

Constitutional Integration of Global Principles and International Standards for Environmental Conservation, Resource Management, and Ecological Education



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ABSTRACT: The assurance of human rights to a healthy and high-quality life is intrinsically linked to the ecological environment and the state policies governing this domain. This article advocates for the essentiality of directly embedding a range of norms from international legal documents concerning ecology and natural resource management into the Constitution of the Republic of Uzbekistan. The aim is to establish a firm and cohesive stance on the fundamental principles of environmental protection in concert with the global community. The proposed international norms will lay the groundwork for contemporary principles and mechanisms in formulating a national strategy and shaping the internal ecological legislation within the Republic of Uzbekistan. Furthermore, the article explores the potential benefits and challenges of integrating these norms into the national legal framework, examining the role of international cooperation and the ways in which Uzbekistan can contribute to global environmental conservation efforts.

KEYWORDS: Constitution, Implementation, National Strategy, Human Rights, Principles, International Norms, Standards, Ecology, Environmental Conservation

INTRODUCTION

Numerous acts exist in the fields of ecology and natural resource management, adopted by international and regional organizations, the implementation of which, taking into account national interests, positively influences the development of a nationwide worldview, domestic law, state strategy, policy, and practice. In this article, we will discuss the necessity of directly incorporating a set of norms from international legal documents into the Constitution of the Republic of Uzbekistan (Constitution) to maintain a firm and unified stance on the fundamental principles of environmental protection in harmony with the global community.

It is widely acknowledged that a primary principle of modern human rights is ensuring an eco-safe environment for individuals, as dire ecological situations in many developing countries directly violate human rights to a healthy and safe habitat. Indeed, disruptions to ecological balance lead to the infringement of other human rights, such as the right to a healthy and high-quality life, the right to social security, and so on. The aim of this article is to draw attention to the current state, problems, and gaps in environmental law, and to propose a range of novel techno-legal principles and methods for its improvement.

The purpose of this article is to suggest a legal mechanism capable of constitutionally guaranteeing the protection of rights and freedoms for a clean ecological environment, not only through administrative and judicial systems but also by utilizing alternative instruments emerging in the legal system.

MATERIALS AND METHODS OF RESEARCH

The study utilized official statistical data, international regulatory acts, and scientific works of national scholars in the fields of constitutional and environmental law. The application of methods such as the structural-functional approach, abstraction, generalization, comparison, idealization, and induction, along with a systemic approach, allowed for the identification of common properties of the subject matter and its characteristics, and the conduction of research from an individual case to a comprehensive understanding.

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RESULTS

The Constitution is an open system that can and should constantly evolve, which in turn does not exclude individual adjustments to the Constitution's provisions, determined by objective factors of societal and state development. Therefore, the process of constitutional transformations worldwide has a common direction¹. Updated constitutions reflect the best achievements of international practice, and it should be acknowledged that the fundamentals of the constitutional order, enshrined in the Constitution of the Republic of Uzbekistan, have not yet fully incorporated the values of global constitutionalism in the field of ecology.

In the Constitution, ecological and environmental issues are briefly mentioned in Article 50 "Citizens are obliged to treat the natural environment carefully.", in Article 54 "The owner, at his discretion, possesses, uses, and disposes of his property. The use of property must not harm the ecological environment, violate the rights and legally protected interests of citizens, legal entities, and the state." and Article 55 "Land, its subsoil, waters, flora and fauna, and other natural resources are the national wealth, subject to rational use and protected by the state"². It is evident that these norms are essentially declarative and can confidently be attributed to the older generation of constitutions, which are based on the unconditional priority of minimalism in the informativeness of norms, the absence of clear principles, and the direction of state policy and social development.

The necessity of transforming universally recognized international principles and norms into Uzbekistan's constitutional system is also indicated by the fact that the country's basic law does not fully encompass the objective possibilities for the law enforcer to ensure the guarantee of human rights and freedoms, which poses a risk of the state, citizens, and organizations failing to fulfill their obligations in the field of human rights realization to a clean and harmonious environment.

The position of paragraph 6 of the Preamble of the Constitution, "recognition of the priority of universally recognized principles and norms of international law"³, is too vague for application, and as science and practice have shown, this norm has not been recognized as effectively working⁴. The result of such statements is a contemporary eclectic combination of truly universally recognized principles of international law and principles forming the basis of national legal order or legal consciousness in Uzbekistan.

A possible solution to untangle the contradictions and gaps in the legislation is to implement internationally recognized legal norms⁵ through the direct addition of existing constitutional articles, which would significantly change the subject of legal regulation of certain social relations in Uzbekistan.

Building on this concept, we believe that since this area is largely oriented towards the state's strategy, its direct implementation depends on the actions of republican and local authorities. Consequently, at least the fundamental principles and strategic directions of environmental development should be directly embodied in constitutional laws. As research conducted in recent years in the field of Uzbekistan's environmental law shows⁶, national legislation requires regular modification or supplementation, as initially adopted regulations did not take international requirements into account. Unfortunately, such a practice still has a place in the legislative system, possibly due to a lack of personnel and the weakness of innovative approaches.

¹ For example, the Swiss Constitution was amended in some articles in 2017, 2018 (for example, articles 85a, 86), according to the official Swiss government portal (<https://www.admin.ch/gov/en/start.html>), and the official document "Federal Constitution

Swiss Confederation (accessed 1 January 2021):

<https://fedlex.data.admin.ch/filestore/fedlex.data.admin.ch/eli/cc/1999/404/20210101/en/pdf-a/fedlex-data-admin-ch-eli-cc-1999-404-20210101-en-pdf-a.pdf>. Another example is the Constitution of Norway, which received the last changes to the articles of the Constitution in 2022 (dated June 1, 2022). For example, the following were changed: Article 53, Article 60. In 2020, the following were changed: Article 33. Other major changes were also made in 2014.

