

**Laws of the Republic of Uzbekistan**  
**Water and Water Use**  
**(6 March, 1993)**

**Chapter I - Background**

**Article 1: Purpose of the water legislation of the Republic of Uzbekistan**

The purpose of the legislation of Uzbekistan on water and water use is to regulate water relations, the rational water use for the needs of the population and the national economy, the protection of water from pollution and exhaustion, the prevention and abatement of the harmful effects of water, the improvement of the conditions of water objects, and the protection of the rights of enterprises, institutions, organizations, farms and individuals in the sphere of water relations.

**Article 2: Water legislation**

Water relations in Uzbekistan are regulated by the present law and other related legislative acts.

Water relations in Karakalpakstan are regulated by the laws of Uzbekistan and Karakalpakstan.

**Article 3: State water ownership**

Water is the state ownership - the national wealth of Uzbekistan - and is subject to rational use and government protection.

**Article 4: State unified water fund**

The state unified water fund of Uzbekistan includes:

rivers, lakes, reservoirs, other surface reservoirs and sources, canal and pond waters;  
underground waters and glaciers.

The right to use the waters of the interstate rivers Amu Darya, Syr Darya, Zarafshan, the Aral Sea and other waters is established by interstate agreements.

**Chapter II - Functions of the state authority and management organs in the sphere of the regulation of water relations**

**Article 5: Functions of the Supreme Council of Uzbekistan**

The following items associated with the regulation of water relations are under the authority of the Supreme Council of Uzbekistan:

- approval of water laws, the amendment relating thereto and alterations;
- determination of the main trends of state policy in the sphere of the use and protection of water resources; adoption of strategic state water economy programmes;
- solution of other questions relating to the authority of the Supreme Council of

Uzbekistan.

**Article 6: Functions of the Cabinet of Ministers of Uzbekistan in the sphere of regulation of water relations**

- Realization of the unified policy of rational, complex use and protection of water resources;
- Coordination of ministries, departments and juridical persons' activities relating to the complex use and protection of water resources.
- Establishment of the order of creation and use of the water fund, approval of standards and limits of water utilization.
- Ensuring the realization of the state water accounting and the control of the utilization and protection of water resources; keeping of the state water cadaster and water monitoring.
- Elaboration of measures relating to the prevention and abatement of serious disasters, calamities, ecological crises and the harmful effects of water.
- Establishment of the order of payment for the utilization of water resources; compensation for pollution and the exhaustion of water resources (water objects).
- Development of interstate relations.
- Implementation of other measures provided for in the Law.

**Article 7: Functions of the local authority and management bodies in the sphere of regulation of water relations**

- Determination of the main trends of the utilization and protection of water resources within their territory;
- Ensuring the law and order in the sphere of regulation of the use and protection of water resources;
- Accounting and estimation of the conditions of water objects, control over the use and protection of water, observance of fixed limits of water use and ensuring that water users carry out the accounting of water use.
- Conduct of arrangements on the preservation and improvement of the conditions of water objects, the prevention and abatement of the harmful effects of water and water pollution, the restoration of objects damaged as a result of accidents, floods, waterlogging and natural calamities.
- Regulation of other questions provided for in the Law.

**Chapter III - State management and control in the sphere of water use and protection**

**Article 8: State management in the sphere of water use**

The state management in the sphere of water use is carried out by the Cabinet of Ministers of Uzbekistan, the local organs of authority and management, specially authorized state organs for the regulation of water use through basin (territorial) administrations, and other state organs.

The specially authorized state organs of management in the sphere of regulation of water use are the Ministry of Reclamation and Water economy of Uzbekistan (surface waters), the State Committee for Geology and Mineral Resources (underground waters) and the State Committee for inspection of the safety of works within industry and mines inspection (thermal and mineral waters).

**Article 9: State control over water use and protection**

The functions of state control over the use and protection of water are to ensure the observance of all forms of property by all ministries, committee, departments, enterprises, institutions and organizations. These functions consist of: ensuring the observance of the established order of water use by dekhans; ensuring the fulfillment of the obligations relating to water protection, the prevention and abatement of the harmful effects of water, and the observance of the rules on water accounting and other rules provided for by the water law.

The state control over the use and protection of water is carried out by the local authority and management organs, the State Committee for Nature Protection (Goskompriroda), the State Committee for inspection of the safety of works within industry and mines inspection, and the Ministry of Health Protection.

Departmental control over the use of water is carried out by organs of the Ministry of Reclamation and Water Economy and the State Committee for Geology and Mineral Resources of Uzbekistan.

**Article 10: Participation of public associations, collectives and individuals in the conduct of arrangements relating to the rational utilization and protection of water**

Public associations and collectives, in accordance with their respective charters, shall assist the state organs in the implementation of arrangements relating to the rational utilization and protection of water.

