 4-sentabrda tasdiqlangan) 7-bandini (Asosiy tavsiyalar) ishlab chiqilishida (*Inson huquqlari bo'yicha O'zbekiston Respublikasi Milliy markazining 2025-yil 26-sentabrdagi 01/1079-son ma'lumotnomasi*) foydalanilgan. Mazkur tavsiyalar iqlim o'zgarishi bilan bog'liq inson huquqlari buzilishida odil sudlovni ta'minlash mexanizmlarini takomillashtirishga xizmat qilgan.

**Tadqiqot natijalarining aprobatsiyasi.** Dissertatsiya tadqiqotining asosiy mazmuni va ilmiy natijalari 4 ta ilmiy-amaliy anjumanda, jumladan, 2 ta xalqaro, 2 ta respublika miqyosidagi ilmiy-amaliy konferensiya, davra suhbatlari va seminarlarda sinovdan o'tkazilgan.

**Tadqiqot natijalarining e'lon qilinganligi.** Tadqiqot mavzusi bo'yicha jami 17 ta, shu jumladan, dissertatsiyaning asosiy natijalarini chop etish tavsiya etilgan ilmiy jurnallarda 10 ta, xalqaro konferensiya to'plamlarida 4 ta, xorijda 3 ta (shundan 1 tasi Scopus bazasida indeksatsiya qilinadigan xorijiy jurnalda) maqola chop etilgan.

**Dissertatsiyaning tuzilishi va hajmi.** Dissertatsiya kirish, uchta bob, yettita paragraf, xulosa, foydalanilgan adabiyotlar ro'yxati va ilovalardan iborat. Ishning hajmi 155 betni tashkil etadi.

## DISSERTATSIYANING ASOSIY MAZMUNI

Dissertatsiyaning **kirish** qismida tadqiqot mavzusining dolzarbligi va zarurati, tadqiqotning respublika fan va texnologiyalari rivojlanishining ustuvor yo'nalishlariga mosligi, tadqiq etilayotgan muammoning o'rganilganlik darajasi, mavzuning dissertatsiya bajarilayotgan oliy ta'lim muassasasi ilmiy-tadqiqot ishlari bilan bog'liqligi, tadqiqotning maqsad va vazifalari, obykti va predmeti, usullari, ilmiy yangiligi va amaliy natijasi, tadqiqot natijalarining ishonchliligi, ilmiy va amaliy ahamiyati, ularning joriy qilinishi, natijalarining aprobatatsiyasi hamda e'lon qilinganligi, dissertatsiya ishining tuzilishi va hajmiga doir ma'lumotlar berilgan.

Dissertatsiyaning birinchi bobi **“Insonning qulay atrof-muhitga bo'lgan huquqi konsepsiyasi va tizimi”** deb nomlanib, unda mavzuning ilmiy-nazariy jihatlarini, xususan, insonning qulay atrof-muhitga bo'lgan huquqi tushunchasi, xususiyatlari, xalqaro va mintaqaviy standartlar, qulay atrof-muhitga bo'lgan huquqni amalga oshirish mexanizmlari kompleks tadqiq etilgan.

Mazkur bobning *“Insonning qulay atrof-muhitga bo'lgan huquqi tushunchasi va xususiyatlari”*ga bag'ishlangan birinchi paragrafida insonning qulay atrof-muhitga bo'lgan huquqi alohida mustaqil huquq sifatida batafsil o'rganilgan. Insonning asosiy huquqlarini ta'minlash va amalga oshirish barqaror atrof-muhitga bog'liq bo'lib, bu hayotiy faoliyat uchun qulay va xavfsiz muhit, toza havo, sifatli suv va oziq-ovqat kabi bir qator masalalarni o'z ichiga qamrab oladi. Qulay atrof-muhit huquqi ekologik huquqlarga nisbatan kengroq bo'lib, ekologiya, sanitariya, shaharsozlik va inson huquqlarini ta'minlashga qaratilgan boshqa normalarni ham qamrab oladi. Shu sababli u “huquqlar klasteri” sifatida e'tirof etiladi.

Insonning sog'lom atrof-muhitga bo'lgan huquqi ilk bor R.Karson tomonidan 1962-yilda taklif etilgan bo'lsada, qulay-atrof muhit huquqi atamasi va uning qamrov doirasi masalasida yagona yondashuv mavjud emas, mazkur huquqning zarurati, ahamiyati va foydaligi haqida munozaralar haligacha davom etmoqda. Xalqaro standartlar, shu jumladan Orxus konvensiyasi sog'lom atrof-muhit huquqini e'tirof etgan holda, mazkur huquqning aniq ta'rifini berishdan tiyilgan. Mazkur yondashuv turlicha qarashlar sababli yagona ta'rif berish qiyinligi bilan izohlanadi. Tadqiqotda mazkur huquqning xalqaro miqyosda keng e'tirof etilayotganligini inobatga olib, hozirgi eng asosiy munozaralar uning zarurati haqida emas, balki uni amalga oshirish mexanizmlariga qaratilishi kerakligi ta'kidlangan.

Ilmiy tadqiqot davomida dissertant R. Ikramov, A. Gulimov, M. Brinchuk, I. Krasnova, D. Boyd, S. Atapattu, M. Thornton, S. Giorgetta va boshqa olimlar

bilan munozaraga kirishib, “atrof-muhit”, “qulay atrof-muhit” va “qulay atrof-muhit huquqi” tushunchalariga mualliflik ta’rifini ishlab chiqqan.

Tadqiqotda insonning qulay atrof-muhitga bo’lgan huquqiga oid R. Bratspies, U. Habiba, B. Peters, D. Shelton, M. Thornton, M. Lostal kabi olimlarning yondashuvlari tahlil qilinib, ushbu ilmiy nazariyalar shartli ravishda uch guruhga ajratilib, ko’rib chiqilgan. Bular: inson farovonligini oldinga qo’yib, atrof-muhit muhofazasiga inson huquqlari va jamiyat farovonligi vositasi sifatida qaraydigan antropotsentrik nazariya, inson manfaatlaridan qat’iy nazar tabiat va tabiiy ekotizimlarning o’zi asrab-avvaylanishi kerakligini ilgari suradigan ekotsentrik nazariya hamda har ikkala nazariyaga nisbatan o’rtamiyona munosabatni aks ettirgan integrativ yondashuv inson huquqlari va ekologiya muhofazasi huquqiy rejimlari o’rtasida qarama-qarshiliklar yuzaga kelishi mumkinligi, biroq umumiy maqsad yo’lida ular birlashishi mumkinligini ta’kidlaydi.

Dissertatsiyada R. Ikramov, B. Preston, D. Boyd, S. Atapattu, N. Kobylarz, S. Keresit, N. Danilova va boshqa olimlarning qulay atrof-muhitga bo’lgan huquqning xususiyatlariga oid fikrlari tadqiq etilib, qulay atrof-muhit huquqini e’tirof etishning ahamiyati va afzalliklari asoslab berilgan. Ushbu huquq moddiy va protseduraviy huquqlarga ajratilgan. Mazkur huquqning moddiy elementlari har bir mintaq va hudud xususiyatidan kelib chiqib farqlanishi, ahamiyati turlicha bo’lishi, hatto har bir inson uchun ularning ustuvorligi har xil bo’lishi yoki farqlanishi, vaqt o’tgan sari takomillashib borish, yangi elementlar qo’shish hisobiga rivojlanish xususiyatiga egaligi qayd etilgan.

*“Insonning qulay atrof-muhitga bo’lgan huquqini ta’minlashning xalqaro va mintaqaviy standartlari”* deb nomlangan ikkinchi paragrafda atrof-muhit va inson huquqlarini himoya qilishga oid xalqaro va mintaqaviy hujjatlar hamda ularga oid tizimlar chuqur tadqiq qilingan.

Tadqiqotda qulay atrof-muhit huquqiga oid hujjatlar tasnifi ishlab chiqilgan. Qulay atrof-muhit huquqining shakllanishi, rivojlanishi va xalqaro darajada e’tirof etilishi, inson huquqlariga oid eng asosiy bazaviy hujjatlarda mazkur huquqqa oid normalarning ifodalanishi ko’rib chiqilgan. Inson huquqlarini himoya qilish xalqaro tizimi doirasida BMTning Inson huquqlari bo’yicha Kengashi, shartnomaviy qo’mitalar va maxsus protseduralarga oid mexanizmlar yoritilgan. Toza, sog’lom va barqaror atrof-muhitga bo’lgan inson huquqlari bo’yicha BMT maxsus ma’ruzachisi mandatining ta’sis etilishi insonning qulay atrof-muhitga bo’lgan huquqini global miqyosda e’tirof etish, uning xususiyatlari va elementlarini tizimlashtirishda muhim rol o’ynaganligi ta’kidlangan.

Qulay atrof-muhitga bo’lgan huquq xalqaro hujjatlarga qaraganda mintaqaviy hujjatlarda aniq ifodasini topganligi, muvaffaqiyatli mustahkamlanganligi va amalda qo’llab kelinayotganligi qayd etilib, inson huquqlari bo’yicha Yevropa, Afrika, Lotin Amerikasi, MDH, Arab davlatlari, ASEAN tizimi ko’rib chiqilgan. Afrika va Lotin Amerikasi tizimi qulay atrof-muhit huquqini e’tirof etgan bo’lib, Inson va fuqaro huquqlari bo’yicha Afrika sudi vakolati faqat sanoqli davlatlar tomonidan tan olinganligi, Inson huquqlari bo’yicha Amerika sudiga faqat a’zo davlatlar va Komissiya murojaat qilishi hamda individual murojaatlar ko’rib chiqilmasligi kabi zaifliklar ta’kidlangan.

Inson huquqlari bo'yicha Yevropa tizimi eng rivojlangan mexanizmlarga ega bo'lsada, insonning qulay atrof-muhitga bo'lgan huquqini hozirgacha e'tirof etmagan. Shunga qaramay, inson huquqlari bo'yicha Yevropa sudi vositasida mazkur huquqni e'tirof etishga oid muayyan sud pretsedenti shakllangan. Inson huquqlari bo'yicha Arab davlatlari va Janubi-sharqiy Osiyo mamlakatlari assotsiatsiyasi (ASEAN) tizimida insonning barqaror atrof-muhitga bo'lgan huquqi e'tirof etilgan bo'lsada, murojaatlarni ko'rib chiqish, sud yoki boshqa nazorat mexanizmlari nazarda tutilmagan. Inson huquqlari bo'yicha MDH tizimida qulay atrof-muhit huquqi e'tirof etilmagan, inson huquqlari buzilishiga oid murojaatlarni ko'rib chiqish mexanizmlari belgilanmagan. Shunga ko'ra, dissertant tomonidan qulay atrof-muhitga bo'lgan huquqni e'tirof etish bilan birga, uni ta'minlashda odil sudlovga kirish imkoniyatini kafolatlash mintaqaviy inson huquqlari mexanizmlari samaradorligi va ta'sirchanligining eng muhim belgisi ekanligi ta'kidlangan.

Atrof-muhit bilan bog'liq bo'lgan masalalarda axborotga ega bo'lish, qarorlar qabul qilishda ishtirok etish va odil sudlovni ta'minlash to'g'risidagi Orxus konvensiyasida shaxsning qulay atrof-muhitga bo'lgan huquqi e'tirof etilgan bo'lib, hujjat real amaliy mexanizmlar bilan ta'minlangan, insonning ekologik huquqlarini protseduraviy vositalar yordamida amalga oshirishga qaratilgan hamda atrof-muhit muammolarini hal qilishda huquqlar asosidagi yondashuvni taklif etadi. Konvensiyaning asosiy xususiyati u hukumatlardan boshqa davlatlarga emas, balki fuqarolarga mas'uliyatli bo'lish va shaffoflikni talab etib, davlat organlarining o'z qarorlari uchun mas'uliyati va javobgarligini nazarda tutadi.

Birinchi bobning *"Insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish mexanizmlari"* nomli uchinchi paragrafida qulay atrof-muhitga bo'lgan huquqni samarali tatbiq etishga oid eng asosiy protseduraviy huquqlar: atrof-muhit masalalariga oid axborotga ega bo'lish, boshqaruvda (qarorlar qabul qilishda) ishtirok va odil sudlovni ta'minlash mexanizmlari kompleks tadqiq etilgan.

Tadqiqotda insonning ekologik huquqlarini amalga oshirishning eng muhim dastlabki shartlaridan biri bu atrof-muhit masalalariga oid axborotning ochiqligi va axborotga kirish imkoniyatini ta'minlash ekanligi qayd etilgan. Atrof-muhitni muhofaza qilish, ekologik boshqaruv va atrof-muhitga oid qarorlar samaradorligini oshirishda jamoatchilik ishtiroki juda muhim hisoblanadi. Tadqiqotda atrof-muhitga oid qarorlar qabul qilishga oid O. Utegenov, A. Hasan, O. Nadeem, O. Ruppel, D. Weaver, S. Suherlan, A. Glucker va boshqa olimlarning qarashlari tadqiq etilib, jamoatchilik ishtiroki qaror qabul qilish jarayonining shaffofligini oshirib, legitimlikni ta'minlaydi, atrof-muhitga salbiy ta'sirni oldini oladi va yumshatadi, ehtimoliy nizolar va qarama-qarshiliklarni oldindan aniqlashga yordam beradi, qarorlar sifati hamda davlat boshqaruvi organlarining mas'uliyati va hisobdorligini oshirish imkonini beradi degan xulosaga kelingan.

Qarorlar qabul qilishda ishtirokning norma ijodkorligi va siyosatini belgilash, atrof-muhitga ta'sirni baholash (AMTB), nodavlat notijorat tashkilotlar (NNTlar) orqali va raqamli ishtirok turlari tasniflangan. Axborot texnologiyalari rivojlanishi va raqamlashtirishning kengayishi demokratik jarayonlarda jamoatchilik ishtirokini sezilarli darajada oshirish imkonini berib, kibermakonda raqamli ishtirok tobora muhim va keng ta'sirga ega bo'lib borayotganligi ta'kidlangan. Tadqiqotda ekologik

shaffoflik va jamoatchilik ishtirokini rag‘batlantiruvchi kuchli huquqiy tizimlarga ega bo‘lgan mamlakatlar atrof-muhitni muhofaza qilishda yaxshiroq natijalarga erishishi qayd etilgan.

Shaxsning qulay atrof-muhitga bo‘lgan huquqini ta‘minlashning eng samarali institutsional mexanizmlaridan biri odil sudlov hisoblanadi. So‘nggi yillarda xalqaro, mintaqaviy va milliy sudlarda inson huquqlari va atrof-muhit muhofazasi bilan bog‘liq ishlarni ko‘rib chiqish soni tobora oshib borayotganligi va bunda inson huquqlari instrumentlaridan samarali foydalanilayotganligi ko‘rsatib o‘tilgan. Xususan, 60 dan ortiq mamlakatda atrof-muhit masalalari bo‘yicha sudlar tashkil etilganligi, Yaponiya va Janubiy Koreyada atrof-muhitga oid nizolarni muqobil hal etish uchun ekspert komissiya, Avstriya, Yangi Zelandiya, Gretsiya va Keniyada atrof-muhit masalalariga oid ombudsmanlar faoliyati yo‘lga qo‘yilganligi e‘tirof etilgan.