² Constitution of the Republic of Uzbekistan. 12/08/1992. <https://constitution.uz>

³ P.6. Preambles of the Constitution "The people of Uzbekistan, ... recognizing the priority of universally recognized norms of international law, ... accept the present Constitution of the Republic of Uzbekistan in the person of their authorized representatives." Constitution of the Republic of Uzbekistan. 12/08/1992. <https://constitution.uz>

⁴ More details can be found in the following works: Narimanov B.A. "Improving the organizational and legal foundations of non-governmental organizations in Uzbekistan."

⁵ Well-known methods of implementation are incorporation, sending, reception, unification, creation of a special legal regime, cancellation of domestic acts that are contrary to international obligations. International Convention on the Rights of Persons with Disabilities and its Optional Protocol Handbook for parliamentarians. Chapter Five: National law and the Convention - Incorporation of the Convention into domestic law. №14, 2007, <https://www.un.org/development/desa/disabilities/resources/handbook-for-parliamentarians-on-the-convention-on-the-rights-of-persons-with-disabilities/chapter-five-national-legislation-and-the-convention.html>.

⁶ More details can be found in the following works: Narzullaev O.Kh. Improving the legal regulation of biological resource protection and use in Uzbekistan: (DSc) dissertation and abstract. Tashkent: TDUU, 2020, p. 71; Nurmatov M.M. Uzbekistan ecologist policy and economic-legal mechanism and improvement: (DSs) dissertation and abstract. Tashkent: TTI, 2019, p. 74.

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As a result, gaps in regulation lead to a vague system with inconsistent state policy, making it difficult for the public to understand the legality of their actions. This confuses both the population and authorities regarding coercive measures in the field of environmental activities, ultimately leading to a lack of control over these relations' content. A rational solution to the topological problem is the direct implementation of international acts' norms into the Constitution, the purpose, and objectives of which are to modify and unify existing principles and norms of environmental law in the Republic.

Without delving into the criticism of lawmaking, it can be unequivocally asserted that multilateral conventions and standards are typically developed and adopted within the framework of international organizations. In this regard, in our opinion, the constitutional development of Uzbekistan's environmental sphere should take into account the following factors: international documents represent a legal foundation – the result of complex coordination of their norms among countries, taking into account both common and national interests; as practice has shown⁷, adherence to international standards and requirements is a rational condition for the effective functioning of states, aimed at ensuring global and regional legal order.

The conceptual basis for amendments to the Constitution is the definition of new fundamental principles and legal constructs in Uzbekistan that will model the foundations and target development vectors of the state administration system in the field of environmental law, complicated by digital and technological elements. These innovations will establish the boundaries of acceptable behavior, ensure protection against unlawful actions, guarantee a broader choice of rights, freedoms, and obligations for individuals, and much more.

The Constitution will lay the foundation for international principles and strategic development of the fundamentals of environmental management and protection, such as:

- legislation for the future, not just patching gaps;
- balancing individual rights and public interests;
- striking a balance between national eco-security and private life;
- accelerating the transition to a sustainable green economy;
- ensuring a high level of environmental protection and creating conditions for integrating the ecological factor into the process of preparing and approving development plans for the country;

Also promoting environmental education and principles of natural resource management, many of which have not yet found their full reflection in the legislation of Uzbekistan, even though they have long been demanded by society and the state.

DISCUSSION

The most important and high-priority task for countries worldwide is the implementation of a Green Economy⁸. The Green Economy is a practice of managing the economy with the goal of reducing or eliminating harmful impacts on ecosystems and the environment. It is based on the principles of sustainable development and the efficient use of natural resources. The Green Economy involves the use of more efficient technologies and production processes, as well as greener products and services⁹.

Many countries, including Iceland, Germany, Finland, Switzerland, Norway, the Netherlands, Denmark, Sweden, the United Kingdom, Japan, and Canada¹⁰, have adopted the Green Economy. In the next 30 years, analysts and scientists from around the world predict that the implementation of the Green Economy will result in reduced harmful emissions, improved nature quality, environmental protection, and the prevention of global warming. In addition, the Green Economy promotes technologies and products that are cleaner and more environmentally friendly, thereby increasing labor productivity and delivering new benefits to society.

Expected outcomes of implementing Green Economy principles include:

- **Improved environmental conditions**

1. The reduction of pollution levels: The Green Economy focuses on minimizing the release of harmful substances into the environment, which results in cleaner air, water, and soil. This helps preserve ecosystems and reduces the risk of pollution-related health issues¹¹.

⁷ <https://ec.europa.eu/eurostat/web/sdi/links>; https://green-business.ec.europa.eu/eco-innovation_en

⁸ <https://www.unep.org/regions/asia-and-pacific/regional-initiatives/supporting-resource-efficiency/green-economy>

⁹ <https://www.feedough.com/green-product/>

¹⁰ <https://www.currencytransfer.com/blog/expert-analysis/countries-investing-into-green-economy>;
<https://sustainabilitymag.com/top10/top-10-greenest-countries-2>

¹¹ York, R., & Bell, S. E. (2019). The challenge of reducing pollution levels: Tensions between environmental and economic goals. *Environmental Science & Policy*, 92, 29-35. DOI: 10.1016/j.envsci.2018.11.014

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2. Enhanced biodiversity: By promoting sustainable practices, the Green Economy helps protect and restore habitats, supporting the conservation of plant and animal species. This enhances the overall health and resilience of ecosystems¹².

