

Counteraction to Corruption in the Field of Environment Protection of the Republic of Karakalpakstan

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Abstract: *Based on the analysis of legal acts and opinions of domestic and foreign scientists, the article discusses the factors of combating corruption in the field of environmental protection of the Republic of Karakalpakstan.*

Keywords: *environmental protection, ecological process, natural environment, ecological catastrophe, nature.*

The Republic of Karakalpakstan occupies an important place in global environmental processes and is one of the main stabilizing forces in the field of protection and restoration of the natural environment on the planet.

The ecological system of Karakalpakstan makes the biggest contribution to planetary ecological stability.

As the head of state rightly noted, speaking at the UN General Assembly in September 2021, "... as a result of the drying up of the Aral Sea, the Aral Sea zone has become the "epicenter of an environmental catastrophe" [1].

So, society is surrounded by nature, it continuously interacts in it in a variety of ways.

Society cannot exist without the natural environment.

It is often difficult to draw a line between nature, which has become part of society, and nature, the environment of society.

Material practice connects man with nature and at the same time distinguishes him from nature.

Nature has a multifaceted significance for society: industrial, scientific, health-improving, aesthetic.

In accordance with part two of article one of the Law of the Republic of Uzbekistan "On Nature Protection", it is determined that relations in the field of nature protection in the Republic of Karakalpakstan are also regulated by the legislation of the Republic of Karakalpakstan.

In order to achieve the goals of nature protection in the process of economic, managerial and other activities, local government bodies, ministries and departments, enterprises, institutions, organizations, farms and cooperative farms, as well as individuals must be guided by the following principles:

maintaining the sustainability of the biosphere and its ecological systems as a human habitat and concern for the environmental safety of people, the gene pool of man and his future generations;

ensuring the rights of citizens to a favorable environment for life, the obligatory nature of environmental education in all types of educational institutions;

science-based combination of environmental, economic and social interests of society;

payment for special and free of charge general nature management;
obligatory ecological expertise;
promotion of rational nature management and nature protection;
the need for the reproduction of natural resources, the prevention of harmful, irreversible consequences for the natural environment and human health;
publicity in solving environmental problems;
a combination of national, regional and international interests in the field of nature protection;
responsibility for violating the requirements of environmental legislation[2].

It should be noted that the goal of protecting the natural environment is carried out through the activities of the competent state bodies and officials on behalf of the state. But unfortunately, in practice, there are cases of abuse of their powers by some officials in activities for the protection of the natural environment, causing damage not only to the state, but also to nature. Currently, nature is suffering from a cruel consumer attitude of man, one of the reasons for which is corruption in the field of nature management.

One of the most important tasks of local executive authorities at all levels in the field of protecting the rights and interests of business entities is to ensure strict observance of the principle of priority of the rights and legitimate interests of business entities, the unconditional implementation of the norms of legislation on the responsibility of officials for illegal interference and obstruction of business activities, and the prevention of violation of rights property and other property rights[3].

Thus, the most common manifestation of corruption in the Republic of Uzbekistan and Karakalpakstan is the issuance of a permit for felling trees and shrubs, the destruction and extermination of animals listed in the "Red Book" of the Republic of Uzbekistan, the illegal sale of land plots, the illegal appropriation of irrigated lands, etc. And there are many such examples, for example, according to statistics from the press service of the General Prosecutor's Office of the Republic of Uzbekistan, over the past two years in our country, 473 criminal cases were initiated on the facts of illegal sale of land plots, misappropriation of irrigated lands, 543 officials were brought to criminal responsibility[4]. Another sad example of environmental damage is that, in 2021, in the National Natural Park "South Ustyurt" of the Kungrad district, citizens were detained who caught 11 gazelles listed in the "Red Book" of the Republic of Uzbekistan [5].

In addition, facts of illegal sale of land plots were suppressed throughout the country, for example, three previously convicted residents of the city of Andijan and Altinkul district, having entered into a preliminary conspiracy, demanded for registration in the name of the buyer through their familiar officials 4.5 hectares of land located in small industrial zone of Altinkulsky district, 36 thousand US dollars, etc. [6].

All of the above allows us to conclude that the danger of corruption in the field of environmental management lies not only in the fact that it damages state and public interests, but also in the fact that it dramatically changes the balance of distribution of natural resources between generations and thus causes irreparable damage to the future generation.

It is no secret that recently we have been intensively using minerals, which are so necessary for the development of the economy.

But this process is like a double-edged sword: the more we extract, the more they steal and the less remains for the future generation.

Therefore, the transition to an extensive level of use of natural resources in the economy is also one of the ways to reduce corruption.

To prevent corruption in the field of environmental management, as an integral part of corruption, concrete practical steps are being taken in Uzbekistan. One of the decisions at the initiative of the state, from October 1, 2019, a procedure was introduced according to which in the Republic of Karakalpakstan, regions and the city of Tashkent, free land plots for non-agricultural purposes for entrepreneurial and urban planning activities are provided exclusively through an electronic online auction on the trading platform "E-IJRO AUKSION ", except for cases of granting land plots in accordance with the resolutions of the Cabinet of Ministers for the implementation of a major investment project by selecting the best offer.

Individuals and legal entities have been granted the right to make proposals for posting information about the land plot and the planned construction site with specific investment obligations in the YERELEKTRON automated information system for further consideration of the issue of putting them up for the electronic online auction [7].

According to the Russian scientist R. Tosheva, who came to the conclusion that the concept of "environmental corruption" is fixed at the legislative level and the development of a systematic approach to combat it, which will contribute to the formation of professional responsibility among the competent authorities in the field of nature management[8].

Most often among the legal factors contributing to the development of corruption, the foreign scientist Khludeneva N.I. considers the low quality of legislation, expressed in the presence of legislative gaps, contradictions between normative legal, including legislative, acts regulating a similar range of social relations, the lack of proper regulation of many issues, or vice versa, their excessive regulation³. The indicated and other legal defects become factors that determine corruption processes in the sphere of state regulation of environmental protection [9].

Thus, legal uncertainties, reference and blanket rules that allow for a wide range of discretionary powers in modern environmental legislation displace lawmaking in the field of environmental protection.

At the same time, a number of unresolved problems remain, there are bureaucratic barriers and red tape, especially when allocating land plots, carrying out construction and installation works, connecting to engineering and communication networks, providing business entities with access to production infrastructure, credit and other financial resources[3]

Thus, having a negative impact on the completeness and quality of the legal regulation of environmental relations, imperfections in environmental legislation contribute to an increase in the intensity of corruption in the field of environmental protection, since they allow the subjects of law enforcement to distort the true meaning of the legal norm for the sake of personal or narrow corporate interests. Corruption-prone gaps in the legal regulation of environmental protection include the redundancy of individual regulatory legal acts in the field of the natural environment, which is mainly manifested by the establishment of multiple conciliation procedures in environmental legislation, as well as excessive detailing of the rules of behavior of nature users. Such regulatory excesses are time-consuming to implement by legal entities and individuals, require significant costs from the subjects of law, which they try to avoid, in particular, acting as the initiator of corrupt behavior. Corruption risks can also be caused by such a lack of environmental legislation as the imperfection of the legal structures contained in it.

In conclusion, it is necessary to come to the conclusion that in the modern legal field regulating relations in the field of environmental protection, there is a need to systematize and codify these regulatory legal acts.

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