Dissertatsiyada qulay atrof-muhit huquqiga oid bir qator tamoyillar ko‘rsatib o‘tilib, regressiyaga yo‘l qo‘ymaslik tamoyili alohida ta‘kidlab o‘tilgan. Ushbu tamoyil qulay atrof-muhitga oid standartlarni susaytirishni oldini olib, u faqat yaxshilanishi mumkinligi, amaldagi ekologik qonunchilik va muhofaza choralari minimal chegara bo‘lib, undan pasaytirish mumkin emasligini anglatadi.

Dissertatsiyaning ikkinchi bobi **“Insonning qulay atrof-muhitga bo‘lgan huquqini amalga oshirish va ta‘minlashning dolzarb masalalari”** deb nomlanib, unda insonning qulay atrof-muhitga bo‘lgan huquqini amalga oshirishga oid xorijiy davlatlar tajribasi, iqlim o‘zgarishi va atrof-muhit ifloslanishi sharoitida insonning qulay atrof-muhitga bo‘lgan huquqini ta‘minlash masalalari tahlil etilgan.

Ushbu bobning *“Insonning qulay atrof-muhitga bo‘lgan huquqini amalga oshirishga oid xorijiy davlatlar tajribasi”* deb nomlangan birinchi paragrafida 30 dan ortiq xorijiy mamlakatlarning, shu jumladan AQSh, Argentina, Avstraliya, Belgiya, Braziliya, Buyuk Britaniya, Daniya, Fransiya, Gruziya, Hindiston, Kanada, Kolumbiya, Portugaliya, Singapur, Vengriya, Xitoy, Yangi Zelandiya, Yaponiya va Yevropa Ittifoqining ilg‘or qonunchiligi va amaliyoti qiyosiy tahlil qilingan.

Qulay atrof-muhitga bo‘lgan huquqni xalqaro darajada e‘tirof etishdan ko‘ra uni milliy darajada tan olish tezroq amalga oshgan. Mazkur huquqning konstitutsiya darajasida e‘tirof etilishi Argentina, Braziliya, Kolumbiya, Portugaliya, Filippin va Janubiy Afrikada yangi avlod ekologik qonunchilikning qabul qilinishi va atrof-muhit muhofazasini kuchaytirishga xizmat qilgan. Bir qator xorijiy davlatlar qonunchiligida insonning qulay atrof-muhit huquqining moddiy komponentlari turli shaklda o‘z ifodasini topgan. Bular qatoriga havo sifati, asbestdan foydalanishni taqiqlash, bino-inshootlarga quyosh nuri tushishini ta‘minlash, suv va yashil zonalar, shovqin, qo‘lansa hidga oid me‘yorlar shular jumlasidandir.

Xorijiy davlatlarda mazkur huquqni tan olish bilan birga uni amalga oshirishga doir zarur mexanizmlar ham belgilangan. Xususan, qulay atrof-muhitga oid minimal ekologik standartlarni belgilash, strategiya va dasturlar qabul qilish, atrof-muhit holatini monitoring qilish va unga oid axborotni ochiq qilish, tezkor muhofaza choralari, odil sudlovni ta‘minlash, shu jumladan nizolarni tezkor va muqobil hal etish, jarayonga NNTlarni keng jalb etish kabi mexanizmlarga tayanilgan. Shuningdek, Yevropa Ittifoqi, Xitoy, Hindiston, Qozog‘iston va boshqa davlatlarda

atrof-muhitga ta'sirni baholashda jamoatchilik ishtiroki mexanizmlaridan samarali foydalanish va jarayonni raqamlashtirish qulay atrof-muhitga oid qarorlar sifatini va davlat organlarining mas'uliyatini oshirish, atrof-muhit va inson huquqlari muhofazasini kuchaytirishga xizmat qilgan.

Mazkur tadqiqot doirasida qulay atrof-muhit huquqini e'tirof etgan va uni qo'llab kelayotgan ilg'or Yevropa va Osiyo davlatlari Niderlandiya va Janubiy Koreya, shuningdek O'zbekiston bilan yaqin tarixiy, madaniy, huquqiy makonda bo'lgan qo'shni Qozog'iston qonunchiligi va amaliyoti alohida ko'rib chiqilib, tahlil qilingan. Mazkur davlatlar tajribasi insonning qulay atrof-muhitga bo'lgan huquqini ta'minlashga oid minimal chegaraviy me'yorlarni qonunchilik darajasida belgilash, ekologik boshqaruvda davlat, jamoatchilik va ekspertlar ishtiroki, atrof-muhit sifati yomonlashganda tezkor muhofaza choralarini ko'rish mexanizmlari fuqarolarning qulay atrof-muhitga bo'lgan huquqini amalda ta'minlashning samarali vositalarini ko'rsatadi.

Mazkur bobning *“Iqlim o'zgarishi va atrof-muhit ifloslanishi sharoitida insonning qulay atrof-muhitga bo'lgan huquqini ta'minlash masalalari”* deb nomlangan ikkinchi paragrafida qulay atrof-muhit huquqiga oid o'tkazilgan so'rovnoma natijalari va davlat ekologik ekspertizasi xulosalari tahlil qilingan.

Rivojlanayotgan davlatlarda atrof-muhitning degradatsiyasi bilan birga qonun ustuvorligining zaifligi, ekologik nazorat, boshqaruvda shaffoflik va jamoatchilik ishtirokining yetarli emasligi va sustligi, korrupsiya darajasi yuqoriligi, atrof-muhit sohasida qonun ustuvorligini ta'minlash va insonning qulay atrof-muhitga bo'lgan huquqini ta'minlash imkonini bermaydi.

Tadqiqot doirasida o'tkazilgan so'rovnomaga ko'ra so'ralganlarning katta qismi atrof-muhit ifloslanishi va degradatsiyasi bilan bog'liq muammolardan xavotirda ekanligini bildirgan. Ishtirokchilarning katta qismi (88.2%) atrof-muhit ifloslanishi bilan bog'liq muammolarga duch kelgan bo'lsada, ularning aksariyati (83.1%) ushbu holat bo'yicha vakolatli organga yoki sudga murojaat qilmagan, atrof-muhitga oid axborot taqdim etish bo'yicha (65.9%) so'rov yubormagan, qarorlar qabul qilishda (71.5%) ishtirok etmagan. Ishtirokchilarning sezilarli qismi mazkur huquqni qanday amalga oshirishni bilmasligini bildirgan. Bu esa Orxus konvensiyasi talablariga muvofiq fuqarolarning atrof-muhitga oid axborotga ega bo'lish, qaror qabul qilishda ishtirok etish, ma'muriy vositalar va odil sudlovga murojaat etish mexanizmlaridan unumli foydalanish bo'yicha xabardorligini oshirishni talab etadi.

Atrof-muhitga ta'sirni baholashda jamoatchilik ishtiroki bo'yicha o'tkazilgan tahlillar jamoatchilik eshituvlarini tashkil etishning samarali va shaffof tizimi yo'lga qo'yilmaganligi, jarayonning raqamlashmaganligi, jamoatchilik eshituvini tashkil etishning amaldagi tartibotlariga rioya qilinmaganligi, eshituvlarning rasmiyatchilik uchun o'tkazilganligi, qaror qabul qilishda ushbu mexanizmdan unumli foydalanilmaganligi, past darajada xavfli va mahalliy darajada ta'sir ko'rsatuvchi faoliyat turlari bo'yicha qaror qabul qilishda jamoatchilik bilan maslahatlashish nazarda tutilmaganligi, 2023-yilda I toifaga mansub berilgan xulosalar bo'yicha faqat 41.5% holatda jamoatchilik eshituvlari o'tkazilganligi, atrof-muhitga ta'sirni baholash materiallari 96.5% holatda ko'pchilik aholi gaplashadigan tilda ishlab



chiqilmaganligi aniqlanib, ushbu mexanizmning samarali tatbiq etilishini ta'minlashga qaratilgan chora-tadbirlar zarurligi ta'kidlangan.

Tahlillar qulay atrof-muhit huquqini bevosita yoki bilvosita amalga oshirish bilan bog'liq 200 ta atrofida sanitariya qoidalari va normalari, 300 dan ortiq shaharsozlik normalari va qoidalari, 30 ga yaqin qurilish reglamentlari mavjudligi, biroq ushbu normalardagi o'zaro nomuvofiqliklar va bir-birini takrorlashlar bilan bog'liq muammolar mavjudligi, bir qator qoida va normativlar Adliya vazirligida hisobga qo'yilmaganligi hamda rasmiy manbalarda matni va aktual holati keltirilmaganligi qayd etilib, mazkur norma va standartlarni qonunchilik darajasida mustahkamlash va integratsiya qilish maqsadga muvofiqligi ta'kidlangan.

Dissertatsiyaning **“O'zbekistonda insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirishning o'ziga xos xususiyatlari”** deb nomlangan uchinchi bobida milliy qonunchilikda shaxsning qulay atrof-muhitga bo'lgan huquqini amalga oshirishning huquqiy asoslari va mexanizmlari tahlil qilinib, ularni takomillashtirish istiqbollari yoritilgan.

Mazkur bobning *“Milliy qonunchilikda shaxsning qulay atrof-muhitga bo'lgan huquqini amalga oshirishning konstitutsiyaviy huquqiy asoslari”*ga bag'ishlangan birinchi paragrafida qulay atrof-muhitga bo'lgan huquqqa oid milliy qonunchilik tahlil qilinib, uni yanada takomillashtirish, shuningdek xalqaro standartlar va xorijiy ilg'or tajribani tatbiq etishning zarurati ochib berilgan.

Milliy qonunchilikda insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish va muhofaza qilishning bir qator mexanizm va vositalari belgilangan. Bunda axborotga ega bo'lish, tegishli yo'nalish bo'yicha dastur va loyihalarni ishlab chiqishda ishtirok etish, jamoatchilik nazorati va boshqa nazorat mexanizmlari, javobgarlik choralari, institutsional mexanizmlar hamda qulay atrof-muhit huquqini ta'minlashga oid qo'shimcha kafolat va muhofaza choralari tahlil qilingan.

Insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish va ta'minlash bo'yicha turli davlat boshqaruvi organlari mas'uliyati belgilangan bo'lsada, masalaga kompleks va tizimli yondashish yo'qligi, turli idoralarning ushbu yo'nalishdagi faoliyatini muvofiqlashtirish, atrof-muhit sifati holati belgilangan me'yorlardan oshganda tezkor muhofaza choralari qo'llash mexanizmlari aniq belgilanmaganligi qayd etilgan.

Qonunchilikda NNTlarning qulay atrof-muhit huquqini sud orqali samarali himoya qilish vakolati kafolatlanmaganligi, davlat hisobidan yuridik yordam ko'rsatiladigan ishlar ro'yxatida qulay atrof-muhit huquqi, ekologiya va atrof-muhit muhofazasi bo'yicha bepul yuridik yordam ko'rsatish nazarda tutilmaganligi, javobgarlik mexanizmlariga oid normalarda bo'shliqlar va ta'sirchan huquqiy sanksiyalar qo'llash imkoniyati cheklanganligi ta'kidlangan.

Ma'muriy javobgarlik to'g'risidagi kodeksda davlat ekologik ekspertizasi xulosasini berish tartibini buzish, jamoatchilik eshituvini o'tkazmasdan taqdim etilgan hujjatlar bo'yicha ekologik ekspertiza xulosasi berish, AMTB jarayonida noto'g'ri ma'lumot berish, ekspertiza xulosasida berilgan talablarga rioya qilmaslik kabi holatlar uchun aybdor shaxslarning ma'muriy javobgarligi nazarda tutilmagan. Bundan tashqari, loyihalarni davlat ekologik ekspertizasining ijobiy xulosasisiz ro'yobga chiqarish uchun ma'muriy jazo qo'llanilganidan keyin shaxs

huquqbuzarlikni davom ettirsa, qat'iyroq jazo chorasini ko'rish, yuridik shaxslarga nisbatan mutanosib ta'sir choralari ko'rish, atrof-muhitni ifloslantirish holatlarini bartaraf etish va qayta tiklash majburiyatini yuklash nazarda tutilmaganligi ta'kidlab o'tilgan. Bu esa insonning qulay atrof-muhitga bo'lgan huquqi va atrof-muhitni muhofaza qilish bo'yicha yuridik shaxslar javobgarligini joriy etish, ular tomonidan yetkazilgan zarar bo'yicha mutanosib ta'sir choralari ko'rish va yetkazilgan zararni bartaraf etish bo'yicha majburiyat yuklash va amaliy nazorat (monitoring) mexanizmlarini joriy etish zaruratini ko'rsatadi.

Uchinchi bobning ikkinchi paragrafi "*Yangi O'zbekistonda insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish va ta'minlashni takomillashtirish istiqbollari*"ga bag'ishlangan bo'lib, unda qulay atrof-muhit huquqini amalga oshirish va ta'minlash bilan bog'liq muammolar tahlil qilingan hamda milliy tizimni takomillashtirish bo'yicha tavsiyalar berilgan.

Qulay atrof-muhit huquqining moddiy komponentlari asosan texnik standartlar, sanitariya va shaharsozlikka oid norma va qoidalar bilan belgilangan. Moddiy komponentlarning minimal standartlari qonun darajasida belgilanmaganligi, ayrim moddiy huquq komponentlari va ularga oid munosabatlar tartibga solinmagan bo'lsa, boshqalari bo'yicha moddiy komponentlarni ta'minlashga oid mexanizmlar aniq belgilanmaganligi o'z navbatida ekologiya va jamoatchilik salomatligi bilan bog'liq jiddiy muammolarni keltirib chiqarishi qayd etib o'tilgan.

Xususan, mamlakatimizda shahar hududida yashil zonalar ulushi xalqaro standartlardan kamligi, juda katta ehtiyoj bo'lsada, deyarli birorta jamoatchilik uchun ochiq (bepul) suv havzalari mavjud emasligi, suv havzalari bo'yida plyajlar va cho'milish havzalarini tashkil etish, ulardagi suv sifatini foydalanuvchilar salomatligi uchun doimiy tekshirib borish va xavfsizligini ta'minlash choralari ko'rish zarurati ta'kidlangan.

Tadqiqotda insonning qulay atrof-muhitga bo'lgan huquqiga taalluqli axborotning ochiqligi va oshkor etilishiga oid qat'iy talablarini joriy etish, ma'lumotlarning sifati, shakli va o'z vaqtida taqdim etilishini yaxshilash, Jamoatchilikni shaharsozlik va ekologik rejalar, siyosat yoki dasturlarni ishlab chiqishga keng jalb qilish, ekologiya yo'nalishida faoliyat ko'rsatayotgan NNTlarni ko'proq qo'llab-quvvatlash va salohiyatini oshirishga qaratilgan tashabbuslarni amalga oshirish zarurligi qayd etilgan.