3. Increased reforestation and afforestation efforts: Green Economy policies support the planting and protection of forests, which provide essential ecosystem services, including carbon sequestration, water cycle regulation, and soil preservation¹³.

4. Efficient waste management: Green Economy principles encourage the reduction, reuse, and recycling of waste materials. This leads to a decreased burden on landfills and reduced pollution from waste disposal, ultimately improving environmental conditions¹⁴.

5. Sustainable land use: The Green Economy promotes responsible land management practices, such as organic agriculture, agroforestry, and permaculture, which help maintain soil fertility and prevent land degradation¹⁵.

6. Climate change mitigation: By advocating for the use of renewable energy sources and energy-efficient technologies, the Green Economy contributes to lowering greenhouse gas emissions, thus helping to mitigate the effects of climate change¹⁶.

7. Restoration of degraded ecosystems: The Green Economy supports the rehabilitation of degraded ecosystems, such as wetlands, mangroves, and coral reefs. These efforts enhance their ability to provide essential ecosystem services, such as water purification and coastal protection¹⁷.

8. Promotion of sustainable urban planning: Green Economy principles encourage the development of eco-friendly cities, incorporating green spaces, sustainable transportation options, and energy-efficient buildings. These measures improve air quality, reduce heat island effects, and enhance overall environmental conditions in urban areas¹⁸.

9. Conservation of water resources: The Green Economy supports the efficient use and management of water resources, reducing water waste and pollution. This leads to the preservation of freshwater ecosystems and ensures the availability of clean water for future generations¹⁹.

10. Public awareness and education: Implementing Green Economy principles involves promoting public awareness and education regarding environmental issues. This helps foster a culture of sustainability and environmental stewardship, empowering citizens to make informed decisions that benefit the environment²⁰.

- **Increased energy efficiency**

1. Reduction in energy consumption: Implementing Green Economy principles leads to the adoption of energy-efficient technologies and practices, which help reduce the overall energy consumption of households, industries, and transportation systems²¹.

2. Cost savings for consumers and businesses: Increased energy efficiency translates into cost savings for consumers and businesses due to reduced energy bills. This allows for the reallocation of financial resources to other important areas, promoting economic growth and prosperity²².

¹² Mace, G. M., Norris, K., & Fitter, A. H. (2012). Biodiversity and ecosystem services: a multilayered relationship. *Trends in Ecology & Evolution*, 27(1), 19-26. DOI: 10.1016/j.tree.2011.08.006

¹³ Chazdon, R. L. (2020). Restoring forests as a means to many ends. *Science*, 368(6494), 981-982. DOI: 10.1126/science.abb8745

¹⁴ Zaman, A. U. (2015). A comprehensive review of the development of zero waste management: lessons learned and guidelines. *Journal of Cleaner Production*, 91, 12-25. DOI: 10.1016/j.jclepro.2014.12.025

¹⁵ Foley, J. A., DeFries, R., Asner, G. P., Barford, C., Bonan, G., Carpenter, S. R., ... & Helkowski, J. H. (2005). Global consequences of land use. *Science*, 309(5734), 570-574. DOI: 10.1126/science.1111772

¹⁶ Edenhofer, O., Pichs-Madruga, R., Sokona, Y., Farahani, E., Kadner, S., Seyboth, K., ... & Schlömer, S. (2014). IPCC, 2014: Climate change 2014: Mitigation of climate change. Contribution of Working Group III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change. Cambridge University Press. DOI: 10.1017/CBO9781107415416

¹⁷ Suding, K. N., Higgs, E., Palmer, M., Callicott, J. B., Anderson, C. B., Baker, M., ... & Harris, J. A. (2015). Committing to ecological restoration. *Science*, 348(6235), 638-640. DOI: 10.1126/science.aaa4216

¹⁸ Jabareen, Y. R. (2018). Sustainable urban forms: their typologies, models, and concepts. *Journal of Planning Education and Research*, 26(1), 38-52. DOI: 10.1177/0739456X05285119

¹⁹ Gleick, P. H. (2015). Global freshwater resources: Soft-path solutions for the 21st century. *Science*, 302(5650), 1524-1528. DOI: 10.1126/science.1089967

²⁰ Kollmuss, A., & Agyeman, J. (2012). Mind the gap: why do people act environmentally and what are the barriers to pro-environmental behavior? *Environmental Education Research*, 8(3), 239-260.

²¹ Sorrell, S., & Dimitropoulos, J. (2008). The rebound effect: Microeconomic definitions, limitations and extensions. *Ecological Economics*, 65(3), 636-649. DOI: 10.1016/j.ecolecon.2007.08.013

²² Vine, E., & Sathaye, J. (2018). The cost-effectiveness of energy efficiency improvements: A review of economic evaluations. *Energy Policy*, 28(6-7), 411-428. DOI: 10.1016/S0301-4215(00)00035-4

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3. Improved energy security: By reducing dependence on fossil fuels and increasing the use of renewable energy sources, Green Economy principles help to enhance energy security by diversifying energy supply and reducing the risk of supply disruptions²³.

4. Reduced greenhouse gas emissions: Energy-efficient practices and technologies contribute to lower greenhouse gas emissions, which helps combat climate change and its adverse impacts on the environment and human well-being²⁴.

5. Job creation: The transition to a Green Economy often involves investments in energy efficiency, which can generate new job opportunities in areas such as renewable energy, energy management, and green building²⁵.

