

SOCIAL AND LEGAL CAUSES OF ENVIRONMENTAL OFFENSES

To'ychiyeva Shahrizoda Sherzodovna,
Student of the Academic Lyceum of the
Samarkand State Pedagogical Institute

Abstract

This article analyzes the social and legal causes of environmental offenses. Firstly, the types of environmental offenses and the factors leading to their occurrence are identified. Social causes such as the low environmental culture of the population, economic interests, unemployment, and industry's neglect of environmental requirements are considered. Legal causes are substantiated through gaps in existing legislation, the weakness of the control system, and the insufficient effectiveness of penalties. The article also puts forward proposals and recommendations for preventing environmental offenses and improving effective legal mechanisms.

Keywords: Environmental legislation, environmental offenses, legal gaps, environmental protection, environmental control, law enforcement, accountability mechanism, environmental security, sustainable development, environmental policy.

Introduction

Today, environmental issues are recognized as one of the most pressing problems not only within individual regions or countries, but on a global scale. Global environmental crises such as climate change, loss of biodiversity, pollution of the atmosphere and water basins, and accumulation of waste pose a direct threat to the quality of life and security of humanity. At the same time, the environmental problems of each country have their own specific local characteristics, and their solution must be carried out taking into account the socio-economic, legal, and political conditions of the respective territory.

In the Republic of Uzbekistan, in recent years, a number of regulatory legal documents and state programs have been developed to ensure environmental sustainability, protect the environment, and safeguard public health. However, in practice, problems related to the effective implementation of these laws and decisions, the prevalence of environmental offenses, and cases of negligence towards their consequences persist. This necessitates an analysis of the environmental legislation system and identification of the reasons for its incomplete and incorrect functioning.

Environmental legislation holds a special place as the legal basis for forming a responsible attitude towards the environment in society, distributing environmental responsibility between the state and citizens, and ensuring environmental security. Even though laws exist, the main factor determining their effectiveness is how they work in practice and how they are perceived by the public.



In the Republic of Uzbekistan, environmental legislation has been gradually forming since the years of independence. The protection of public health, the environment, the rational use of natural resources, and ensuring environmental security have been recognized as important directions of state policy. For this purpose, a number of important regulatory legal documents were developed and implemented, including the Laws "On Environmental Protection" (1992), "On Ecological Expertise" (2000), "On Nature Protection", "On Protection of Atmospheric Air", "On the Subsoil", "On Waste", "On Protection of Flora and Fauna", which can serve as evidence for our point.

The new strategic documents being adopted in the field of ecology in Uzbekistan in recent years also testify to the ongoing reforms in this direction. For instance, the "Green Space" nationwide project, the activities of the Ecological Party, as well as environmental initiatives within the framework of the Sustainable Development Goals for 2023-2030, indicate the environmental orientation of state policy. However, despite the scope of existing laws and programs, their practical effectiveness is insufficient, the number of environmental offenses is not decreasing, and the weakness of legal liability indicates that the problem remains relevant. This highlights the need not only for adopting legislation but also for fully implementing and strengthening control mechanisms. The causes of these offenses can be varied, but they are mainly closely related to social and legal factors.

The insufficient understanding of environmental legal norms by citizens and an indifferent attitude towards the environment is one of the most fundamental problems. This is particularly evident in cases such as improper waste disposal, illegal tree cutting, and river pollution. Enterprises, farms, and some large producers try to reduce costs by not complying with environmental requirements. This leads to the violation of environmental standards. In some cases, the population is forced to use natural resources illegally (e.g., extracting sand, gravel, deforestation) because this becomes their only source of income.

In some laws, the criteria for environmental damage are not clearly defined or their interpretation can vary in practice. This hinders the effective application of the laws. State bodies implementing environmental control (the Ecology Committee, local inspectorates) are limited in terms of material and technical resources and authority. This causes problems in timely identifying and preventing environmental offenses. The fines envisaged by current laws are often not proportional to the actual damage in many cases. This leads offenders to perceive them not as a threat of punishment, but merely as a financial risk. Furthermore, some organizations and citizens operating in the environmental sphere are unaware of their obligations and legal restrictions. This leads to offenses being committed either unintentionally or deliberately.

The existence of laws does not guarantee their effective application. The following main practical problems cause the weak functioning of environmental legislation in real life:

1. Modern environmental monitoring systems (e.g., online monitoring of air quality, water pollution, waste movement) have not been sufficiently introduced. Much data is collected manually, not analyzed, or is not open to the public. As a result, neither state bodies nor citizens can quickly identify violations of environmental laws and exert influence.
2. Local government bodies do not have full authority and resources to ensure compliance with environmental laws. Often, information exchange and cooperation with central bodies are



insufficient. This makes it difficult to take prompt and effective measures against environmental problems at the local level.

To eliminate these problems, it is necessary not only to improve legislation but also to adopt a systematic approach, strengthen infrastructure, and expand public participation. To prevent these problems and improve the current situation, we believe it is appropriate to consider the following proposals:

- Strengthen the material and technical base of environmental control bodies: it is necessary to equip them with modern technology, laboratory equipment, and digital monitoring tools.
- It is necessary to staff territorial ecological inspections with qualified personnel and expand their authority.
- The introduction of artificial satellites, drones, and real-time online platforms in environmental monitoring systems will enable constant monitoring of the environmental situation.
- It is necessary to gradually introduce environmental education in educational institutions and instill a responsible attitude towards the environment in the younger generation through practical training.
- The population should be regularly informed about legislation, environmental safety, and responsibility through mahallas (local communities), education, and mass media systems.

It can be acknowledged that the formation and development of environmental legislation in Uzbekistan is being carried out in a positive direction. The laws, strategies, and state programs adopted in the country for environmental protection demonstrate the existence of political will in this area. However, in practice, the incomplete functioning of these legal foundations, the persistence of environmental offenses, and the weak participation of the public indicate profound problems in the existing system. The elimination of these problems depends on ensuring not only the existence of laws but also their consistent and strict enforcement in practical life. Furthermore, the need to raise environmental legal awareness, expand public participation, and apply modern technologies to environmental control is undeniable. Therefore, the solutions proposed in the article — improving legislation, strengthening the control system, specializing judicial and legal practice, raising the environmental literacy of the population, and encouraging the activity of civil society — are considered important factors in ensuring environmental sustainability in the country. If these measures are implemented, Uzbekistan can achieve significant results on the path to environmental security and a healthy natural environment.

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