## **XULOSA**

Ilmiy tadqiqot natijasida insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish va ta'minlash tahlil etilib, quyidagi xulosalar shakllantirildi:

### **I. Insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish va ta'minlashga oid ilmiy-nazariy xulosalar:**

#### **1. Quyidagi tushunchalarga mualliflik ta'rifi ishlab chiqildi:**

*atrof-muhit* – tabiiy muhit va insonni o'rab turgan, uning yashashi, sog'lom rivojlanishi va kamol topishi uchun zarur bo'lgan qulay va xavfsiz shart-sharoitlar majmui bo'lib, u yashash sharoitlari, ijtimoiy va sanitariya-gigiyena muhiti,

shaharsozlik, transport, rekreatsiya, sport va sog'lomlashtirish infratuzilmasi, mehnat (ishlab chiqarish, xizmat ko'rsatish) shart-sharoitlari, tabiiy ekotizimlar va bio-xilmaxillikni qamrab oladi.

*qulay atrof-muhit* – insonning yashashi, dam olishi va faoliyat yuritishi (mehnat) uchun zarur bo'lgan, insonning jismoniy va ruhiy salomatligini ta'minlaydigan, toza, xavfsiz, sog'lom, qulay va barqaror atrof-muhit sharoitlari hisoblanadi. Sog'lom deganda ifloslanish, zararli moddalar va inson yashashi uchun noqulaylik keltirib chiqarishi mumkin bo'lgan holatlardan xoli muhit tushuniladi. Bunday muhit inson faoliyati uchun qulay, xavfsiz va barqaror shart-sharoitlarni yaratish bilan birga tabiat va atrof-muhitni asrab-avvaylashni ham nazarda tutadi.

*qulay atrof-muhit huquqi* – hozirgi va kelajak avlodlarning qulay, xavfsiz va barqaror atrof-muhitda yashash va kamol topishga oid universal huquqidir. Ushbu huquq insonning o'zaro bog'liq bo'lgan bir qator huquqlarining jamlanmasi bo'lib, yashash, sog'liq, toza havo, sifatli suv va oziq-ovqatga bo'lgan huquq kabi moddiy elementlar hamda atrof-muhit holati to'g'risida ishonchli axborotga ega bo'lish, qarorlar qabul qilishda ishtirok etish, ma'muriy va odil sudlovga erishish kabi protseduraviy huquqlarni o'z ichiga oladi.

2. Ilmiy tadqiqotlar va milliy qonunchilikda qo'llanilayotgan turli atamalarni (qulay tabiiy muhit, qulay atrof tabiiy muhit, qulay hayot faoliyati muhiti, qulay yashash muhiti, atrof muhitning qulay holati) maqbullashtirgan holda yagona "*qulay atrof-muhit huquqi*" atamasini qo'llash maqsadga muvofiq. Qulay atrof-muhit huquqi insonning ekologik huquqlariga nisbatan kenqroq tushuncha bo'lib, ushbu huquq nafaqat atrof tabiiy muhit, balki inson yashashi va faoliyati bilan bog'liq boshqa qulay shart-sharoitlar, shu jumladan sanitariya, shaharsozlik rejalashtirish, qulay infrastruktura va inson huquqlarini ta'minlashga qaratilgan boshqa sohaviy normalarni ham o'z ichiga qamrab oladi. Mazkur huquq ekologiyani muhofaza qilish va barqaror atrof-muhitga ega bo'lish bilan birga inson, uning hayoti va sog'lig'ini ham muhofaza qilish, inson yashashi va faoliyati uchun qulay shart-sharoitlarni ta'minlashga qaratilgan.

3. Qulay atrof-muhit huquqining moddiy va protseduraviy jihatlari tasniflandi. Bunda qulay atrof-muhit huquqining moddiy elementlari har bir mintaqa va hudud xususiyatidan kelib chiqib farqlanishi, ahamiyati turlicha bo'lishi, hatto har bir inson uchun ularning ustuvorligi har xil bo'lishi yoki farqlanishi, vaqt o'tgan sari takomillashib borish, yangi elementlar qo'shish hisobiga rivojlanish, huquq doirasi kengayib borish xususiyatiga egaligi asoslantirildi.

4. Qulay atrof-muhit huquqiga oid hujjatlar tasnifi ishlab chiqilib, ular shartli ravishda *ekologiya*, *inson huquqlari* va *aralash* turdagi boshqa sohaviy hujjatlarda o'z ifodasini topgan kategoriyalar kabi uch turga ajratildi. Shuningdek, xalqaro hujjatlar ta'siri yuzasidan *imperativ* va *tavsiyaviy*, qo'llanish geografiyasiga qarab *xalqaro* va *mintaqaviy* tusdagi hujjatlarga ajratildi.

**II. Insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish va ta'minlash bilan bog'liq qonunchilikni takomillashtirishga qaratilgan taklif va tavsiyalar:**

5. Milliy qonunchilikda atrof-muhitni muhofaza qilishning asosiy tamoyillari, atrof-muhit sifatining (minimal) standartlarini kiritish, qulay atrof-muhit huquqi va uni muhofaza qilishga oid milliy va hududiy dastur va rejalarini keng jamoatchilikni jalb etgan holda ishlab chiqish va har besh yil muddatga tasdiqlash, ular ijrosi ustidan jamoatchilik nazoratini amalga oshirish va doimiy monitoring qilish, atrof-muhit holati to'g'risida ishonchli axborot bilan ta'minlash, atrof-muhit sifati standartlarini yaxshilash hamda tezkor muhofaza chora-tadbirlari, normativ-huquqiy hujjat va ular loyihalarining ekologiya va qulay atrof-muhitga oid ekspertizasi, atrof-muhit muhofazasida nodavlat notijorat tashkilotlari ishtiroki, yuridik shaxslar javobgarligi va remediatsiya choralari kiritish, shuningdek atrof-muhit muhofazasiga oid qonun normalarini tizimlashtirish va kodifikatsiya qilish, qulay atrof-muhit huquqiga oid sanitariya qoida, norma va standartlarni qonunchilik darajasida mustahkamlash maqsadga muvofiq.

6. "Ekologik nazorat to'g'risida"gi va "Jamoatchilik nazorati to'g'risida"gi qonunlarni amalga oshirishda manfaatlar to'qnashuviga yo'l qo'ymaslik, jamoatchilik nazorati natijalarini ko'rib chiqish bo'yicha nazorat subyektlari ishtirokida eshituv tashkil etishni belgilash, "Ekologik nazorat to'g'risida"gi qonunda atrof-muhitga sezilarli ta'sir ko'rsatayotgan I va II toifadagi obyektlar operatorlari ishlab chiqarish ekologik nazoratini amalga oshirishi va ekologik xizmatni tashkil etishi majburiyligini belgilash taklif etiladi.

7. Ma'muriy javobgarlik to'g'risidagi kodeks 96-moddasiga o'zgartirish va qo'shimchalar kiritish, unda davlat ekologik ekspertizasi xulosasini berish tartibini buzish, ekspertiza xulosasi talablariga rioya qilmaslik uchun javobgarlik belgilash hamda jazo sanksiyalari qatoriga yetkazilgan zararni bartaraf etish va atrof-tabiiy muhitning avvalgi holatini qayta tiklash majburiyatini yuklashga oid choralarni nazarda tutish, kodeksga yangi 59<sup>6</sup> va 215<sup>9</sup>-moddalarni kiritish, ushbu normalarda atrof-muhit sifatiga oid tezkor muhofaza choralari qoidalari va atrof-muhit holati to'g'risidagi axborotning ochiqligiga oid qonunchilikni buzganlik uchun javobgarlikni belgilash taklif etiladi.

8. Fuqarolik protsessual kodeksi 122-moddasiga strategik da'volarga yo'l qo'ymaslik bo'yicha choralarni kiritish taklif qilinadi. Bunda atrof-muhitni muhofaza qilish va insonning qulay atrof-muhitga bo'lgan huquqi yoki yuqoridagi masalalarda jamoatchilik manfaatlari uchun harakat qilayotgan shaxslarni tiyib turish, jamoatchilik ishtirokini oldini olish yoki cheklash uchun yetarli asoslantirilmagan, kiritilgan da'vo yoki uning summasining nomutanosibligi yaqqol ayon bo'lgan da'vo arizalarini ko'rmasdan qoldirish mexanizmlarini belgilash taklif qilinadi. Bunday hollarda da'voning asosligini isbotlash majburiyati, sud xarajatlari va javobgarning huquqiy himoya xarajatlarini qoplash da'vogari taraf zimmasida hisoblanadi.

9. "Davlat hisobidan yuridik yordam ko'rsatish to'g'risida"gi qonun 11-moddasiga davlat hisobidan yuridik yordam ko'rsatiladigan ishlar qatoriga insonning qulay atrof-muhitga bo'lgan huquqi va atrof-muhit muhofazasiga oid fuqarolik va ma'muriy sudlarga taalluqli ishlarni kiritish taklif qilinadi.

10. Shaharsozlik va qurilish faoliyatiga oid 300 dan ortiq norma, qoida va standartlarni Shaharsozlik kodeksiga integratsiya va kodifikatsiya qilish,

shuningdek kodeksning 32, 63 va 68-moddalariga qo'shimchalar kiritish, unga ko'ra atrof-muhit sifati standartlariga muvofiqligi ta'minlanmagan joylarda turar joy, ijtimoiy-amaliy va rekreatsiya zonalarini tashkil etishga yo'l qo'ymaslik, obyektlarni joylashtirishda va ular oralig'idagi masofa, shovqin, insolyatsiya, shamol yo'nalishi va tezligi, transport, energetika tizimi va ijtimoiy infratuzilmaga yuklama hamda favqulodda vaziyatlarda muhofaza qilish kabi omillarni inobatga olish, istirohat bog'lari va yashil xiyobonlar hamda ularning yer maydonlarini xususiylashtirish yoki ularning maqsadini o'zgartirish qat'iy taqiqlanishini belgilash taklif etiladi.

**11.** Atrof-muhitga ta'sirni baholashda (AMTB) jamoatchilik nazoratini amalga oshirish mexanizmlarini yanada takomillashtirish, jamoatchilik ishtirokini kengaytirish, uning samaradorligini oshirish va jarayonni raqamlashtirish maqsadida Vazirlar Mahkamasining 2020-yil 7-sentyabrdagi 541-son qarorida quyidagi o'zgartirish va qo'shimchalarni kiritish taklif qilinadi:

- jamoatchilik eshituvining maqsadi va ta'rifini kengaytirish, Jamoatchilik ekologik axborot portali orqali ekologiyaga oid normativ huquqiy hujjatlar, dastur va rejalar, shuningdek past darajada xavfli va mahalliy darajada ta'sir ko'rsatuvchi faoliyat turlari bo'yicha ham jamoatchilik muhokamasi o'tkazishni yo'lga qo'yish, atrof-muhitga salbiy ta'sir ko'rsatadigan faoliyat ko'rsatayotgan barcha toifadagi obyektlar yoki faoliyat turlari fuqarolarning e'tiroz yoki shikoyatlariga sabab bo'lgan holatlarda jamoatchilik eshituvlarini o'tkazishning aniq va samarali mexanizmlarini belgilash;

- AMTBga oid loyiha hujjatlari bilan jamoatchilikning barvaqt tanishishi choralarini ko'rish hamda ko'pchilik aholi gaplashadigan tilda berilishiga ahamiyat qaratish, jamoatchilik eshituvi o'tkazilmagan AMTB loyihalarini davlat ekologik ekspertizasidan o'tkazilishiga qat'iy yo'l qo'ymaslik, jamoatchilik fikri inobatga olinmagan loyihalarga tegishli hujjatlarni qaytarish tartibotlarini belgilash;

- Rejalashtirilayotgan loyiha yoki xo'jalik faoliyatiga oid qaror qabul qilish, loyiha uchun maqbul yer tanlash yoki ajratishdan avval jamoatchilik muhokamasi va eshituvini tashkil etish, AMTBda maslahatlashuv minimum muddati 15 kunni tashkil etishi, jamoatchilik eshituvlari har bir ma'muriy-hududiy birlikda (qishloq, mahalla, tuman) alohida-alohida o'tkazilishi, ekologik ekspertiza yoki ruxsatnoma olish uchun ariza jamoatchilik eshituvi o'tkazilgandan keyin 6 oydan kechiktirmasdan taqdim etilishini belgilash;

- jamoatchilik eshituvida mahalliy va davlat boshqaruvi organlarining tegishli soha (yo'nalish) bo'yicha munosabat bilan ishtirok etish mexanizmlarini joriy etish, AMTB bo'yicha berilgan xulosalarga rioya etilishi to'g'risida buyurtmachi tomonidan hisobot chop etish va loyiha auditini o'tkazish orqali tizimli ravishda post monitoring o'tkazilishini yo'lga qo'yish;

- sanitar muhofaza zonasi o'lchamlarini o'zgartirish (oshirish, kamaytirish)ga oid sanitariya-epidemiologiya xulosasi tizimli laboratoriya kuzatuvlari materiallari asosida obyektiv dalillar, aholi hayoti va sog'lig'iga xavfni baholash, ifloslantiruvchi moddalar fon konsentratsiyasini hisobga olgan holda mavjud eng yaxshi zamonaviy texnologik yechimlardan foydalanish kabi omillarga asoslanib berilishini nazarda tutish;

- AMTBda loyihaning insonning qulay atrof-muhitga bo'lgan huquqi va sog'lik-salomatligiga ta'siri hamda tegishli xavf-xatarlarni (baxtsiz hodisa, falokat) baholash, AMTBda loyihaning muqobil variantlari taqdim etilishi va har bir muqobil variantning atrof-muhitga va insonga ta'siri qiyosiy taqqoslanishi, loyiha salbiy ta'sirini kamaytirish va yumshatishga doir choralarni muhokama qilishni belgilash maqsadga muvofiq.

**12.** Markaziy Osiyoda barqaror atrof-muhitni ta'minlash, transchegaraviy va yirik loyihalarni kelishgan holda amalga oshirish uchun O'zbekistonning Atrof-muhitga transchegaraviy ta'sirni baholash to'g'risidagi Espo konvensiyasi va uning Strategik ekologik baholashga oid Kiev Protokoliga (2003-yil) qo'shilishi juda muhim va zarur hisoblanadi.

### **III. Insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish va ta'minlashning tashkiliy asoslarini takomillashtirish bo'yicha takliflar:**

**13.** Atrof-muhitga oid axborotning ochiqligini ta'minlash, qaror qabul qilishda jamoatchilik ishtiroki mexanizmlarini takomillashtirish va raqamlashtirish maqsadida Ekologik axborot portali va Jamoatchilik ekologik axborot portalini tashkil etish taklif etiladi. Ekologik axborot portali orqali ochiqlanadigan ekologik axborotlar soni va sifatini oshirish, atrof-muhit sifati, fon-monitoringiga oid barcha axborotlarni yagona portalda integratsiya qilish va ochiqlash, monitoring ma'lumotlarini sun'iy intellekt yordamida tahlil qilish va baholash imkoniyatlaridan foydalanish, Jamoatchilik ekologik axborot portali orqali atrof-muhitga oid normativ huquqiy hujjatlar, dastur va rejalar, shuningdek atrof-muhitga ta'sirni baholash jarayonida jamoatchilik muhokamasi va eshituvlarini tashkil etishni yo'lga qo'yish maqsadga muvofiq.

