

LEGAL MONITORING OF GROUNDWATER IN THE CASE OF UZBEKISTAN

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Abstract. *Today, there is a need for legal regulation of groundwater. Pollution of groundwater, its unfitness for consumption, is a result of natural and human activities, which leads to environmental threats. In order to eliminate such deplorable situations, the process of measuring and determining the actual state of groundwater, its quantity, composition, and degree of pollution is called monitoring. Full and effective monitoring reveals detailed information in the field and determines the need for additional work on any shortcomings.*

Keywords: *inspection, water quality, state monitoring, decree, principles, observation well.*

Annotatsiya. *Bugungi kunda yer osti suvlarini huquqiy jihatdan tartibga solish zarurati paydo bo'lgan. Yer osti suvlarining ifloslanishi va iste'molga yaroqsiz holga kelishi tabiiy va inson faoliyati natijasida yuz berib, ekologik xavf tug'dirmoqda. Bunday salbiy holatlarni bartaraf etish maqsadida yer osti suvlarining haqiqiy holati, miqdori, tarkibi va ifloslanish darajasini o'lchash hamda aniqlash jarayoni monitoring deb yuritiladi. To'liq va samarali monitoring orqali sohadagi batafsil ma'lumotlar aniqlanib, mavjud kamchiliklar ustida qo'shimcha ishlar olib borish zarurligi belgilanadi.*

Kalit so'zlar: *tekshiruv, suv sifati, davlat nazorati, farmon, tamoyillar, kuzatuv quduq*

Аннотация. *В настоящее время существует потребность в правовом регулировании подземных вод. Загрязнение грунтовых вод, их непригодность для потребления являются результатом как природных процессов, так и деятельности человека, что приводит к экологическим угрозам. Для предотвращения таких неблагоприятных ситуаций применяется мониторинг - процесс измерения и определения фактического состояния подземных вод, их количества, состава и степени загрязнения. Полноценный и эффективный мониторинг позволяет получить детальную информацию на местности и определить необходимость дополнительных работ по устранению выявленных недостатков.*

Ключевые слова: инспекция, качество воды, государственный мониторинг, постановление, принципы, наблюдательная скважина.

Uzbekistan is implementing large-scale reforms aimed at improving the water resources management system, ensuring the rational use of water for the needs of the population and economic sectors, and preventing the harmful effects of water and eliminating its consequences.

At the same time, due to the increasing need for drinking water among the population, the continued drilling of wells without permission, and the uncontrolled and unaccounted use of water, there is a need to strengthen measures to protect groundwater resources.

The following principles have been established internationally within the framework of groundwater protection:

1) Non-segregation in the management and protection of groundwater. This task involves not focusing on the importance of groundwater types such as drinking, industrial, and mineral.

2) Joint action to preserve and improve the quality and condition of groundwater. It obliges states, as well as organizations within states, to work together;

3) Vertical implementation of groundwater protection relations at the national and local levels;

4) A comprehensive approach to regulating the sector. The organization of work in the agricultural, industrial, energy, healthcare, and other areas of the sector requires compliance with regulations related to groundwater [1].

Among the works carried out by the Inspection of the Ministry of Mining and Geology of the Republic of Uzbekistan in 2024, monitoring was carried out in more than 11 thousand wells belonging to 142 entities for the drilling and use of groundwater, more than 9 thousand wells belonging to 76 business entities that were used without a permit were stopped, and fines in the amount of 95 million soums were imposed [2].

As we can see from these statistics, violations in the sector certainly call for all of us to be vigilant and strengthen public oversight.

First of all, it is necessary to pay attention to the concept of monitoring. The resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On improving the system of state monitoring of the environment in the Republic of Uzbekistan" defines the concept of state monitoring of the environment.

State monitoring of the environment is defined as a system of regular monitoring of the state of biotic and abiotic components of the environment, their changes due to pollution and other harmful effects (processes) of anthropogenic activity, and the use of natural resources according to an approved program to determine the level of pollution of the environment, assess its ecological state, predict and eliminate the consequences of negative processes.