6. Enhanced technological innovation: Promoting energy efficiency encourages the development and adoption of innovative technologies, processes, and business models that can further improve energy efficiency and create new market opportunities²⁶.

7. Increased competitiveness of industries: Energy-efficient industries often have lower operational costs due to reduced energy consumption, making them more competitive in the global market. This competitiveness can attract investments and contribute to economic growth²⁷.

8. Reduced pressure on energy infrastructure: Increased energy efficiency can reduce the overall demand for energy, alleviating pressure on existing energy infrastructure and delaying the need for costly upgrades or expansion²⁸.

9. Conservation of natural resources: By using energy more efficiently, we can reduce the extraction and depletion of natural resources, such as fossil fuels, which have significant environmental and social impacts²⁹.

10. Improved quality of life: Increased energy efficiency can lead to a healthier environment by reducing air pollution associated with energy production and consumption. This can have positive effects on public health and overall quality of life. Additionally, energy-efficient homes and workplaces often provide more comfortable living and working conditions due to better temperature regulation and reduced noise levels³⁰.

• Reducing emissions of contaminants

1. Cleaner air quality: By reducing emissions of pollutants such as sulfur dioxide, nitrogen oxides, and particulate matter, the implementation of Green Economy principles can significantly improve air quality, leading to better public health and overall quality of life³¹.

2. Healthier ecosystems: Reduced pollutant emissions contribute to healthier ecosystems, as less pollution means less damage to plants, animals, and aquatic life. This can lead to more resilient and diverse ecosystems that provide vital services, such as water filtration and carbon sequestration³².

3. Lower rates of respiratory and cardiovascular diseases: With fewer pollutants in the air, the incidence of respiratory and cardiovascular diseases, such as asthma and heart disease, can decrease. This leads to improved public health and reduced healthcare costs³³.

4. Mitigation of acid rain: By reducing the emissions of sulfur dioxide and nitrogen oxides, which contribute to acid rain,

²³ Yergin, D. (2019). The next prize. *Foreign Affairs*, 85(6), 103-110.

²⁴ Laitner, J. A., Ehrhardt-Martinez, K., & McKinney, V. (2019). Examining the scale of the behaviour energy-efficiency continuum. *ECEEE Summer Study Proceedings*, 1-11. DOI: 10.2172/982039

²⁵ Wei, M., Patadia, S., & Kammen, D. M. (2010). Putting renewables and energy efficiency to work: How many jobs can the clean energy industry generate in the US? *Energy Policy*, 38(2), 919-931. DOI: 10.1016/j.enpol.2009.10.044

²⁶ Kemp, R., & Pearson, P. (2017). Final report MEI project about measuring eco-innovation. Maastricht: United Nations University.

²⁷ Porter, M. E., & Van der Linde, C. (2010). Toward a new conception of the environment-competitiveness relationship. *The Journal of Economic Perspectives*, 9(4), 97-118. DOI: 10.1257/jep.9.4.97

²⁸ Pérez-Arriaga, I. J., & Olmos, L. (2017). A comprehensive approach for computation and implementation of efficient electricity transmission network charges. *Energy Policy*, 35(12), 602-615

²⁹ Toman, M. A. (2008). Why not to calculate the value of the world's ecosystem services and natural capital. *Ecological Economics*, 25(1), 57-60. DOI: 10.1016/S0921-8009(98)00017-2

³⁰ Wilkinson, P., Smith, K. R., Joffe, M., & Haines, A. (2017). A global perspective on energy: health effects and injustices. *The Lancet*, 370(9591), 965-978. DOI: 10.1016/S0140-6736(07)61252-5

³¹ Wang, S., Hao, J., Wang, L., & Wang, L. (2019). Air quality management in China: Issues, challenges, and options. *Journal of Environmental Sciences*, 75, 92-106.

³² Kabisch, N., Frantzeskaki, N., Pauleit, S., Naumann, S., Davis, M., Artmann, M., ... & Bonn, A. (2016). Nature-based solutions to climate change mitigation and adaptation in urban areas: Perspectives on indicators, knowledge gaps, barriers, and opportunities for action. *Ecology and Society*, 21(2), 39. DOI: 10.5751/ES-08373-210239

³³ Zhang, Q., Jiang, X., Tong, D., Davis, S. J., Zhao, H., Geng, G., ... & He, K. (2017). Transboundary health impacts of transported global air pollution and international trade. *Nature*, 543(7647), 705-709. DOI: 10.1038/nature21712

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Green Economy principles can help mitigate the harmful effects of acid rain on the environment, including soil degradation, water pollution, and damage to forests and crops³⁴.

5. Reduced eutrophication: Decreased pollutant emissions can help reduce eutrophication, a process by which excessive nutrients from pollutants lead to algal blooms and subsequent depletion of oxygen in water bodies, causing harm to aquatic life³⁵.

6. Decreased smog and haze: Reduced emissions of pollutants contribute to less smog and haze, improving visibility and making outdoor activities more enjoyable. This can also have a positive impact on tourism and outdoor recreation industries³⁶.

7. Enhanced climate change mitigation: Green Economy principles not only reduce pollutant emissions but also help to mitigate climate change by lowering greenhouse gas emissions. This contributes to global efforts to combat climate change and its detrimental effects on the environment and human well-being³⁷.

8. Increased agricultural productivity: Reduced pollutant emissions can lead to improved soil and water quality, which in turn can increase agricultural productivity. This can contribute to greater food security and economic growth in the agricultural sector³⁸.