Jamoatchilik salomatligi ahvoliga oid axborotning ochiqligini kengaytirish, bunda kasalliklarning tarqalishi, ehtiyot choralari, oldini olish, tashxis va davolashga oid axborotni tezkor va proaktiv ochiqlash, aholining ekologik salomatligini o'lchash va baholash uchun Ekologik salomatlikni baholash indikatorlarini joriy etish va har uch yilda milliy ekologik salomatlikni baholashni amalga oshirish, har bir ma'muriy hududiy birlikning yashash uchun qanchalik qulay, sog'lom atrof-muhit va zarur infratuzilmaga egaligini baholash uchun sog'lom shahar (tuman) indeksini joriy etish hamda milliy shaharlar (tuman) reytingini yuritish taklif qilinadi.

**14.** Insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish va ta'minlashga oid institutsional mexanizmlarni takomillashtirish bo'yicha quyidagilar taklif qilinadi:

- insonning qulay atrof-muhitga bo'lgan huquqini ta'minlash, mavjud muammolarni o'rganish va hal etish, muvofiqlashtirish, masalaga kompleks va tizimli yondashish maqsadida O'zbekiston Respublikasi Prezidenti huzurida Insonning qulay atrof-muhitga bo'lgan huquqini amalga oshirish bo'yicha kengash, uning tarmoq (sohaviy) va hududiy kengashlarini tuzish;

- Oliy Majlisning Insonning qulay atrof-muhitga bo'lgan huquqini ta'minlash va atrof-muhit muhofazasi bo'yicha vakili (ombudsman) lavozimini ta'sis etish;

- qulay atrof-muhit huquqiga oid nizolarni muqobil ko'rib chiqish, tez, adolatli va samarali hal etish uchun milliy va hududiy ekspert komissiyalarini tashkil etish;
- atrof-muhit muhofazasiga oid milliy va hududiy dastur (reja)lar ijrosi va insonning qulay atrof-muhitga bo'lgan huquqini ta'minlash bo'yicha vakolatli davlat organi har yili parlamentga hisobot berishi, hokimlar esa tegishli hudud xalq deputatlari kengashiga hisobot taqdim etishini belgilash;
- Ekologiya va iqlim o'zgarishi milliy qo'mitasi Davlat ekologik nazorat inspeksiyasi (Ekopolitsiya)ga atrof-muhitga oid huquqbuzarliklar bo'yicha tergov-surishtiruv va tezkor-qidiruv tadbirlarini olib borish vakolatini berish maqsadga muvofiq.

**15.** Atrof-muhit muhofazasi, qulay atrof-muhit huquqiga oid ta'lim va xabardorlik hamda salohiyatni oshirishga qaratilgan chora-tadbirlarni amalga oshirish, bunda keng jamoatchilikka ekologik axborotga kirish, qarorlar qabul qilishda ishtirok etish va atrof-muhit masalalarida odil sudlovga erishish yo'llari va tartibotlari haqida aniq va batafsil tushuntirish berish hamda bu haqidagi axborot va materiallarni ekologiya idoralari, mahalliy davlat hokimiyati, sud va huquqni muhofaza qiluvchi organlar internetdagi axborot resurslari va devoriy axborot stendlariga joylashtirish, qulay atrof-muhit huquqini amalga oshirishga mas'ul davlat boshqaruvi va mahalliy hokimiyat organlari, sud, prokuratura va boshqa huquqni muhofaza qiluvchi organlar vakillarini maxsus dasturlar asosida o'qitish va malakasini oshirish, maxsus dasturlar va targ'ibot dasturlari orqali jamoatchilikning ekologik xabardorligi va mas'uliyatini oshirish, ekologiya sohasida faoliyat yuritadigan NNTlarni qo'llab-quvvatlash, ular tomonidan insonning qulay atrof-muhitga bo'lgan huquqini himoya qilish va jamoat manfaatlari uchun da'vo ariza kiritish mexanizmlaridan foydalanish imkoniyatini berish, ilmiy tadqiqotlarni ko'paytirish maqsadga muvofiq.

Fuqarolar, yakka tartibdagi tadbirkorlar, yuridik shaxslar, davlat boshqaruvi organlarini atrof-muhitni muhofaza qilish bo'yicha sa'y-harakatlarda ixtiyoriy ravishda ishtirok etishga va ularni kundalik faoliyatda qo'llashga qaratilgan tashabbuslarni qo'llab-quvvatlash va rag'batlantirish maqsadida har yili ekologik mas'uliyatli fuqaro (oila), tadbirkorlik subyektlari, tashkilot, startap va g'oyalar, ilmiy yutuq va natijalar, foto, video rolik va boshqa targ'ibot materiallarini tayyorlaganlarni turli nominatsiyalar bo'yicha mukofotlash va Butunjahon atrof-muhitni muhofazasi qilish kunida topshirishni yo'lga qo'yish maqsadga muvofiq. Tadbirkorlikka oid qonunchilikda, Savdo-sanoat palatasi, Davlat aktivlarini boshqarish agentligi va tegishli tadbirkorlar uyushmalari bilan hamkorlikda korporativ boshqaruv qoidalariga qulay atrof-muhit huquqini ta'minlashga oid biznesning mas'uliyati va majburiyatiga oid normalarni kiritish zarur.

**16.** Aholini shovqinning zararli ta'siridan himoya qilish maqsadida sanoat, ishlab chiqarish va xizmat ko'rsatish korxonalari, transport (avtomobil, temir yo'l va aviatsiya), qurilish va boshqa manbalardan chiqadigan shovqin darajasini nazorat qilish tizimini joriy etish, shovqin vaqtiga oid normalardagi nomuvofiqliklarni bartaraf etish hamda shovqindan muhofaza choralari belgilash lozim.

**17.** Atmosferaga tashlanmalar chiqaruvchi emissiya obyektlarida havo ifloslanishining oldini olish uskunolari o'rnatilishi, atrof muhitga zarar yetkazish

darajasi yuqori va o'rta bo'lgan korxonalarda ilg'or ekologik tozalash texnologiya va filtrlari esa majburiy o'rnatilishi, ularga tutash hududlarda statsionar kuzatish punktlarini o'rnatish hamda fon monitoringini real vaqt rejimida Ekologik axborot portali orqali onlayn uzatishni yo'lga qo'yish, isitish tizimi korxonalari, issiqxonalar va boshqa xo'jalik faoliyatida ko'mir, mazut va boshqa yonuvchan buyumlar (shinalar)dan foydalanishni qat'iy taqiqlash, faqat ilg'or ekologik tozalash texnologiya va filtrlari mavjud bo'lgan taqdirda ruxsat berish taklif qilinadi.

**18.** Ofis va boshqa noturar bino-inshootlarni energiya tejamkorligi bo'yicha ixtiyoriy energiya markirovkalash va energiya auditini amalga oshirishni joriy etish, keyinchalik uning majburiyligini belgilash, avtomobildan chiqadigan tashlanmalarni kamaytirish maqsadida harakatlanishdan to'xtagan avtotransportda avtomatik motorni o'chirish tizimi (*ISG*) mavjud bo'lmagan avtomobillarni ishlab chiqarish yoki import qilishni bosqichma-bosqich cheklash, maishiy texnikaning shovqin darajasini markirovkalash, shovqin darajasi yuqori bo'lgan texnikani ishlab chiqarish yoki import qilishni cheklash lozim.

**19.** Favqulodda holatlar, tabiiy ofat, noqulay ob-havo hodisalari, jamoat xavfsizligiga tahdid soladigan holatlar haqida aholini tezkor ogohlantirish (*Wireless emergency alerts*) tizimini yo'lga qo'yish taklif qilinadi. Bunda tezkor ogohlantirish geolokatsiya (GPS) ma'lumotlari asosida ma'lum bir hududda bo'lib turgan barcha fuqarolarning mobil telefonlariga bir vaqtning o'zida xabar yuborish orqali amalga oshiriladi. Mazkur xabar telefon sozlamalarini unga moslashtirish, abonent to'lovini amalga oshirish yoki qaysidir mobil operator tarmog'iga ulanishni talab etmaydi.

**20.** Insonning qulay atrof-muhitga bo'lgan huquqini ta'minlash uchun yashil zonalar va suv havzalarini kengaytirish, har bir shahar va boshqa aholi punktlarida kishi boshiga to'g'ri keladigan yashil maydon hajmini kamida 9 m<sup>2</sup>ga yetkazish hamda uning muttasil oshib borilishiga qaratilgan strategiya va dasturlarni amalga oshirish, har bir tuman (shahar)da daryo, ko'l, kanallar va boshqa suv havzalari bo'yida jamoatchilik uchun ochiq kamida bitta suv havzalari va plyajlarni tashkil etish bo'yicha 2030-yilgacha mo'ljallangan davlat va hududiy dasturlarni qabul qilish va amalga oshirish taklif qilinadi.

Vazirlar Mahkamasining 2018-yil 17-avgustdagi 671-son va 2025-yil 17-apreldagi 235-son qarorlarida bog'larning yashil va sokin hudud maydoni ulushini (75% gacha) oshirish, faol hudud ulushini esa (25% gacha) qisqartirish, istirohat bog'lari, yashil zonalar va qo'riqlanadigan tabiiy hududlarda shovqin chiqaradigan yoki tutunni ushlab qolish filtrlariga ega bo'lmagan umumiy ovqatlanish, savdo punktlari va boshqa elementlarni joylashtirishga yo'l qo'ymaslik, yashil zonalarini bosqichma-bosqich mexanik attraksionlardan xoli hududga aylantirish, amalda faoliyat ko'rsatayotgan istirohat bog'lari va boshqa tabiiy va landshaft-genetik xususiyatga ega bog'larda davlat-xususiy sheriklik loyihalarini amalga oshirishga faqat istisno hollarda istirohat bog'lari tinch zonalar tarkibiga kiruvchi elementlarni qurish, rekonstruksiya qilish hamda jihozlash uchun ajratilishini nazarda tutish taklif etiladi.



**SCIENTIFIC COUNCIL AWARDING SCIENTIFIC DEGREES  
DSc.39/30.11.2020. Yu/S. 128.01 AT THE NATIONAL CENTRE  
OF THE REPUBLIC OF UZBEKISTAN FOR HUMAN RIGHTS**

---

**THE LAW ENFORCEMENT ACADEMY  
OF THE REPUBLIC OF UZBEKISTAN**

**TURDIEV BOBIR SOBIROVICH**

**REALIZING AND ENSURING THE HUMAN RIGHT TO  
A HEALTHY ENVIRONMENT: A COMPARATIVE LEGAL ANALYSIS**

12.00.13 – Human rights

**Doctor of philosophy (PhD) in law  
DISSERTATION ABSTRACT**

**Tashkent – 2025**

The title of the Doctor of philosophy (PhD) dissertation was registered at the Supreme Attestation Commission under the Ministry of Higher Education, Science, and Innovation of the Republic of Uzbekistan with number B2024.4.PhD/Yu1694.

The dissertation is prepared at the Law Enforcement Academy of the Republic of Uzbekistan.

The abstract of the dissertation is posted in three languages (Uzbek, English and Russian (resume)) on the website of the Scientific Council (<http://nhrc.uz/>) and Information educational portal «Ziyonet» (<https://ziyonet.uz/>).

**Scientific supervisor:**

**Tillabaev Mirzatillo Alisherovich**  
Doctor of Science in Law, Professor

**Official opponents:**

**Gulimov Amanlik Bazarbaevich**  
Doctor of Science in Law, Associate Professor

**Bafaev Shukhrat Gafurovich**  
Doctor of Philosophy in Law

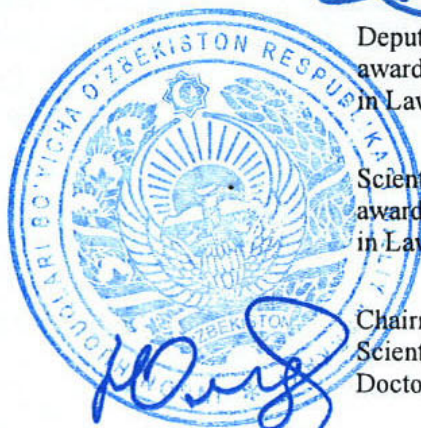
**Leading organization:**

**Academy of the Ministry of Internal Affairs of the Republic of Uzbekistan**

The defense of the dissertation will be held on December 23, 2025 at 11:30 at the session of the Scientific Council DSc.39/30.11.2020. Yu/S. 128.01 at the National Centre of the Republic of Uzbekistan for Human Rights (Address: 100029, Islam Karimov street, 15. Tashkent, Uzbekistan. Phone: +998 71 239 13 58, fax: +998 71 239 43 39, e-mail: [info@nhrc.uz](mailto:info@nhrc.uz)).

The dissertation is available at the Information Resource Centre of the National Centre of the Republic of Uzbekistan for Human Rights (registered No. 11). Address: 100029, Islam Karimov street, 15, Tashkent, Uzbekistan.

The abstract of the dissertation was distributed on December 9, 2025.  
(Registry Protocol No. 11 of December 9, 2025).



*[Handwritten signature]*

**M.T. Turgunov**

Deputy Chairman of the Scientific Council  
awarding scientific degrees, Doctor of Science  
in Law, Professor

*[Handwritten signature]*

**U.S. Ochilov**

Scientific secretary of the Scientific Council  
awarding scientific degrees, Doctor of Science  
in Law, Associate Professor

**G. Yuldasheva**

Chairman of the Scientific Seminar at the  
Scientific Council awarding scientific degrees,  
Doctor of Science in Law, Professor

## INTRODUCTION

### (Abstract of the Doctor of Philosophy (PhD) Dissertation)

**The actuality and necessity of the dissertation topic.** In the context of global climate change and escalating environmental pollution, the importance of ensuring the human right to a healthy environment is growing steadily. This issue not only carries serious economic and social repercussions, but also directly and indirectly threatens the realization of fundamental human rights and freedoms. Due to environmental factors, 13 million people die every year,<sup>1</sup> and globally, 24% of all deaths (and 28% among children under five) are attributable to environmental factors that could be modified or prevented.<sup>2</sup> Mortality rates are significantly higher in low-income countries. This situation has a particularly adverse impact on children, women, the elderly, persons with disabilities, and other vulnerable population groups, undermining their health and overall well-being.

Global environmental degradation, the insufficiency of measures to address climate change, and continued delays in meeting target indicators under states' international commitments continue to pose serious challenges. According to the United Nations Environment Programme (UNEP), the right of every individual to a healthy environment is formally recognized in 161 countries (approximately 83 percent of UN member states), and the procedural rights required to realize this right have been secured in 138 countries (around 71.5 percent). However, only in 76 countries (about 39.4 percent) individuals resorted to judicial remedies for its protection.<sup>3</sup>

Article 49 of the newly revised Constitution of the Republic of Uzbekistan guarantees everyone the right to a healthy environment and access to reliable information about its condition. Moreover, the declaration of 2025 as the “Year of Environmental Protection and Green Economy” in our country highlights the relevance and importance of this issue. As the President of the Republic of Uzbekistan, Sh.M. Mirziyoyev, has emphasized: “The responsibility for preserving and protecting the environment rests with all of us. This is the most important issue on our agenda.”<sup>4</sup> Therefore, it is important to further improve the mechanisms for realizing and ensuring the human right to a healthy environment, as well as to conduct in-depth research on this topic.

