



## CIVIL-LEGAL RESPONSIBILITY FOR ECOLOGICAL VIOLATIONS AND ITS ASPECTS

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**Abstract:** This article discusses the civil-legal responsibility established for ecological violations and its various aspects. The author explores the current state of ecological violations and their impact on the natural environment. The importance of legal measures and the role of citizens in preserving the environment are emphasized. The article also highlights the need for comprehensive legal frameworks and effective enforcement to address ecological issues.

**Keywords:** Ecological violations, civil-legal responsibility, wildlife, plant life, harm, damage, penalty, ecology, code, lease, contractual relations.

### Introduction

Preserving the natural environment in today's globally industrialized world is considered a pressing issue. The continuous growth of the population has led to a significant impact on nature. In pursuit of improving living standards, industries have expanded without restraint, rivers have been polluted, forests have been cleared, and natural habitats have been disrupted. As a result, the level of pollution and various forms of degradation has increased significantly, leading to the decline or extinction of flora and fauna in many regions. Issues such as water contamination, volcanic eruptions, and deforestation have also demonstrated the fragility of the Earth's ecosystems. These problems not only affect the present but pose significant challenges for the future. Despite the complexity of these ecological issues, solutions are yet to be fully realized.

In Uzbekistan, awareness of ecological problems has risen, as evidenced by the establishment of the Ecological Party of the Republic of Uzbekistan in January 2019. The party aims to contribute to ecological safety, enhance national legislation in the field of ecology, and elevate the ecological knowledge and culture of the population.

Furthermore, in a statement to the Oliy Majlis on January 24, 2020, the President of the Republic of Uzbekistan emphasized the urgency of adopting the Ecology Code by October 1, 2020. The adoption of the Ecology Code is seen as a crucial step in enhancing legal measures to prevent ecological violations and improve the effectiveness of environmental protection<sup>1</sup>.

Despite various efforts, the issue of preserving the environment and addressing ecological violations remains challenging. The responsibility for protecting the environment and responding to ecological violations is a complex matter that requires a multifaceted approach. This article explores the civil-legal responsibility established for ecological violations, focusing on its various aspects and the challenges associated with its implementation.

<sup>1</sup> O'zbekiston Respublikasi Prezidentining Oliy Majlisga Murojaatnomasi: Xalq so'zi 23.01.2020. (№17-son.7519)

### Civil-Legal Responsibility for Ecological Violations

Civil-legal responsibility for ecological violations is one of the many types of responsibility imposed on individuals or legal entities for their actions that harm the environment. It plays a crucial role in addressing ecological issues and promoting sustainable development. Civil-legal responsibility can be divided into four main conditions:

Actual direct harm;

Violation of public order;

Causal connection between the violation of public order and the harm caused;

The fault of the violator<sup>2</sup>.

Civil-legal responsibility serves compensatory and preventive functions for ecological violations. The compensatory function involves compensating the victim of ecological harm for the damage incurred. The preventive function aims to deter individuals and legal entities from committing ecological violations by imposing legal consequences for their actions<sup>3</sup>.

The Uzbekistan Civil Code (Article 985)<sup>4</sup> outlines the general principles of civil liability for harm caused. It emphasizes that the compensation for harm caused by actions that violate public order or harm the environment must be based on the full extent of the damage. The law stipulates that if the harm-causing party is not identified, the obligation to pay compensation may be imposed on the person responsible for the harm.

The actual harm caused by ecological violations includes damage to natural objects, financial losses to individuals or legal entities, and adverse effects on human health. The compensation for harm caused by ecological violations should cover the value of affected natural objects, taking into account the normative-legal documents specifying the criteria for assessing damage.

### Assessment of Ecological Harm and the Role of Taxation

The complexity of assessing ecological harm lies in the fact that it is impossible to precisely quantify the real value of natural objects. The intrinsic value of natural objects, their role in the ecosystem, and the interconnectedness of ecological processes make the assessment challenging. Therefore, the article argues that a comprehensive assessment of ecological harm is unattainable<sup>5</sup>.

To address this challenge, the taxation method is proposed as a means of determining the value of ecological harm. Taxation involves assessing the value of harm caused to natural objects based on predetermined normative-legal documents. The use of taxes provides a legal basis for determining the value of harm and streamlining the compensation process.

In Uzbekistan, taxation for ecological responsibility is currently applied only concerning plant and wildlife objects. The Cabinet of Ministers' resolution of October 20, 2014, established regulations for the use and taxation of biological resources<sup>6</sup>.

### Conclusion

<sup>2</sup> Горелко Н.А. Ответственность за нарушения экологического и трудового законодательства // Экологическое право. №1. 2001. – С.22.

<sup>3</sup> Xolmo'inov J.T. Ekologik qonun talablarini buzganlik uchun fuqarolik-huquqiy javobgarlik muammolari // Xo'jalik va huquq. -2001.-№2.-B17-20.

<sup>4</sup> O'zbekiston Respublikasi Oliy Majlisining Axborotnomasi, 1996-y., 2-songa ilova

<sup>5</sup> Большой юридический словарь.-М.:Инфра-М, 1998. С.679.

<sup>6</sup> O'zbekiston Respublikasi Vazirlar Mahkamasining qarori, 20.10.2014 yildagi 290-son

The article concludes that civil-legal responsibility for ecological violations is essential for addressing environmental issues. It serves both compensatory and preventive functions, providing a legal framework for compensating for harm caused by ecological violations and deterring future violations.

The complexity of assessing ecological harm requires a comprehensive approach, and the taxation method is proposed as a practical solution. Taxation provides a legal mechanism for determining the value of harm and facilitates the compensation process.

In the context of global ecological challenges, the article emphasizes the need for effective legal measures and citizen involvement in preserving the environment. The adoption of the Ecology Code in Uzbekistan is considered a significant step towards improving legal frameworks for addressing ecological issues.

In conclusion, the multifaceted nature of ecological problems necessitates a holistic approach. It is crucial to enhance legal measures, broaden the scope of taxation, and clearly define the criteria for assessing ecological harm to strengthen civil-legal responsibility for ecological violations.

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