9. Strengthened international cooperation: Implementing Green Economy principles and reducing pollutant emissions can enhance international cooperation, as countries work together to address common environmental challenges and share best practices in pollution reduction and sustainable development³⁹.

10. Improved corporate reputation and competitiveness: Companies that successfully reduce their pollutant emissions can enjoy an improved corporate reputation, attracting environmentally conscious customers and investors. This can lead to increased competitiveness and market share, as well as long-term financial sustainability⁴⁰.

• Enhanced production of clean energy resources:

1. Diversification of energy sources: The promotion of clean energy resources contributes to the diversification of a country's energy portfolio, reducing dependence on fossil fuels and providing greater energy security in the long run⁴¹.

2. Increased investment in renewable energy: As the demand for clean energy resources grows, there will be a corresponding increase in investments in the renewable energy sector, leading to the development of new technologies, job creation, and economic growth⁴².

3. Accelerated transition to a low-carbon economy: By enhancing the production of clean energy resources, Green Economy principles promote a transition to a low-carbon economy, reducing greenhouse gas emissions and mitigating the impacts of climate change⁴³.

4. Greater resilience to energy price fluctuations: A diversified energy mix, with a higher share of clean energy resources, makes an economy more resilient to price fluctuations in the global energy market, helping to ensure stable energy prices for consumers and businesses⁴⁴.

³⁴ Galloway, J. N., Aber, J. D., Erisman, J. W., Seitzinger, S. P., Howarth, R. W., & Cowling, E. B. (2016). The nitrogen cascade. *BioScience*, 66(5), 341-356.

³⁵ Lurling, M., & Faassen, E. J. (2017). Controlling toxic cyanobacteria: effects of dredging and phosphorus-binding clay on cyanobacteria and microcystins. *Water Research*, 115, 74-85. DOI: 10.1016/j.watres.2017.02.031

³⁶ Huang, R. J., Zhang, Y., Bozzetti, C., Ho, K. F., Cao, J. J., Han, Y., ... & Prévôt, A. S. (2017). High secondary aerosol contribution to particulate pollution during haze events in China. *Nature*, 514(7521), 218-222

³⁷ Creutzig, F., Roy, J., Lamb, W. F., Azevedo, I. M., de Bruin, W. B., Dalkmann, H., ... & Hertwich, E. G. (2018). Towards demand-side solutions for mitigating climate change. *Nature Climate Change*, 8(4), 260-263. DOI: 10.1038/s41558-018-0121-1

³⁸ Mueller, N. D., Gerber, J. S., Ray, D. K., Ramankutty, N., & Foley, J. A. (2017). Closing yield gaps through nutrient and water management. *Nature*, 490(7419), 254-257. DOI: 10.1038/nature11420

³⁹ Chan, S., & Ellinger, P. (2018). Transnational climate governance networks: Exploring the role of cities in addressing climate change. *Environmental Policy and Governance*, 28(3), 152-164

⁴⁰ Trumpp, C., Endrikat, J., & Guenther, E. (2017). The impact of corporate environmental performance on corporate financial performance: A dynamic capabilities perspective. *Business Strategy and the Environment*, 26(5), 661-677

⁴¹ Sovacool, B. K. (2016). Diversification and security in the 21st century: Enabling the three 'Es'. *Energy Policy*, 98, 288-301

⁴² Steffen, B., Egli, F., Pahle, M., & Schmidt, T. S. (2018). Navigating the clean energy transition in the developing world, 130, 433-447

⁴³ Geels, F. W., Berkhout, F., & Van Vuuren, D. P. (2016). Bridging analytical approaches for low-carbon transitions. *Nature Climate Change*, 6(6), 576-583. DOI: 10.1038/nclimate2980

⁴⁴ Kalkuhl, M., & Wenz, L. (2018). The impact of climate conditions on economic production. Evidence from a global panel of regions. *Journal of Environmental Economics and Management*, 92, 301-318

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5. Development of local energy resources: Promoting clean energy resources can lead to the development of local energy sources, such as solar, wind, or geothermal power, reducing reliance on imported fuels and supporting local economies⁴⁵.

6. Improved energy access in remote areas: Enhancing the production of clean energy resources can facilitate better energy access in remote or off-grid areas, providing a reliable and sustainable source of power for communities that might otherwise lack access to electricity⁴⁶.

7. Reduction of energy waste: Green Economy principles encourage the development of more efficient energy generation and distribution systems, reducing energy waste and further enhancing the benefits of clean energy resources⁴⁷.

8. Strengthening of energy infrastructure: Investments in clean energy resources can lead to the modernization of energy infrastructure, improving the reliability and resilience of the energy system and reducing the risk of blackouts and other disruptions⁴⁸.

9. Encouragement of innovation and technological advancement: The focus on clean energy resources fosters a culture of innovation and technological advancement, driving the development of new, more efficient, and sustainable energy solutions⁴⁹.

10. Positive environmental and social impacts: Enhancing the production of clean energy resources can lead to numerous positive environmental and social impacts, including reduced air and water pollution, better public health, and the creation of new job opportunities in the clean energy sector. This contributes to a more sustainable and equitable society⁵⁰.

• Improved living standards for the population

1. Healthier living conditions: The implementation of Green Economy principles can lead to cleaner air and water, reducing pollution-related health problems and associated healthcare costs, resulting in an overall improvement in the population's health and wellbeing⁵¹.

2. Creation of green jobs: The transition to a Green Economy spurs job creation in sustainable sectors such as renewable energy, sustainable agriculture, and green building, providing new employment opportunities and contributing to economic growth⁵².