According to the Environmental Performance Index (EPI), Uzbekistan ranks 107th overall with a score of 42.6, including 111th in environmental health (38.2), 133rd in air quality (27.5), and 56th in sanitation and drinking water (72.8).<sup>5</sup> An

---

<sup>1</sup> Health, Environment and Climate Change: Report by the Director-General // World Health Organization. A71/10. – 2018 // URL: <https://apps.who.int/iris/handle/10665/276332>.

<sup>2</sup> Preventing disease through healthy environments: a global assessment of the burden of disease from environmental risks // World Health Organization. – 2018. URL: <https://www.who.int/publications/i/item/9789241565196>.

<sup>3</sup> Environmental Rule of Law: Tracking Progress and Charting Future Directions // United Nations Environment Programme. – 2023. The Right to a Healthy Environment, A User's Guide // Special Rapporteur on the human right to a clean, healthy and sustainable environment. – 2024.

<sup>4</sup> Address by the President of the Republic of Uzbekistan Shavkat Mirziyoyev at the Samarkand climate forum, 2025 // Official web-site of the President of Uzbekistan. URL: <https://president.uz/en/lists/view/8025>.

<sup>5</sup> Environmental Performance Index // New Haven, CT: Yale Center for Environmental Law & Policy. – 2024. URL: <https://epi.yale.edu/country/2024/UZB>.

unhealthy environment for human life and livelihoods, in turn, exacerbates climate-induced migration. It is projected that by 2050, 1.7–2.4 million climate migrants from the Central Asian region may move to other areas, with the impact of climate change accounting for 20–38 percent of the primary factors driving internal migration. If timely and effective measures are taken, these interventions could reduce migration flows by up to 80 percent.<sup>1</sup> This highlights the urgent need to strengthen environmental protection, safeguard the human right to a healthy environment, and enhance measures for sustainable development.

This dissertation contributes, to a certain extent, to the implementation of the goals and objectives set forth in the Constitution of the Republic of Uzbekistan (2023); Samarkand Declaration on the Global Protection of Human Rights in the Context of Climate Change: Commitments and Actions for a Sustainable Future (2024); the Urban Planning Code (2021); the Laws “*On Environmental Control*” (2013), “*On the Sanitary and Epidemiological Well-being of the Population*” (2015), and “*On Environmental Expertise, Environmental Impact Assessment, and Strategic Environmental Assessment*” (2025); as well as several presidential decrees of the Republic of Uzbekistan, including the *National Strategy of the Republic of Uzbekistan on Human Rights* (June 22, 2020), the *Concept for Environmental Protection of the Republic of Uzbekistan until 2030* (October 30, 2019); the “*Uzbekistan - 2030*” *Strategy* (September 11, 2023); and the *Concept for Raising the Environmental Awareness of the Population until 2030* (May 15, 2025) along with other relevant normative-legal acts.

**The compliance of the research with the priority directions of scientific and technological development of the republic.** This dissertation has been carried out in accordance with Priority Direction I of the development of science and technology in the Republic, titled “Formation and Implementation of Innovative Ideas for the Social, Legal, Economic, Cultural, and Moral-Educational Development of an Information Society and a Democratic State.”

**The extent of the study of the research problem.** Some theoretical and practical issues relevant to this research have been examined by national scholars such as A. Saidov, Sh. Fayziev, M. Tillabaev, A. Tulaganov, I. Turgunov, M. Turgunov, S. Utemuratova, G. Yuldasheva, M. Usmonov, Sh. Bafaev, L. Isakov and others. In addition, certain aspects of the realization and protection of the human right to a healthy environment have been explored in the works of R. Ikramov, K. Babanazarov, A. Gulimov, I. Mamarayimov, B. Tadzhikhanov, O. Utegenov, G. Uzakova, M. Hamidova, Kh. Isanov, B. Kalonov, M. Mamayusupov, M. Najimov, O. Narzullaev, A. Nuridullaev, N. Rajabov, U. Khamraev, J. Safarov among others.

In particular, significant research on ensuring the human right to a healthy environment has been conducted by B. Kalonov “Legal problems of state ecological control in the Republic of Uzbekistan” (2005), R. Ikramov “Problems of improving the right of citizens to a favorable environment” (2006), K. Babanazarov “Legal

---

<sup>1</sup> Groundswell Part 2: Acting on Internal Climate Migration // World Bank, Washington. – 2021. URL: <http://hdl.handle.net/10986/36248>.

protection of natural objects and human health from radiation exposure” (2010), U. Khamraev “Legal issues of the participation of public associations in the implementation of environmental legislation” (2011), M. Mamayusupov “Legal guarantees and mechanisms for ensuring environmental human rights” (2012), O. Utegenov “Improving the legal provision of public control in the field of ecology” (2020), N. Rajabov “Issues of legal regulation of the ecological standardization system” (2023), A. Gulimov “International legal cooperation in the field of ecology and environmental protection in the Aral Sea region” (2024).

Foreign scholars S. Atapattu, D. Boyd, R. Bratspies, S. Çakan, S. Giorgetta, U. Habiba, J. Knox, N. Kobylarz, B. Peters, B. Preston, O. Ruppel, M. Thornton, A. Schwerdtfeger, D. Shelton, O. Spijkers, D. Weaver, T. Zaharchenko, as well as scholars from the Commonwealth of Independent States (CIS) including A. Alikhadjieva, M. Brinchuk, Y. Chulichkova, I. Krasnova, M. Permilovsky, D. Shakirova, S. Shataeva, T. Sorokina have extensively studied various aspects of this right.<sup>1</sup>

However, theoretical and legal issues related to the selected topic have not been comprehensively studied from the perspective of human rights, taking into account national and international mechanisms for the realization and protection of the human right to a healthy environment, national legislation and law enforcement practices, international standards, as well as the advanced experience of foreign countries. This underscores the relevance of the research topic and highlights the necessity of studying it from both scientific and practical perspectives.

**The relation of the dissertation’s topic to the scientific-research plans of the higher education institution where the dissertation was completed.** The dissertation topic is included in the research plan of the Law Enforcement Academy of the Republic of Uzbekistan within the framework of the research project entitled “Realizing and Ensuring the Human Right to a Healthy Environment: a Comparative Legal Analysis.”

**Aim of the research.** The aim of this research is to develop proposals and recommendations for improving the mechanisms for the realization and protection of the human right to a healthy environment.

**Research objectives are:**

To analyze the concept and characteristics of the human right to a healthy environment from a scientific and theoretical perspective;

To examine international and regional standards aimed at ensuring the human right to a healthy environment, as well as mechanisms for its implementation;

To analyze the legislation and practices of foreign countries regarding the protection of the human right to a healthy environment, and to explore possibilities for their application in national practice;

To study the pressing issues related to ensuring the human right to a healthy environment in the context of climate change and environmental pollution;

---

<sup>1</sup>These and other sources are listed in the dissertation's bibliography.

To examine the constitutional and legal foundations for the realization of the human right to a healthy environment, identifying existing problems and systemic shortcomings;

To develop scientifically grounded proposals and recommendations for improving the mechanisms for the realization and protection of the human right to a healthy environment in Uzbekistan.

**The object of the research** consists of social relations related to the realization and protection of the human right to a healthy environment.

**The subject of the study** includes national, regional and international legal instruments regulating social relations related to the realization and protection of the human right to a healthy environment, the legislation and experience of foreign countries, conceptual approaches, scientific and theoretical perspectives, and relevant law-enforcement practices.

**Research methods.** The study employs a wide range of research methods, including analysis and synthesis, deduction and induction, comparative legal analysis, examination of empirical materials and statistical data, sociological survey, observation, a systematic approach, logical reasoning, and other relevant methods.

**The scientific novelty of the research** is as follows:

The need to harmonize national legislation with international standards in ensuring access to environmental information, public participation in decision-making, and access to justice in environmental matters has been substantiated, including accession to the Aarhus Convention;

The importance of ensuring transparency and public participation in environmental impact assessment, monitoring compliance with state environmental expertise conclusions, and conducting consultations with central and local executive authorities has been justified;

The implementation of citizens' rights to a healthy environment and to reliable information on its condition is substantiated, together with the necessity of adopting measures to ensure ecological security and organizing a system of environmental education and awareness-raising;

The need to monitor compliance with sanitary rules and norms in relation to noise, vibration, and other physical factors negatively affecting human health and the environment is justified, including conducting inspections in cases of serious risks to life and health, introducing measures to restrict economic and other activities;

The importance of ensuring compliance with sanitary protection zones at all stages of the food chain, monitoring and controlling associated risks, ensuring adherence to pesticide use requirements in primary production, and taking measures to eliminate violations of sanitary and hygiene regulations has been substantiated;

The need to create and strengthen mechanisms that ensure access to justice for victims of climate change-related human rights violations, including the introduction of specialized mechanisms and support programs, has been justified.

**The practical results of the research** are as follows:



Draft normative-legal acts have been developed aimed at harmonizing national legislation with the norms of the Aarhus Convention and introducing amendments and additions to legislation related to ensuring the right to a healthy environment;

The creation of a Public Environmental Information Portal is substantiated as a tool for expanding public participation in environmental impact assessments, organizing public discussions and hearings, holding consultations with state bodies, monitoring project compliance, and digitizing procedures.

Authorial definitions of the concepts “environment,” “healthy environment” and “the right to a healthy environment” have been formulated;

Proposals have been developed to strengthen the human right to a healthy environment and to improve mechanisms for the prompt adoption of protective measures by competent state authorities in cases of serious threats to human life and health.

**The reliability of the research findings** is supported by several factors. The results are grounded in international, regional, and national legislative norms, law enforcement practice, as well as documents and recommendations of the UN and other international and regional organizations and courts. They are substantiated through analysis of advanced foreign experience, scientific and theoretical approaches of leading scholars, and statistical data. Approximately 1,000 state environmental expertise conclusions were examined, and a sociological survey involving 337 participants was conducted. The findings are based on empirical materials, confirmed by relevant documents, and have been published in leading national and international journals. The conclusions and recommendations of the study have been endorsed by competent authorities and implemented in practice.

**Scientific and practical significance of the research results.** The research reflects a human rights-based approach to environmental protection. The developed scientific conclusions, proposals, and recommendations may serve as a foundation for further academic studies on national and foreign mechanisms for protecting the human right to a healthy environment, as well as for research in the fields of human rights, environmental protection, improvement of national legislation, and interpretation of relevant legal norms. The findings may also be used to enrich the theoretical and methodological foundations of courses such as Human Rights, Constitutional Law, Environmental Law, International Environmental Law, and Administrative Law, as well as to support the development of a new academic discipline in Uzbekistan — The Human Right to a Healthy Environment.

The practical significance of recommendations and conclusions developed during the research is reflected in their potential to contribute to the improvement of legislation and law enforcement practices in ensuring and realizing the human right to a healthy environment; strengthening the protection of human rights and freedoms in this field; clarifying, systematizing, and legally consolidating the substantive components of this right; enhancing implementation mechanisms; developing strategies, programs, and standards; increasing the accountability of public authorities and the corporate sector; improving the openness of environmental information; expanding public participation; and ensuring better access to justice and administrative remedies.

**Implementation of the research results.** The scientific findings aimed at improving the mechanisms for the realization and protection of the human right to a healthy environment were used as follows:

The proposal to align national legislation with international standards on access to environmental information, public participation in decision-making, and access to justice in environmental matters, as well as the justification for Uzbekistan's accession to the Aarhus Convention, was taken into account in the development of the Law of the Republic of Uzbekistan "On the accession of the Republic of Uzbekistan to the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus, June 25, 1998)" No. LRU-1045 of March 11, 2025 (*as confirmed by reference No. 3/dn-148 of July 9, 2025 issued by the Institute of Parliamentary Studies under the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan*). Accession to this Convention has created a solid foundation for guaranteeing citizens' environmental rights and strengthening ecological democracy;

The proposal to ensure openness and transparency in environmental impact assessment, expand public participation, monitor compliance with the conclusion of the state environmental expertise, and conduct consultations with central and local executive authorities was used in the development of Articles 5, 24 and 36 of the Law of the Republic of Uzbekistan "On Environmental Expertise, Environmental Impact Assessment and Strategic Environmental Assessment" No. LRU-1036 of February 24, 2025 (*as confirmed by reference No. 3/dn-148 of July 9, 2025 issued by the Institute of Parliamentary Studies under the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan*). The implementation of this proposal has contributed to enhancing transparency in environmental impact assessment, expanding the participation of the public and government authorities, and improving compliance with state environmental expertise conclusions;

The proposals concerning the realization of the human right to a healthy environment, the right to access reliable information on the state of the environment, ensuring environmental safety, and establishing a system of environmental education and awareness were used in drafting paragraph 3 of Article 1 of the Law of the Republic of Uzbekistan "On Amendments and Additions to Certain Legislative Acts of the Republic of Uzbekistan" No. LRU-951 of August 29, 2024 (*as confirmed by reference No. 3/dn-148 of July 9, 2025 issued by the Institute of Parliamentary Studies under the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan*). The implementation of these proposals has contributed to strengthening environmental protection, improving the realization of the human right to a healthy environment, and enhancing environmental awareness.

The proposals regarding the supervision of compliance with sanitary rules and norms in handling noise, vibration, and other physical factors negatively affecting human health and the environment; conducting inspections in cases of serious threats to life and health; and implementing measures to restrict economic and other activities have been reflected in paragraphs 10-11 of the Regulation on the Committee for Sanitary and Epidemiological Wellbeing and Public Health under the Ministry of Health of the Republic of Uzbekistan, approved by Resolution



No. 48 of the Cabinet of Ministers of January 29, 2025 (*as confirmed by reference No. 02-21/8186 of August 22, 2025 issued by the Committee for Sanitary and Epidemiological Wellbeing and Public Health*). The implementation of these proposals has contributed to improving the activities and strengthening the powers of the state administrative body responsible for ensuring sanitary well-being.;

The proposals regarding compliance with sanitary protection zones at all stages of the food chain, hazard control and monitoring, adherence to pesticide use rules in primary production, and taking measures to eliminate violations of sanitary and hygiene requirements were used in drafting paragraphs 8, 10–13, and 73–75 of the General Sanitary Rules, Norms and Hygiene Standards for Food Safety, registered by the Ministry of Justice on December 16, 2024 (*as confirmed by reference No. 02-21/8186 of August 22, 2025 issued by the Committee for Sanitary and Epidemiological Wellbeing and Public Health*). The implementation of these proposals contributed to safeguarding food safety as a substantive component of the human right to a healthy environment;

The proposals concerning the creation and strengthening of mechanisms that ensure access to justice for victims of human rights violations related to climate change, including the introduction of specialized mechanisms and support programs, were used in drafting paragraph 7 (Key Recommendations) of the Samarkand Declaration on the Global Protection of Human Rights in the Context of Climate Change: Commitments and Actions for a Sustainable Future, approved on September 4, 2024, as an official document of the 78th session of the UN General Assembly, A/78/999 (*as confirmed by reference No. 01/1079 of September 26, 2025 issued by the National Centre of the Republic of Uzbekistan for Human Rights*). These recommendations have contributed to improving mechanisms for ensuring access to justice in cases of human rights violations related to climate change.