Concluding this, it is necessary to develop the concept of state monitoring of groundwater. This will play an important role in strengthening control over the sector, preventing misunderstandings and ensuring its full protection [3]. In our opinion, state monitoring of groundwater is a system of regular monitoring of the state of groundwater, its changes due to pollution and other harmful effects (processes) of anthropogenic activity, and their use according to established criteria to determine the level of groundwater pollution, assess their ecological status, predict the consequences of negative processes, and eliminate them.

According to the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On measures to further regulate activities in the field of groundwater use", groundwater monitoring is divided into two types: state and production monitoring [4]. State monitoring is carried out at the expense of the state budget at the republican (covering the entire territory of the republic) and local levels (covering a limited area by physical and geographical, administrative, etc.). Production monitoring includes several wells or individual wells located in separate areas with technogenic impact on groundwater at the expense of legal entities and individuals.

According to the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On Approval of the Regulation on the Procedure for Conducting Subsoil Monitoring of the Republic of Uzbekistan", monitoring is carried out at the following levels:

- at the republican level (covers the entire territory of the republic);
- at the regional level (covers the territory limited by physical-geographical, administrative and other boundaries);
- local (production) monitoring (covers the territory of certain natural-technogenic and landscape-ecological complexes).

Initially, groundwater monitoring was regulated by the Regulation on the Procedure for Conducting Subsurface Monitoring of the Republic of Uzbekistan, but later, there was a need to fully regulate the sector with regulatory legal acts.

Groundwater monitoring is intended to assess the state of groundwater in terms of its qualitative [5] and quantitative indicators and to forecast changes, including changes in the use of groundwater deposits, to account for and use forecast groundwater resources and reserves, and to prepare information for inclusion in state groundwater cadastres.

Taking into account the role of drinking groundwater, the condition of which directly affects the health of the population, as well as the importance and value of healing mineral groundwater, the prospects for using thermal groundwater as a renewable energy source and its industrial components, we believe that it is necessary to strengthen the planning of groundwater use by legislation in program documents for the development of the geological industry.

Groundwater is a source of centralized water supply and is an object of social and hygienic monitoring, the legal regulation of which is carried out at the

republican and regional levels. Territorial legal regulation of sanitary and hygienic monitoring of groundwater used for drinking water supply determines the procedure for monitoring the quality of groundwater used for centralized drinking water supply [6].

One of the sore points in the industry is the issue of determining ownership during the purchase and sale of real estate for wells drilled for groundwater, canceling the permit, transferring the right to the permit to another person, and plugging the well if it is no longer needed or has become unusable. In this regard, the Decree of the President of the Republic of Uzbekistan "On the State Program for the Implementation of the Strategy "Uzbekistan — 2030" in the Year of Environmental Protection and "Green Economy"" also sets the task of closing unused, ownerless, illegally dug groundwater wells that negatively affect the state of groundwater, and in accordance with it: 1. Conduct an inventory of unused, ownerless, illegally dug groundwater wells in the republic; 2. Develop a program for closing (tamponing) unused, ownerless, illegally dug groundwater wells based on the results of the inventory; 3. Instructions were given to begin tamponing work and submit information on closed wells to the Cabinet of Ministers and the Ministry of Ecology every quarter [7]. This has served as one of the most effective and rational changes in the field. According to the legislation of most American territorial units and Australian states, the right of ownership of wells dug for special use and consumption belongs to the landowners [8]. In this regard, we propose that during the process of issuing a permit, the customer should be obliged to safely bury the dug well at their own expense or transfer the right to it to another person.

Groundwater monitoring involves specially organized regular observations of the state of groundwater (observation points, photography, inspection, search and remote sensing), identification of changes, their estimation, changes in the state of groundwater, identification of sources of impact on groundwater, natural and man-made processes and factors affecting groundwater, and a forecast of the level of pollution of the geological environment.

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