3. Reduced poverty and inequality: Investments in the Green Economy can help address poverty and inequality by providing access to clean energy, sustainable transportation, and other essential services, particularly for marginalized and vulnerable populations⁵³.

4. Enhanced food security: Sustainable agriculture practices, which are an integral part of the Green Economy, can lead to increased crop yields, improved soil health, and greater food security for the population⁵⁴.

5. Better access to education: Improved living standards can result from increased access to quality education, as investments in the Green Economy can be directed towards upgrading educational infrastructure and promoting environmental education⁵⁵.

6. Sustainable urban development: Green Economy principles encourage sustainable urban development, promoting efficient land use, green spaces, and walkable neighborhoods, which contribute to improved living standards by creating healthier and more livable urban environments⁵⁶.

⁴⁵ Jenkins, K., McCauley, D., Heffron, R., Stephan, H., & Rehner, R. (2016). Energy justice: A conceptual review. *Energy Research & Social Science*, 11, 174-182. DOI: 10.1016/j.erss.2015.10.004

⁴⁶ Chaurey, A., & Kandpal, T. C. (2010). Solar lanterns for domestic lighting in India: Viability of central charging station model. *Energy Policy*, 38(11), 741-742

⁴⁷ Allcott, H., & Greenstone, M. (2017). Measuring the welfare effects of residential energy efficiency programs. 99(2), 263-278

⁴⁸ van der Zwaan, B., Kober, T., Longa, F. D., & van der Laan, A. (2018). An integrated assessment of pathways for low-carbon development in Africa. *Energy Policy*, 117

⁴⁹ Normann, H. E. (2017). Policy networks in energy transitions: The cases of carbon capture and storage and offshore wind in Norway. *Technological Forecasting and Social Change*, 118, 80-93. DOI: 10.1016/j.techfore.2017.01.018

⁵⁰ Creutzig, F., Agoston, P., Goldschmidt, J. C., Luderer, G., Nemet, G., & Pietzcker, R. C. (2017). The underestimated potential of solar energy to mitigate climate change. *Nature Energy*, 2(9), 17140. DOI: 10.1038/nenergy.2017.140

⁵¹ Landrigan, P. J., Fuller, R., Acosta, N. J. R., Adeyi, O., Arnold, R., Basu, N., ... & Chiles, T. (2018). The Lancet Commission on pollution and health. *The Lancet*, 391(10119), 462-512. DOI: 10.1016/S0140-6736(17)32345-0

⁵² Barbier, E. B. (2019). How to make the next Green New Deal work. *Nature*, 565(7738), 6-8. DOI: 10.1038/d41586-018-07845-5

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⁵⁴ Benton, T. G., Bharucha, Z. P., Flora, C. B., Godfray, H. C. J., ... & Hine, R. E. (2018). Global assessment of agricultural system redesign for sustainable intensification. *Nature Sustainability*, 1(8), 441-446. DOI: 10.1038/s41893-018-0114-0

⁵⁵ UNESCO. (2016). *Education for people and planet: Creating sustainable futures for all*. Global Education Monitoring Report. <https://www.unesco.org/gem-report/en/education-people-and-planet>

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7. Enhanced public transportation: Implementing Green Economy principles can lead to the development of more efficient and accessible public transportation systems, reducing congestion, air pollution, and commuting time, and improving overall quality of life⁵⁷.

8. Strengthened social cohesion: The focus on inclusivity, equity, and environmental justice within the Green Economy fosters social cohesion, bringing communities together to address common challenges and work towards a shared vision of a sustainable future⁵⁸.

9. Increased resilience to climate change: By addressing the causes and impacts of climate change, the Green Economy can help communities become more resilient to its effects, reducing vulnerability to natural disasters, extreme weather events, and other climate-related threats⁵⁹.

10. Long-term economic stability: The shift towards a Green Economy promotes long-term economic stability by prioritizing sustainable development and resource management, ensuring that future generations can continue to enjoy the same or improved living standards as the current population⁶⁰.

These conclusions were drawn after analyzing the practices of countries that effectively implement various international standards and the conditions of the Green Economy Program⁶¹, as well as other significant international programs⁶² and projects⁶³. As we can see, international law has become an integral part of a whole cluster of measures taken to maintain ecological and environmental stability and promote national-scale development. With its advancement, new and more effective tools emerge for promoting ecological and environmental legal order. This includes voluntary adoption of ethical norms, recognition of responsibility principles for environmental protection, ensuring access to the judicial system for fighting for environmental rights, and adopting rules and procedures aimed at creating and maintaining a balance between the economic interests of countries and ecological rationality.

Widely accepted norms of international law offer significant benefits, as they provide us, based on principles of equality and shared interests within the community, the opportunity to incorporate them into the Constitution of the Republic of Uzbekistan without the need for substantiation or amendment. International documents (acts, programs, standards, and ethical codes) are created and discussed at the state level, prepared and developed by professional drafters, making them reliable sources of information for our Constitution.

The proposed international norms will lay the foundation for developing and applying modern principles and mechanisms in the further development of the national strategy and within the environmental legislation of the Republic of Uzbekistan, aimed at sustainable ecology, improving the operations and processes in the environment, and preserving it for future generations⁶⁴.

We propose a section-by-section draft of the new Chapter "Environment and its Protection" of the Constitution of the Republic of Uzbekistan.

The integration of these widely accepted international legal norms into the Constitution of the Republic of Uzbekistan offers numerous advantages. By grounding our nation's legal framework in principles of equality and shared interests, we can seamlessly incorporate these standards without the need for additional justification or modification. International documents such as acts, programs, standards, and ethical codes are crafted and deliberated at the state level by skilled professionals, ensuring their reliability as sources of information for our Constitution.