**Approbation of the research results.** The main content and scientific findings of the dissertation were presented at 4 scientific-practical conferences, including 2 international and 2 republican conferences, as well as at round tables and seminars.

**Publication of the research results.** A total of 17 articles have been published on the research topic, including 10 in academic journals recommended for publication of dissertation results, 4 in international conference proceedings, and 3 abroad (1 in a Scopus-indexed journal).

**Structure and size of the dissertation.** The dissertation consists of an introduction, three chapters, seven sections, a conclusion, a list of references and appendices. The total length of the dissertation is 155 pages.

## THE MAIN CONTENT OF THE DISSERTATION

**The introduction** of the dissertation presents the relevance and necessity of the research topic, its alignment with the priority directions of the science and technology development in the republic, the extent of the problem studied, the connection of the topic with the scientific research activities of the higher education institution where the dissertation is conducted, the goals and objectives of the research, its object and subject, methods, scientific novelty and practical outcomes,

the reliability of the research results, scientific and practical significance, their implementation, approbation, and publication, as well as information on the structure and volume of the dissertation.

The first chapter of the dissertation, titled **“The Concept and System of the Human Right to a Healthy Environment,”** examines the scientific and theoretical aspects of the topic, including the concept and characteristics of the human right to a healthy environment, international and regional standards, and the mechanisms for the realization of this right.

The first section of this chapter, “The Concept and Characteristics of the Right to a Healthy Environment,” examines in detail the human right to a healthy environment as an independent and distinct right. The realization and protection of fundamental human rights are closely linked to a sustainable environment, encompassing a range of issues such as a safe and comfortable living environment, clean air, quality water, and food. The right to a healthy environment is broader than environmental rights, also encompassing norms related to ecology, sanitation, urban planning, and other regulations aimed at protecting human rights. For this reason, it is recognized as a “cluster of rights.”

Although the human right to a healthy environment was first proposed by R. Carson in 1962, there is still no unified approach regarding the term “right to a healthy environment” and its scope, the debates continue concerning the necessity, significance, and utility of this right. International standards, including the Aarhus Convention, recognize the right to a healthy environment but avoid providing a precise definition. This approach reflects the difficulty of offering a single definition due to varying perspectives. In this research, taking into account the broad international recognition of this right, it is emphasized that current debates should focus not on its necessity, but on the mechanisms for its effective implementation.

In the dissertation, the researcher engaged in scholarly discussions with R. Ikramov, A. Gulimov, M. Brinchuk, I. Krasnova, D. Boyd, S. Atapattu, M. Thornton, S. Giorgetta, and other experts, developing original definitions of the concepts “environment,” “healthy environment” and “the right to a healthy environment.”

The study analyzed the approaches of scholars such as R. Bratspies, U. Habiba, B. Peters, D. Shelton, M. Thornton, and M. Lostal regarding the human right to a healthy environment. These scientific theories were conditionally divided into three groups and examined accordingly. The first is the anthropocentric theory, which prioritizes human well-being and views environmental protection as a means of ensuring human rights and social welfare. The second is the ecocentric theory, which argues that nature and natural ecosystems should be preserved regardless of human interests. The third is the integrative approach, which takes a balanced position between the two theories, acknowledging potential conflicts between human rights and environmental protection legal regimes, but emphasizing their convergence toward common goals.

The dissertation further explored the perspectives of R. Ikramov, B. Preston, D. Boyd, S. Atapattu, N. Kobylarz, S. Keresit, N. Danilova, and other scholars on various characteristics of the right to a healthy environment, highlighting the

significance and advantages of recognizing this right. This right consists of substantive and procedural components. The substantive elements may vary depending on regional and local characteristics; their importance can differ, and individuals may prioritize them differently. Over time, the components evolve, with new elements added, reflecting the dynamic and developmental nature of the right.

The second section, titled “*International and Regional Standards for Ensuring the Right to a Healthy Environment*,” provides an in-depth study of international and regional instruments and frameworks related to the protection of the environment and human rights.

The study develops a classification of international instruments related to the right to a healthy environment. It explores the formation, development, and international recognition of this right, as well as its incorporation into the core human rights documents. Within the framework of the international human rights protection system, the roles and activities of the UN Human Rights Council, treaty bodies, and special procedure mechanisms are analyzed. The establishment of the mandate of the UN Special Rapporteur on the right to a clean, healthy, and sustainable environment is highlighted as a pivotal development, contributing significantly to the global recognition of the right to a healthy environment and in systematizing its characteristics and components.

It is noted that the right to a healthy environment has found a clearer and more explicit expression in regional instruments than in international ones, being successfully consolidated and practically applied. The study reviews the European, African, Latin American, Commonwealth of Independent States (CIS), Arab, and ASEAN human rights systems. While the African and Latin American systems explicitly recognize the right to a healthy environment, certain weaknesses are highlighted — such as the limited recognition of the jurisdiction of the African Court on Human and Peoples’ Rights by only a few states, and the restricted ability of the Inter-American Court of Human Rights to receive individual petitions.

Although the European human rights system possesses the most advanced mechanisms, it has not yet formally recognized the right to a healthy environment. Nevertheless, the European Court of Human Rights has established a body of case law that contribute to the recognition of this right. In the human rights systems of the Arab states and the Association of Southeast Asian Nations (ASEAN), the right to a sustainable environment is recognized; however, mechanisms for individual complaints, judicial review, or other enforcement procedures are not provided. Within the CIS human rights framework, the right to a healthy environment is not recognized, and there are no mechanisms in place to review complaints regarding violations. Accordingly, the dissertation emphasizes that, alongside the recognition of the right to a healthy environment, guaranteeing access to effective judicial remedies is a key indicator of the effectiveness and impact of regional human rights mechanisms.

The Aarhus Convention on Access to Information, Public Participation in Decision-Making, and Access to Justice in Environmental Matters (1998) recognizes the individual’s right to a healthy environment. The Convention is equipped with practical implementation mechanisms and is aimed at realizing

environmental rights through procedural means, promoting a rights-based approach to addressing environmental issues. A distinguishing feature of the Convention is that it holds governments accountable to their citizens rather than other states, emphasizing transparency and the responsibility of public authorities for their decisions.

The third section of the first chapter, titled “*Mechanisms for the Realization of the Human Right to a Healthy Environment*,” provides a comprehensive analysis of the main procedural rights essential for the effective realization of this right — access to environmental information, participation in environmental governance and decision-making, and access to justice.

The study emphasizes that one of the most essential prerequisites for the realization of environmental rights is ensuring openness and access to environmental information. Public participation plays a critical role in environmental protection and governance by improving the effectiveness of environmental decision-making. Drawing on the views of scholars such as O. Utegenov, A. Hasan, O. Nadeem, O. Ruppel, D. Weaver, S. Suherlan, A. Glucker, and others, the research concludes that public participation enhances transparency and legitimacy in decision-making, helps prevent and mitigate negative environmental impacts, allows early identification of potential conflicts, and improves the quality of decisions as well as the accountability of public authorities.

The study classifies various forms of public participation in decision-making, including participation in law- and policy-making, environmental impact assessment (EIA), participation through NGOs, and digital participation. The study emphasizes that the development of information technologies and the expansion of digitalization significantly increase opportunities for public involvement in democratic processes, making digital participation increasingly important and influential in the cyber sphere. The research finds that countries with strong legal frameworks promoting environmental transparency and public participation tend to achieve better outcomes in environmental protection.

Access to justice is identified as one of the most effective institutional mechanisms for ensuring the right to a healthy environment. The study highlights a steady increase in the number of environmental and human-rights-related cases examined by international, regional, and national courts in recent years, with human rights instruments being effectively employed in environmental litigation. Notably, more than 60 countries have established specialized environmental courts; Japan and South Korea have created expert commissions for alternative dispute resolution in environmental matters; Austria, New Zealand, Greece, and Kenya have introduced environmental ombudsman institutions.

The dissertation further identifies several key principles related to the right to a healthy environment, with particular emphasis on the principle of non-regression. This principle prevents the weakening of environmental standards, stipulating that such standards may only be improved. It implies that the existing environmental legislation and protection measures represent a minimum threshold that cannot be lowered.

The second chapter of the dissertation, titled “**Current Issues in the Implementation and Protection of the Right to a Healthy Environment**,” analyses foreign experience in ensuring this right, as well as the challenges of guaranteeing it in the context of climate change and environmental pollution.

The first section of this chapter, “*Foreign Experience in Implementing the Human Right to a Healthy Environment*,” presents a comparative analysis of the advanced legislation and practices of more than 30 foreign countries, including the United States, Argentina, Australia, Belgium, Brazil, the United Kingdom, Denmark, France, Georgia, India, Canada, Colombia, Portugal, Singapore, Hungary, China, New Zealand, Japan, and the European Union.

The recognition of the right to a healthy environment has advanced more rapidly at the national level than at the international level. The constitutional recognition of this right in countries such as Argentina, Brazil, Colombia, Portugal, the Philippines, and South Africa has facilitated the adoption of a new generation of environmental legislation and strengthened environmental protection. In the legislation of several foreign countries, the substantive components of the right to a healthy environment are expressed in various forms, including standards on air quality, bans on the use of asbestos, requirements ensuring access to sunlight in buildings, regulations on water and green spaces, noise limits, and standards related to odour pollution.

Alongside the recognition of this right, foreign states have also established the necessary mechanisms for its practical implementation. These include setting minimum environmental standards related to a healthy environment; adopting strategies and programmes; conducting environmental monitoring and ensuring public access to relevant information; applying rapid protection measures; guaranteeing access to justice, including prompt and alternative dispute resolution; and ensuring broad participation of NGOs in the process. In the European Union, China, India, Kazakhstan and other countries, effective public participation in environmental impact assessment procedures and the digitalisation of these processes have contributed to improving the quality of environmental decision-making, increasing the accountability of public authorities, and strengthening environmental and human rights protection.

The study examines in greater depth the legislation and practice of the leading European and Asian jurisdictions, Netherlands and South Korea that have recognised and applied the right to a healthy environment, as well as neighbouring Kazakhstan, which shares a close historical, cultural and legal space with Uzbekistan. The experience of these states shows that defining minimum threshold standards for environmental quality at the legislative level, ensuring the participation of the state, civil society and experts in environmental governance, and introducing mechanisms for taking urgent protective measures when environmental quality deteriorates are effective tools for ensuring the practical realisation of the human right to a healthy environment.

The second section of this chapter, titled “*Ensuring the Human Right to a Healthy Environment in the Context of Climate Change and Environmental*

*Pollution,”* analyzes the results of a survey on the right to a healthy environment and the conclusions of state environmental expertise.

In developing countries, environmental degradation is compounded by weak rule of law, insufficient transparency and lack of public participation in environmental governance and oversight, as well as high levels of corruption. These factors hinder the enforcement of environmental laws and prevent the effective protection of the human right to a healthy environment.

According to the survey conducted within the framework of the research, the majority of respondents expressed concern about issues related to environmental pollution and degradation. Although most participants (88.2%) had encountered problems related to environmental pollution, the vast majority (83.1%) had not submitted complaints to a competent authority or a court, had not requested environmental information (65.9%), and had not participated in decision-making processes (71.5%). A significant portion of respondents indicated that they did not know how to exercise this right in practice. This demonstrates the need to raise public awareness of the mechanisms for accessing environmental information, participating in decision-making, and seeking administrative and judicial remedies in accordance with the requirements of the Aarhus Convention.

The analysis of public participation in EIA revealed several shortcomings, including the absence of an effective and transparent system for conducting public hearings, the lack of digitalisation of the process, non-compliance with existing procedures for organising hearings, the formalistic nature of many hearings, and the ineffective use of this mechanism in decision-making. It was also found that public consultation is not envisaged for low or local environmental risk activities; in 2023, public hearings were held in only 41.5% of cases classified as Category I projects; and in 96.5% of cases the EIA materials were not prepared in a language commonly spoken by the population. These findings highlight the need for measures aimed at ensuring the effective implementation of public participation mechanisms.

The analysis further showed that approximately 200 sanitary rules and norms, more than 300 urban planning norms and rules, and nearly 30 construction regulations are directly or indirectly related to the implementation of the right to a healthy environment. However, inconsistencies and overlaps within these norms, the absence of registration of some rules and regulations with the Ministry of Justice, and the lack of official publication and up-to-date versions were identified as significant issues. It is therefore recommended to consolidate and integrate these norms and standards at the legislative level.

The third chapter of the dissertation, entitled **“Specific Features of Implementing the Right to a Healthy Environment in Uzbekistan,”** analyzes the legal foundations and mechanisms for exercising this right within the national legal framework and outlines prospects for their improvement.

The first section of this chapter, *“Constitutional-Legal Foundations for Realizing the Right to a Healthy Environment in National Legislation,”* examines national legislation related to the right to a healthy environment and highlights the need for its further enhancement, as well as the necessity of incorporating international standards and advanced foreign practices.

National legislation establishes a number of mechanisms and instruments for the realization and protection of the right to a healthy environment. These include access to environmental information, participation in the development of relevant policies and programs, public oversight and other monitoring mechanisms, liability measures, institutional mechanisms, and additional guarantees and protective measures aimed at ensuring the right to a healthy environment.

Although the responsibility of various public administrative bodies in the implementation and protection of the right to a healthy environment are established, the analysis reveals the absence of a comprehensive and systemic approach. It also notes the lack of clear procedures for coordinating the activities of different agencies in this area, as well as the absence of well-defined mechanisms for the prompt adoption of protective measures when environmental quality exceeds established standards.

The analysis highlights that non-governmental organizations (NGOs) are not guaranteed the authority to effectively protect the right to a healthy environment through litigation. The list of cases eligible for state-funded legal assistance does not include matters related to the right to a healthy environment, ecology, or environmental protection. The study further points out gaps in the legal framework on liability mechanisms and limited possibilities for applying effective legal sanctions.

The Administrative Liability Code does not prescribe administrative liability for violations such as breaching the procedure for issuing state environmental expertise conclusions; issuing an environmental expertise conclusion based on documents submitted without conducting public hearings; providing false information during the EIA process; or failing to comply with the requirements set out in expert conclusions. In addition, if an individual continues the violation after receiving an administrative penalty for implementing a project without a positive state environmental expertise conclusion, the law does not provide for stricter sanctions, proportional measures for legal entities, or obligations to eliminate and remediate environmental pollution. This demonstrates the need to introduce liability for legal entities for violations of the right to a healthy environment and environmental protection, to apply proportionate sanctions for the harm caused, to impose obligations to remediate damage, and to establish practical monitoring mechanisms.

The second section of the third chapter, *“Prospects for Improving the Realization and Protection of the Right to a Healthy Environment in the New Uzbekistan,”* analyzes existing challenges in ensuring and implementing this right and provides recommendations for strengthening the national system.