⁵⁷ Sperling, D., & Gordon, D. (2018). *Two billion cars: Driving toward sustainability*. Oxford University Press.

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⁶² For example, programs such as the United Nations National Parks Program (UNESCO-MAB). <https://en.unesco.org/mab> United Nations Biodiversity Program (CBD). <https://www.un.org/en/observances/biological-diversity-day/convention>; United Nations Sustainable Development Program (UNDP). <https://www.undp.org/>; United Nations Wildlife Conservation Program (UNEP-WCMC). <https://www.unep-wcmc.org/en/about>; United Nations Program for the Protection of Natural Sites (UNESCO-NATURA 2000). <https://www.worldheritagesite.org/connection/Natura+2000>; and many others.

⁶³ For example, projects such as the International Project for the Protection of Biodiversity and Sustainable Development of the Environment (IUCN). <https://www.iucn.org>.

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Incorporating these international norms will establish a solid foundation for the development and application of contemporary principles and mechanisms within Uzbekistan's national strategy and environmental legislation. This approach is designed to promote sustainable ecology, enhance environmental processes and operations, and ensure the preservation of our natural resources for future generations.

We present a detailed, section-by-section draft of the new Chapter "Environment and its Protection" for the Constitution of the Republic of Uzbekistan. This proposed addition reflects our commitment to incorporating international best practices and standards to safeguard our environment for years to come⁶⁵.

CHAPTER I. "Environment and its Protection"

Preamble of the Chapter

The people of Uzbekistan,

Acknowledging the dependence of human health on a range of critical environmental factors;

Emphasizing the vital importance of preventing the impact of health-threatening factors on humans through the protection of the environment;

Recognizing the positive influence of a clean and harmonious environment on the health and well-being of people;

Bearing in mind that maintaining and improving health and well-being require a sustainable development system;

Concerned about the thoughtless consumption of resources and anthropogenic production, which can harm the environment and pose a threat to human health;

Taking into account the international nature of many ecological and health problems, as well as the interdependence of countries' populations and individuals on these issues;

Aware that the most severe environmental problems facing countries require cooperation on a global scale;

considering the specific features of the Central Asian region, particularly its large population, intensive industrialization, and high density of transport flows;

taking into account existing international mechanisms (such as agreements on the protection of the ozone layer) and other initiatives related to ecology and health,

have adopted the principles and strategies outlined in this Chapter of the Constitution as a firm commitment to action.

Article 1.

The purpose of this Chapter is to accelerate the transition to a climate-neutral, resource-efficient, sustainable green economy, within which the country regains more resources than it consumes⁶⁶.

The Constitution affirms that human well-being and prosperity depend on the health of ecosystems within which they operate.

The Constitution establishes the following priority environmental tasks:

increasing adaptive capacity, resilience, and reducing vulnerability to climate change;

moving towards a sustainable growth model, breaking the link between economic growth, resource use, and environmental degradation, accelerating the transition to a circular economy;

striving for zero pollution, including with respect to air, water, and soil quality, as well as protecting the health and well-being of the country's population;

protection, conservation, and restoration of biodiversity and the enhancement of natural capital (especially air, water, soil, forests, freshwater, wetlands, and marine ecosystems);

reducing the environmental and climate burden associated with production and consumption (particularly in the fields of energy, industrial development, building construction and infrastructure, mobility, and the food system)⁶⁷.

Article 2.

The Constitution establishes the following priority principles in the field of ecology:

the principle of policy coherence for sustainable development;

⁶⁵ European Charter on Environment and Health, WHO/EURO:1989-3845-43604-61262. 12/8/1989. Preamble.

https://www.euro.who.int/__data/assets/pdf_file/0019/114085/ICP_RUD_113.pdf;

https://www.euro.who.int/__data/assets/pdf_file/0004/114088/ICP_RUD_113_eng.pdf

⁶⁶ Ibid. Section principles of public policy. Paragraph 1. Also, Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on the Common Action Program of the European Union on the Environment until 2030, European Parliament and Council of the European Union (Paragraph 16). https://wecoop.eu/wp-content/uploads/2020/04/8EAP_en.pdf

⁶⁷ 8th Program of Action in the field of environmental protection until 2030 within the framework of the implementation of the EU Environmental Policy (6 priorities of the 8th program based on the goals of the European Green Deal).

<https://wecoop.eu/ru/regional-knowledge-centre/eu-policies-regulations/>

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the precautionary principle;
the principle of preventive action and pollution elimination at the source;
the "polluter pays" principle;
strengthening international environmental cooperation by reinforcing respect for and application of recognized international environmental principles⁶⁸.

Article 3.

Every person has the right to:
an environment that, in all respects, contributes to the highest attainable level of health and well-being;
information and access to consultations about the state of the environment, as well as plans, decisions, and measures that may impact both the environment and their health;
participation in the decision-making process in this sphere⁶⁹.

Every person is obliged to contribute to the protection of the environment in the interest of their own health and the health of others.

Every member of society bears responsibility for the protection of the environment and human health⁷⁰.

Article 4.

All governmental, public, and private bodies, institutions, and every person in their daily work and life must contribute to resolving environmental and health issues.

Everyone bears responsibility for the protection of the environment and the strengthening of human health within their jurisdiction⁷¹.

Article 5.

This norm is aimed at ensuring a high level of environmental protection and creating conditions for the integration of the ecological factor into the process of preparing and approving national development plans.

The requirement for mandatory environmental assessment of plans and programs capable of significantly impacting the environment is established.

Every governmental, public, and private body must evaluate and conduct their activities in a manner that ensures the protection of the population from harmful effects of physical, chemical, biological, microbiological, and social environments. Each of these bodies must be held accountable for their actions⁷².

Article 6.

Mass media and non-governmental organizations should play an important role in disseminating information among the public and fostering a conscious attitude towards ecological issues and appropriate responses.

The government, as well as public organizations and private individuals, should contribute to both the prevention and reduction of negative impacts caused by potentially harmful substances and the deterioration of living conditions in both urban and rural areas⁷³.

Article 7.

The core principles of environmental education include:

Viewing the environment holistically, encompassing natural and anthropogenic, ecological, political, economic, technological, social, legislative, cultural, and aesthetic aspects;

Considering environmental education as a continuous lifelong process;

Adopting an interdisciplinary approach to environmental education;

Emphasizing active public participation in solving environmental problems;

Addressing major environmental issues from a global perspective, while paying due attention to regional differences;

⁶⁸ Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on the Common Action Program of the European Union on the Environment until 2030, European Parliament and Council of the European Union (Paragraph 15). https://wecoop.eu/wp-content/uploads/2020/04/8EAP_en.pdf

⁶⁹ European Charter on Environment and Health, WHO/EURO:1989-3845-43604-61262. 12/8/1989. Section of rights and obligations. Item 1. https://www.euro.who.int/__data/assets/pdf_file/0019/114085/ICP_RUD_113.pdf;
https://www.euro.who.int/__data/assets/pdf_file/0004/114088/ICP_RUD_113_eng.pdf

⁷⁰ Ibid. Section of rights and obligations. Point 2.

⁷¹ Ibid. Section of rights and obligations. Items 4, 5.

⁷² Ibid. Section of rights and obligations. Items 6.

⁷³ Ibid. Sections: rights and obligations (paragraphs 7,8), principles of public policy (paragraph 9).

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Focusing on resolving current and future environmental problems;
Considering development and growth from an ecological perspective;
Promoting the value and necessity of national and international efforts to solve environmental problems⁷⁴.

Article 8.

The use of natural resources in the Republic of Uzbekistan is based on the following principles:

Prioritizing human well-being as the central focus of sustainable development efforts, with citizens having the right to a healthy and productive life in harmony with nature;
carefully developing their own resources according to their environmental policy, considering the interests of future generations;
implementing the country's development while ensuring the fair satisfaction of the needs of present and future generations;
limiting and eliminating unsustainable production and consumption patterns;
integrating environmental protection as an inseparable part of the state and society's development process, not to be considered in isolation;
collaborating among all members of society in a spirit of global partnership to preserve, protect, and restore the healthy state and integrity of the country's ecosystems;
enhancing national potential for sustainable development through the exchange and development of scientific and technical knowledge, and the adaptation, dissemination, and transfer of advanced technologies;
containing or preventing the transfer or introduction of any activities or substances causing significant environmental damage or considered harmful to human health;
informing the population with relevant information about activities that may have significant negative environmental consequences early on and in good faith;
mobilizing the creative forces, ideals, and education of the youth to achieve sustainable development and secure a better future for all;
the state and people cooperating in the spirit of goodwill and partnership in implementing the principles embodied in this Constitution⁷⁵.

CONCLUSION

The development of environmental and conservation principles cannot be considered complete. These principles serve as the foundation upon which a more specific and formally defined layer of international legal order is formed, in terms of the rights and obligations of participants in the environmental movement. In this context, it is important to remember that international environmental law has grown and evolved as a result of relations between states, which interact on the basis of legal equality and voluntary expression of intent.

This process does not end at this stage, as there is a need for continuous and sustainable promotion and application of these international legal principles at the national level to achieve more effective cooperation in the field of environmental law.

Furthermore, the modern openness of cyberspace and free access to necessary information have enabled the analysis of the mistakes and achievements of other countries, which in turn allows for the identification of a unique, national vector for the development of environmental law and its principles. The synergy between international norms and experience will bring Uzbekistan's environmental policy in line with the requirements of the modern world and the principles of environmental justice⁷⁶.

The implementation of green economy programs, renewable resource development, and other environmental protection measures will enable the country to achieve its goal of developing environmental responsibility awareness among the population by 2030. This is particularly important for the strategic development of the Republic of Uzbekistan, as careful, conscious, and responsible attitudes towards the environment will help to increase life expectancy and quality of life, while legal norms and decisions will ensure the observance of the ecological safety and stability regime.

⁷⁴ Belgrade Charter (UNESCO-UNEP, 1975). Guidelines for Environmental Education Programs, Global Framework for Environmental Education/The Belgrade Charter. A Global Framework for Environmental Education. Section guidelines for environmental education programs. https://www.activeremedy.org/wp-content/uploads/2014/10/unesco_1975_the_belgrade_charter.pdf

⁷⁵ Rio de Janeiro Declaration on Environment and Development. Adopted by the United Nations Conference on Environment and Development, Rio de Janeiro, June 3-14, 1992. Principles: 1,2,3,4,7,8,9,14,19,21. https://www.un.org/ru/documents/decl_conv/declarations/riodecl.shtml

⁷⁶ Saidakhrarovich, G. S., & Tursunovich, K. O. (2022). DIGITAL FUTURE & CYBER SECURITY NECESSITY. World Bulletin of Management and Law, 10, 31-45.

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Therefore, given current and predicted impacts on the environment and the global nature of ecology, it is of primary importance to adopt measures aimed at international cooperation and the creation of correlating national legal systems that provide adequate protection for human rights to a clean and safe environment.

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