The substantive components of the right to a healthy environment are primarily defined through technical standards and sanitary and urban planning norms and regulations. It is noted that minimum standards for these substantive components are not established at the legislative level; some components and related legal issues remain unregulated, while others lack clearly defined mechanisms for their implementation. This, in turn, leads to serious environmental and public health challenges.

In particular, the study highlights that the proportion of green areas within urban territories in Uzbekistan is below international standards, and despite significant public demand, there are virtually no open (free) public water bodies. It is emphasized that there is a need to establish beaches and swimming areas along water bodies, regularly monitor water quality to protect public health, and ensure safety measures for users.

The research also highlights the importance of introducing strict requirements for transparency and disclosure of environmental information, improving the quality, format, and timeliness of environmental data, and broadening public participation in developing urban planning and environmental policies and programs. Furthermore, it recommends strengthening the support and capacity of environmental NGOs, encouraging initiatives aimed at their greater involvement in the protection and realization of the right to a healthy environment.

## CONCLUSION

Based on the research findings regarding the analysis of realizing and ensuring the human right to a healthy environment, the following conclusions have been drawn:

### **I. Scientific and theoretical conclusions on the realization and ensuring the human right to a healthy environment:**

#### **1. Author's definitions of the following concepts have been developed:**

*Environment* is a combination of the natural environment and the favourable and safe conditions surrounding a person that are necessary for their life, healthy development, and well-being. It encompasses living conditions; social and sanitary-hygienic conditions; urban planning; transport; recreation; sports and wellness infrastructure; as well as working (production and service) conditions, natural ecosystems and biodiversity.

*A healthy environment* is a set of clean, safe, healthy, comfortable, and sustainable environmental conditions necessary for a person's living, recreation, and activity (work), ensuring their physical and mental well-being. "Healthy" refers to an environment that is free from pollution, harmful substances, and factors that may pose risks or cause discomfort to human life. Such an environment not only ensures comfortable, safe, and sustainable conditions for human activity but also implies the protection and preservation of nature and the environment.

*The right to a healthy environment* is a universal right of present and future generations to live and thrive in a healthy, safe, and sustainable environment. This right encompasses a set of interrelated rights, including substantive rights such as the right to life, health, clean air, safe drinking water, and food, as well as procedural rights like the access to information, participation in decision-making, and access to administrative and judicial remedies in environmental matters.

**2. Taking into account the variety of terms used in scientific research and national legislation (such as favourable natural environment, favourable surrounding natural environment, favourable living environment, comfortable living conditions,**



and favourable environmental state) it is advisable to standardize terminology by adopting a single term: “the right to a healthy environment.”

This concept is broader than environmental rights in the narrow sense, as it encompasses not only the natural environment but also other conditions essential for human life and activity. These include sanitation, urban planning, adequate infrastructure, and other sectoral norms aimed at ensuring human rights. This right ensures not only environmental protection and sustainable environmental conditions but also the protection of human life and health, as well as the creation of safe, comfortable, and favourable conditions for human activity.

3. The substantive and procedural aspects of the right to a healthy environment were classified. It is substantiated that the substantive elements of this right may differ depending on the characteristics of each region and locality, vary in their importance, and even differ in priority for each individual. Moreover, these elements evolve over time, expanding and developing through the inclusion of new components, which leads to the progressive broadening of the scope of this right.

4. A classification of documents related to the right to a healthy environment was developed, which were conditionally grouped into three categories: *environmental* instruments, *human rights* instruments, and mixed or *cross-sectoral* instruments. In addition, international documents were further categorized according to their legal effect — into *imperative* (binding) and *recommendatory* (non-binding) instruments — and based on their geographical scope—into *universal* (international) and *regional* instruments.

## **II. Proposals and recommendations aimed at improving legislation on the realization and ensuring of the human right to a healthy environment:**

5. It is advisable to introduce into national legislation the fundamental principles of environmental protection, minimum environmental quality standards, and mechanisms for developing and approving national and regional programs and plans on the right to a healthy environment every five years with broad public participation. It is also recommended to ensure public oversight and continuous monitoring of their implementation, provide reliable and timely information on the state of the environment, improve environmental quality standards and rapid protection measures, introduce environmental expertise of regulatory acts and their drafts, strengthen the participation of non-governmental organizations in environmental protection, establish liability of legal entities and remediation measures, systematize and codify environmental legislation, and formalize sanitary rules, norms, and standards related to the right to a healthy environment at the legislative level.

6. It is proposed to include provisions on the prevention of conflict of interest during public oversight in the laws “On Environmental Control” and “On Public Control,” and to establish a requirement for hearings involving oversight entities to review the results of public control. It is also recommended to introduce, within the Law “On Environmental Control,” an obligation for operators of Category I and II facilities that have a significant environmental impact to conduct industrial environmental control and establish an environmental service.

7. It is proposed to introduce amendments and additions to Article 96 of the Code of Administrative Liability to establish responsibility for violating the procedure for issuing conclusions of the state environmental expertise and for non-compliance with the requirements of such conclusions. It is also recommended to include, among the sanction measures, the obligation to eliminate the environmental damage caused and restore the environment to its previous condition. Furthermore, it is proposed to introduce new Articles 59<sup>6</sup> and 215<sup>9</sup> into the Code, establishing liability for violation of the rules governing rapid environmental protection measures related to environmental quality, as well as for breaches of legislation on the openness of environmental information.

8. It is recommended to introduce measures into Article 122 of the Civil Procedure Code to prevent strategic lawsuits. Specifically, this involves mechanisms to dismiss claims intended to deter individuals acting in the public interest on matters of environmental protection and the human right to a healthy environment, or to prevent or restrict public participation, where such claims are inadequately substantiated or where the claim itself or its amount is manifestly disproportionate. In such cases, the burden of proving the legitimacy of the claim, court expenses, and the legal defense costs of the respondent should be borne by the claimant.

9. It is proposed to amend Article 11 of the Law “On the Provision of Legal Aid at the Expense of the State” by including among the cases eligible for state-funded legal aid in civil and administrative cases related to the human right to a healthy environment and environmental protection.

10. It is recommended to integrate and codify over 300 norms, rules, and standards related to urban planning and construction into the Urban Planning Code, and to introduce amendments to Articles 32, 63, and 68 of the Code. These amendments should prohibit the establishment of residential, socio-functional, and recreational zones in areas that do not meet environmental quality standards; require consideration of factors such as distance between facilities, noise, insolation, wind direction and speed, load on transport, energy and social infrastructure, and emergency protection measures when locating facilities; and strictly prohibit the privatization or change of purpose of parks, green areas, and their land plots.

11. To further improve mechanisms for public oversight in Environmental Impact Assessment (EIA), expand public participation, increase its effectiveness, and digitize the process, it is proposed to introduce the following amendments and additions to the Resolution No. 541 of the Cabinet of Ministers dated 7 September 2020:

- broaden the purpose and definition of public hearings, ensure public discussion via the Public Environmental Information Portal of normative legal acts, programs, and plans related to environmental protection, including activities of low risk and local impact; establish clear and effective mechanisms for holding public hearings for all categories of facilities or activities that generate complaints or objections from citizens;

- ensure timely public access to EIA project documents and provide them in languages commonly spoken by the population; strictly prohibit the state environmental expertise of EIA projects that have not undergone public hearings;

establish procedures for returning documents for projects where public opinion was not considered;

- organize public discussion and hearings before making decisions on planned projects or economic activities, including site selection or allocation; establish a minimum consultation period of 15 days during EIA, conduct public hearings in each administrative-territorial unit (village, mahalla, district) separately; require submission of applications for environmental expertise or permits within six months after conducting the public hearing;

- introduce mechanisms for participation of local and state authorities in public hearings within their respective sectors; ensure systematic post-monitoring through reporting by project developers on compliance with EIA conclusions and conducting project audits;

- determine the size of sanitary protection zones based on systematic laboratory monitoring data, objective evidence, assessment of risks to life and health, and the concentration of pollutants, using the best available modern technological solutions;

- ensure that EIA evaluates the project's impact on the human right to a healthy environment and public health, assesses associated risks (accidents, disasters), presents alternative project options, and compares the environmental and human impacts of each alternative; discuss measures to minimize and mitigate the project's negative effects.

**12.** Acceding to the Espoo Convention on Environmental Impact Assessment in a Transboundary Context and its Kiev Protocol on Strategic Environmental Assessment (2003) is considered crucial for Uzbekistan to ensure sustainable environmental management and to carry out transboundary and large-scale projects in a coordinated and harmonized manner in Central Asia.

### **III. Proposals for improving the organizational foundations of realizing and ensuring the human right to a healthy environment:**

**13.** To ensure the transparency of environmental information, improve mechanisms for public participation in decision-making, and promote digitalization, it is proposed to establish the Environmental Information Portal and the Public Environmental Information Portal. The Environmental Information Portal should increase both the quantity and quality of disclosed environmental information, integrate and publish all data on environmental quality and background monitoring in a single platform, and utilize artificial intelligence tools to analyze and evaluate monitoring data. Additionally, it is proposed to organize public discussions and hearings on normative legal acts, programs, and plans related to the environment, as well as during environmental impact assessment processes, through the Public Environmental Information Portal.

It is further proposed to expand the disclosure of information on citizens' and public health, including rapid and proactive publication of data on disease spread, preventive measures, diagnosis, and treatment. To measure and assess the population's environmental health, it is recommended to introduce Environmental Health Assessment Indicators and conduct a national environmental health assessment every three years. Additionally, it is proposed to introduce a Healthy City

(District) Index to evaluate the availability of a comfortable, healthy environment and necessary infrastructure in each administrative-territorial unit and to maintain a national ranking of cities (districts).

**14.** The following proposals are put forward to improve institutional mechanisms for the realization and protection of the human right to a healthy environment:

- establish a Council for the Implementation of the Human Right to a Healthy Environment under the President of the Republic of Uzbekistan, including its sectoral (industry) and regional councils, to ensure the human right to a healthy environment, study and address existing issues, coordinate activities, and adopt a comprehensive and systematic approach;

- establish the position of Representative (Ombudsman) for the Protection of the Human Right to a Healthy Environment and Environmental Protection within the Oliy Majlis (Parliament) to monitor and advocate for the implementation of the right to a healthy environment;

- create national and regional expert commissions to resolve disputes related to the right to a healthy environment through alternative, fast, fair, and effective mechanisms;

- require the competent state authority to submit an annual report to the Parliament on the implementation of national and regional programs and plans related to environmental protection and the human right to a healthy environment, and require governors to report to the respective regional councils of people's deputies;

- grant the State Environmental Control Inspection (Eco-Police) of the National Committee on Ecology and Climate Change the authority to conduct criminal investigations and undercover operations regarding violations of environmental legislation.

**15.** Implement measures aimed at environmental protection, education and awareness-raising on the right to a healthy environment, and capacity building, including: providing the general public with clear and detailed explanations on access to environmental information, participation in decision-making, and access to justice in environmental matters; publishing this information and related materials on the websites and notice boards of environmental authorities, local government bodies, courts, and law enforcement agencies; training and enhancing the qualifications of officials responsible for implementing the right to a healthy environment, including representatives of state management and local government bodies, courts, prosecution, and other law enforcement agencies through specialized programs; increasing public environmental awareness and responsibility through targeted programs; supporting NGOs operating in the field of environmental protection and providing them with the opportunity to utilize mechanisms for filing claims to protect the human right to a healthy environment and public interests; and promoting scientific research.

Support and encourage the voluntary participation of citizens and legal entities in environmental protection activities and their practical application by annually awarding environmentally responsible individuals (families), businesses,

government entities, startups, ideas, scientific achievements, photos, videos, and other promotional materials in various categories, with awards presented on World Environment Day. It is also proposed to incorporate provisions on business responsibility and obligations to uphold the right to a healthy environment into entrepreneurship legislation and corporate governance regulations, in cooperation with the Chamber of Commerce and Industry, the State Assets Management Agency, and relevant business associations.

**16.** Establish a comprehensive system to monitor noise levels from industrial, manufacturing, and service enterprises, as well as transport (road, rail, and air), construction, and other sources, to protect the population from harmful noise exposure; align existing standards on permissible noise timing and introduce clear, effective measures to reduce and control noise impacts.

**17.** Require the installation of air pollution prevention equipment at emission sources, and mandate the use of advanced ecological cleaning technologies and filters at enterprises with high and medium environmental impact; establish stationary monitoring points in surrounding areas and ensure real-time background monitoring data is transmitted online via the Environmental Information Portal; strictly prohibit the use of coal, fuel oil, and other combustible materials (e.g., tires) in heating system enterprises, greenhouses, and other economic activities, allowing their use only where advanced ecological cleaning technologies and filters are in place.

**18.** Introduce voluntary energy labeling and energy audits for office and other non-residential buildings to promote energy efficiency, with a view to making these measures mandatory in the future; gradually restrict the production or import of vehicles lacking an automatic engine stop system (Idle Stop and Go, ISG) to reduce emissions from idling vehicles; implement noise-level labeling for household appliances and restrict the production or import of appliances with high noise emissions.

**19.** Establish a Wireless Emergency Alerts system to promptly notify the population of emergencies, natural disasters, adverse weather events, or threats to public safety. Alerts should be sent simultaneously to the mobile phones of all citizens in the affected area based on geolocation (GPS) data, without requiring users to adjust phone settings, pay subscription fees, or connect to specific mobile networks.

**20.** Ensure the human right to a healthy environment by expanding green spaces and water bodies, achieving a minimum of 9 m<sup>2</sup> of green area per capita in every city and settlement, and implementing strategies and programs to progressively increase this coverage; establish at least one publicly accessible water body or beach along rivers, lakes, canals, and other water bodies in each district (city) by 2030, as part of state and regional programs.

It is proposed to increase the share of green and quiet areas (up to 75%) and reduce active areas (up to 25%) in parks, implement restrictions on locating noisy or unfiltered restaurants, commercial facilities, and other elements in parks, green zones, and protected natural areas, gradually convert green areas into zones free of mechanical attractions, and allow public-private partnership projects in active parks

and natural or landscape-genetic gardens only in exceptional cases, specifically for constructing, reconstructing, or equipping elements within quiet zones of parks.

**НАУЧНЫЙ СОВЕТ DSc.39/30.11.2020. Yu/S. 128.01 ПО ПРИСУЖДЕНИЮ  
УЧЕНЫХ СТЕПЕНЕЙ ПРИ НАЦИОНАЛЬНОМ ЦЕНТРЕ  
РЕСПУБЛИКИ УЗБЕКИСТАН ПО ПРАВАМ ЧЕЛОВЕКА**

---

**ПРАВООХРАНИТЕЛЬНАЯ АКАДЕМИЯ  
РЕСПУБЛИКИ УЗБЕКИСТАН**

**ТУРДИЕВ БОБИР СОБИРОВИЧ**

**ОСУЩЕСТВЛЕНИЕ И ОБЕСПЕЧЕНИЕ ПРАВА ЧЕЛОВЕКА  
НА БЛАГОПРИЯТНУЮ ОКРУЖАЮЩУЮ СРЕДУ:  
СРАВНИТЕЛЬНО-ПРАВОВОЙ АНАЛИЗ**

12.00.13 – Права человека

**АВТОРЕФЕРАТ**  
диссертации доктора философии (PhD) по юридическим наукам

Ташкент – 2025



Тема диссертации на соискание ученой степени доктора философии (PhD) зарегистрирована в Высшей аттестационной комиссии при Министерстве высшего образования, науки и инноваций Республики Узбекистан под номером B2024.4.PhD/Yu1694.

Диссертация выполнена в Правоохранительной Академии Республики Узбекистан.

Автореферат диссертации на трех языках (узбекский, английский, русский (резюме)) размещен на веб-странице Научного совета (<http://nhrc.uz/>) и на Информационно-образовательном портале «ZiyoNET» (<https://ziyonet.uz/>).

**Научный руководитель:**

**Тиллабаев Мирзатилло Алишерович**  
доктор юридических наук, профессор

**Официальные оппоненты:**

**Гулимов Аманлик Базарбаевич**  
доктор юридических наук, доцент

**Бафаев Шухрат Гафурович**  
доктор философии по юридическим наукам

**Ведущая организация:**

**Академия Министерства внутренних дел  
Республики Узбекистан**

Защита диссертации состоится 23 декабря 2025 года, в 11:30 часов на заседании Научного совета DSc.39/30.11.2020. Yu/S. 128.01 при Национальном центре Республики Узбекистан по правам человека (Адрес: 100029, г. Ташкент, ул. Ислама Каримова, 15. Тел.: +998 71 239 13 58, факс: +998 71 239 43 39, e-mail: [info@nhrc.uz](mailto:info@nhrc.uz)).

С диссертацией можно ознакомиться в Информационно-ресурсном центре Национального центра Республики Узбекистан по правам человека (зарегистрирована за № 11). Адрес: 100029, г. Ташкент, ул. Ислама Каримова, 15.

Автореферат диссертации разослан 9 декабря 2025 года.

(протокол реестра рассылки № 11 от 9 декабря 2025 года).



**М.Т. Тургунов**  
Заместитель председателя Научного совета  
по присуждению ученых степеней, доктор  
юридических наук, профессор

**У.С. Очилов**  
Секретарь Научного совета по присуждению  
ученых степеней, доктор юридических наук,  
доцент

**Г.Юлдашева**  
Председатель Научного семинара при  
Научном совете по присуждению ученых  
степеней, доктор юридических наук,  
профессор

## **ВВЕДЕНИЕ (аннотация докторской (PhD) диссертации)**

**Целью исследования** является разработка предложений и рекомендаций, направленных на совершенствование механизмов реализации и обеспечения права человека на благоприятную окружающую среду.

**Объектом исследования** являются общественные отношения, связанные с осуществлением и обеспечением права человека на благоприятную окружающую среду.

**Научная новизна исследования** заключается в следующем:

обоснована необходимость гармонизации национального законодательства с международными стандартами в области обеспечения доступа к информации об окружающей среде, участия общественности в процессе принятия решений и доступа к правосудию, а также присоединения к Орхусской конвенции;

обоснована важность обеспечения открытости, прозрачности и участия общественности в процедурах оценки воздействия на окружающую среду, а также необходимость контроля за исполнением заключений государственной экологической экспертизы и проведения консультаций с органами государственного управления и местными исполнительными органами;

обоснована необходимость реализации права человека на благоприятную окружающую среду и достоверную информацию о её состоянии, принятия мер по обеспечению экологической безопасности, а также организации системы экологического образования и воспитания;

обоснована необходимость контроля за соблюдением санитарных правил и норм при работе с шумом, вибрациями и другими физическими факторами, оказывающими негативное воздействие на здоровье человека и окружающую среду, проведения проверок в случае возникновения серьезной угрозы для жизни и здоровья людей, а также реализации мероприятий по ограничению хозяйственной и иной деятельности;

обоснована необходимость соблюдения санитарно-защитных зон на всех этапах пищевой цепи, мониторинг и контроль рисков, соблюдение правил применения пестицидов в первичном производстве, а также принятие мер по устранению нарушений санитарно-гигиенических требований;

обосновано создание и укрепление механизмов, обеспечивающих доступ к справедливому судопроизводству для пострадавших от нарушений прав человека, связанных с изменением климата, включая внедрение специализированных механизмов и программ поддержки.

**Внедрение результатов исследования.** Полученные научные результаты по совершенствованию механизмов реализации и обеспечения права человека на благоприятную окружающую среду были использованы следующим образом:

предложение о необходимости гармонизации национального законодательства с международными стандартами в области обеспечения доступа к информации, участия общественности в принятии решений и доступа к правосудию по вопросам окружающей среды, а также о

присоединении к Орхусской конвенции, было использовано при разработке Закона Республики Узбекистан № ЗРУ-1045 от 11 марта 2025 года «О присоединении Республики Узбекистан к Конвенции о доступе к информации, участии общественности в процессе принятия решений и доступе к правосудию по вопросам, касающимся окружающей среды (Орхус, 25 июня 1998 года)» (*Справка Института парламентских исследований при Законодательной палате Олий Мажлиса Республики Узбекистан № 3/dn-148 от 9 июля 2025 года*). Внесение данного предложения создало прочную основу для гарантирования права человека на благоприятную окружающую среду и укрепления экологической демократии;

предложение об обеспечении открытости, прозрачности и участия общественности в процессе оценки воздействия на окружающую среду, мониторинга исполнения заключений государственной экологической экспертизы и проведения консультаций с республиканскими органами исполнительной власти и органами исполнительной власти на местах было использовано при разработке статей 5, 24 и 36 Закона Республики Узбекистан № ЗРУ-1036 от 24 февраля 2025 года «Об экологической экспертизе, оценке воздействия на окружающую среду и стратегической экологической оценке» (*Справка Института парламентских исследований при Законодательной палате Олий Мажлиса Республики Узбекистан № 3/dn-148 от 9 июля 2025 года*). Внесение данного предложения обеспечило большую открытость процедур оценки воздействия на окружающую среду, расширение участия общественности и органов государственной власти, а также повышение эффективности исполнения заключений государственной экологической экспертизы;

предложения по реализации права человека на благоприятную окружающую среду, получению достоверной информации о её состоянии, принятию мер по обеспечению экологической безопасности, а также организации системы экологического образования и воспитания были использованы при разработке пункта 3 статьи 1 Закона Республики Узбекистан № ЗРУ-951 от 29 августа 2024 года «О внесении изменений и дополнений в некоторые законодательные акты Республики Узбекистан» (*Справка Института парламентских исследований при Законодательной палате Олий Мажлиса Республики Узбекистан № 3/dn-148 от 9 июля 2025 года*). Внесение данного предложения способствовало улучшению состояния окружающей среды, защите прав человека на благоприятную окружающую среду и повышению уровня экологической культуры;

предложения об участии в контроле за соблюдением санитарных правил и норм при воздействии шума, вибрации и иных физических факторов, негативно влияющих на здоровье человека и окружающую среду, проведении проверок при серьёзной угрозе жизни и здоровью граждан, введении ограничительных мер в отношении хозяйственной или иной деятельности нашли отражение в пунктах 10–11 Положения о Комитете санитарно-эпидемиологического благополучия и общественного здоровья при Министерстве здравоохранения Республики Узбекистан, утверждённого

постановлением Кабинета Министров № 48 от 29 января 2025 года (*Справка Комитета санитарно-эпидемиологического благополучия и общественного здоровья № 02-21/8186 от 22 августа 2025 года*). Внесение данного предложения способствовало укреплению функций и полномочий государственного органа, ответственного за обеспечение санитарной безопасности;

предложения о соблюдении санитарно-защитных зон на всех этапах продовольственной цепочки, мониторинге и контроле рисков, соблюдении правил применения пестицидов в первичном производстве, а также устранении нарушений санитарно-гигиенических требований использованы при разработке пунктов 8, 10–13 и 73–75 «Общих санитарных правил, норм и гигиенических нормативов безопасности пищевой продукции (№ 0079-24 СанПиН)», принятого на учет Министерством юстиции 16 декабря 2024 года за № 322 (*Справка Комитета санитарно-эпидемиологического благополучия и общественного здоровья № 02-21/8186 от 22 августа 2025 года*). Внесение данного предложения способствовало обеспечению безопасности пищевых продуктов как материально составляющей права человека на благоприятную окружающую среду;

предложения по созданию и укреплению механизмов обеспечения доступа к справедливому судопроизводству, включая специализированные механизмы и программы поддержки для пострадавших от нарушений прав человека, связанных с изменением климата, были использованы при разработке пункта 7 (Основные рекомендации) «Самаркандской декларации о глобальной защите прав человека в условиях изменения климата: обязательства и действия для устойчивого будущего» (официальный документ 78-й сессии Генеральной Ассамблеи ООН (A/78/999), утверждён 4 сентября 2024 года) (*Справка Национального центра Республики Узбекистан по правам человека от 26 сентября 2025 года №01/1079*). Эти рекомендации способствовали совершенствованию механизмов обеспечения справедливого судопроизводства при нарушениях прав человека, связанных с изменением климата.

**Апробация результатов исследования.** Основное содержание и научные результаты диссертационного исследования были апробированы на 4 научных конференциях, включая 2 международные и 2 республиканские научно-практические конференции, а также на «круглых столах» и семинарах.

**Опубликование результатов исследования.** По теме исследования опубликовано 17 научных работ, в том числе 10 статей в научных изданиях, рекомендованных для публикации основных научных результатов диссертаций, 4 статьи в материалах международных конференций и 3 статьи за рубежом (одна из них в журнале, индексируемом в базе Scopus).

**E'LON QILINGAN ISHLAR RO'YXATI**  
**LIST OF PUBLISHED WORKS**  
**СПИСОК ОПУБЛИКОВАННЫХ РАБОТ**

**I bo'lim (I part; I часть)**

1. Turdiev B.S. Milliy va xalqaro huquqiy hujjatlarda shaxsning qulay atrof-muhitga ega bo'lish huquqiga oid kafolatlar // Demokratlashtirish va inson huquqlari. – 2025. – № 1. – B. 8-12. (12.00.00; №5).

2. Turdiev B.S. Insonning qulay atrof-muhitga bo'lgan konstitutsiyaviy huquqi: xususiyatlari va amalga oshirish mexanizmlari // Yuridik fanlar axborotnomasi. – 2025. – 9-jild. – № 1. – B. 75-88. (12.00.00; №20).

3. Turdiev B.S. Atrof-muhitga oid qarorlar qabul qilishda jamoatchilik ishtiroki: xalqaro standartlar va xorij tajribasi // Yurisprudensiya. – 2025. – 5-jild. – № 2. – B. 125-140. (12.00.00; №15).

4. Turdiev B.S. The Aarhus Convention: A framework for transforming environmental governance in Uzbekistan // Review of European, Comparative & International Environmental Law (RECIEL). – 2025. – Volume 34. – Issue 2. – p. 409-419.

5. Turdiev B.S. Insonning qulay atrof-muhitga bo'lgan huquqini ta'minlashda yashil zonalar va ochiq suv havzalarining ahamiyati // Huquq va burch+. – 2025. – № 2. – B. 147-158. (12.00.00; №2).

6. Turdiev B.S. Shovqin va insonning qulay atrof-muhitga bo'lgan huquqi // Yurist Axborotnomasi – Вестник юриста – Lawyer herald. – 2025. – № 4. – B. 32-41.

7. Turdiev B.S. Qulay atrof-muhitga bo'lgan huquq: ekologiyaga oid qarorlar qabul qilishda jamoatchilik ishtiroki masalalari // Yurist Axborotnomasi – Вестник юриста – Lawyer herald. – 2025. – № 1. – B. 8-20.

8. Turdiev B.S. Policy Development Through Normative Legal Acts in Uzbekistan: Actors, Procedures, and Practice // International Journal of Law and Criminology. – 2024. – 4-jild. – № 11. – p. 23-41.

9. Turdiev B.S. Enhancing Environmental Transparency in Uzbekistan: Legal Perspectives from The Aarhus Convention Framework // The American Journal of Political Science Law and Criminology. – 2024. – Volume 6. – № 11. – p. 27-34.

10. Turdiev B.S. Iqlim o'zgarishi va inson huquqlari // Huquq va burch. – 2024. – № 10. – B. 10-14. (12.00.00; №2).

11. Turdiev B.S. Insonning toza, sog'lom va barqaror muhitda yashash huquqini ta'minlash — bosh masala // Odillik mezonlari. – 2024. – № 9. – B. 16-17. (12.00.00; №21).

12. Turdiev B.S. Korporativ sektorning ekologik mas'uliyatini oshirishning huquqiy mexanizmlari // Yurist Axborotnomasi – Вестник юриста – Lawyer herald. – 2023. – № 4. – B. 14-22.

13. Turdiev B.S. Biznesning ekologik mas'uliyatini oshirish: huquqiy mexanizmlar // Huquq va burch. – 2023. – № 6. – B. 42-46. (12.00.00; №2).

## **II bo‘lim (II part; II часть)**

14. Turdiev B.S. Strengthening Environmental Rights in Uzbekistan: Challenges and Future Directions // “Huquqni muhofaza qilish faoliyati sohasidagi global chaqiriqlar va tahdidlar: muammo va yechimlar” mavzusidagi xalqaro konferensiya materiallari to‘plami. – T.: HMQA, 2025. – II jild. – B. 130-137.

15. Turdiev B.S. Insonning qulay atrof-muhitga bo‘lgan huquqini ta’minlashda insolyatsiyaga oid talablarga rioya etilishining ahamiyati // “Raqamli transformatsiya davrida huquqni muhofaza qilish sohasidagi zamonaviy chaqiriq va tahdidlar” mavzusidagi xalqaro ilmiy-amaliy konferensiya materiallari to‘plami. – T.: Lesson press, 2025. – II jild. – B. 154-159.

16. Turdiev B.S. Advancing Human Rights and Environmental Governance through the Aarhus Convention // “Yangi hayot uchun, yangi O‘zbekiston uchun!” mavzusidagi respublika ilmiy-amaliy konferensiya materiallari to‘plami. – T.: HMQA, 2024. – B. 353-355.

17. Turdiev B.S. Insonning toza, sog‘lom va qulay atrof-muhitga bo‘lgan huquqini ta’minlash masalalari // Barqaror rivojlanish maqsadlariga erishishda ekologik qonun hujjatlarini takomillashtirish masalalari xalqaro ilmiy-amaliy konferensiya materiallari to‘plami. – T.: TDYU, 2024. – B. 44-50.

Avtoreferat “O‘zbekiston Respublikasi Huquqni muhofaza qilish akademiyasi  
axborotnomasi” jurnali tahririyatida tahrirdan o‘tkazildi.

Bosishga ruxsat etildi: 09.12.2025  
Bichimi: 60x84 1/8 “Times New Roman”  
garniturada raqamli bosma usulda bosildi.  
Shartli bosma tabog‘i 3 . Adadi: 100. Buyurtma: № 109

100060, Toshkent, Ya. G‘ulomov ko‘chasi, 74.  
Tel.: +998 90 9722279, [www.tiraj.uz](http://www.tiraj.uz)

“TOP IMAGE MEDIA”  
bosmaxonasida chop etildi.