The state organs shall consider the proposals of public associations, collectives and individuals when carrying out these arrangements.

**Chapter IV - Siting, design, construction and operation enterprises, structures and other water objects**

**Article 11: Conditions for the siting, design and construction of enterprises, structures and other water objects, and for putting them into operation**

When siting, designing, constructing and putting into operation new and reconstructed enterprises and other water objects, the observance of health protection requirements and the immediate satisfaction of the drinking and domestic needs of the population shall be ensured. The above activities shall be followed by arrangements that ensure the accounting of water withdrawn from, and returned to, water objects, the protection of water from pollution and exhaustion, the prevention of the harmful effects of water, limitation of the flooding of land

to a minimum, the protection of soils from salination and dissection, and the preservation of favourable nature conditions and landscapes.

When drawing up plans of construction of enterprises, structures and other objects, the possibility to use water objects for sports and recreational purposes shall be considered.

**Article 12: Conditions for the siting, design, construction and putting into operation of enterprises, structures and other objects on fishing reservoirs**

Any arrangement that ensures the compensation of damage to fish stocks, other aquatic animals, flora and the conditions for their preservation, rehabilitation and reproduction shall be timely implemented when siting, designing, constructing and putting into operation new and reconstructed enterprises, structures and other objects located on fishing reservoirs. The requirements of Article 15 shall also be met.

**Article 13: Definition of sites for the construction of enterprises, structures and other objects which influence the conditions of water**

The definition of sites for the construction of enterprises, structures and other objects which influence the conditions of water is coordinated with the local authority and management bodies, water economy organs, geology and minerals departments and other bodies in accordance with the legislation.

**Article 14: Coordination of projects of construction of enterprises, structures and other objects which influence the conditions of water**

Projects of construction of enterprises, structures and other objects which influence the conditions of water are subject to state examination, and must be coordinated with water economy and nature protection organs, departments of geology and minerals and other organs in accordance with the legislation.

It shall be forbidden to design and construct unflow systems of water supply to industrial enterprises which under the conditions of production cannot be turned into water supply and non-waste technology.

**Article 15: Prohibition of putting into operation factories and other objects influencing the conditions of water**

It shall be forbidden to put into operation:

- new and reconstructed factories, workshops, communal and other objects which are not equipped with pollution prevention facilities;
- irrigation and water systems, dams and canals, before executing flood prevention works according to the project;
- drainage systems, before water collectors and the other works are ready in accordance with the accepted projects;
- obstructive structures not equipped with fish protection devices in accordance with the accepted projects;
- hydrotechnical structures, before providing for the maintenance of the flow and the

- protection of fish in accordance with the accepted projects;
- water intakes without a confirmation of groundwater reserves;
- bore wells not equipped with water regulating devices and without sanitary protection zones being established, when necessary.

It shall be forbidden to fill dams before carrying out activities relating to the preparation of river beds according to projects.

#### **Article 16: Bridge construction project coordination**

Projects relating to the construction of bridges, river crossing and other transport communications on water objects are subject to the approval of the water economy organs, the nature protection organs and, when necessary, the energy organs, and must ensure the maintenance of the minimum flow, the regime of exploitation of water objects, the prevention of pollution, water contamination and exhaustion, and the prevention of the harmful effects of water.

### **Chapter V - Activities on water objects within protection zones and protective strips**

#### **Article 17: Order of activities on water objects within protection zones and protective strips**

Protection zones and protective strips are established along the banks of water objects in order to prevent the pollution, contamination and exhaustion of water objects, and to ensure the maintenance of a favourable water regime and appropriate conditions.

Construction, dredging and explosion activities, the extraction of water flora, the laying of cables, pipelines and other communication devices, the felling of trees, drilling, agricultural and other projects within protection zones, protective strips and specially protected water sources that affects water conditions shall be carried out with the consent of local government officials and administrations, nature protection organs, water economy and other organ, in accordance with legislation.

All projects which influence the conditions of water shall be carried out in accordance with the provisions of the present Law and based on scientific norms and rules, taking into account the interests of agricultural, fish, forest and communal economy.

### **Chapter VI - Water users and objects of water use**

#### **Article 18: Water users**

Water users may be factories, organizations, agencies of all forms of ownership, farmers, citizens of Uzbekistan, citizens of other states and persons without citizenship. Other organizations may include factories.

#### **Article 19: Objects of water use**

The water objects which are given in use are listed at Article 4 of the present Law.

**Article 20: Restriction or prohibition of use of water objects**

The use of water objects of important national significance or special scientific or cultural value may be restricted or prohibited according to legislation.

**Chapter VII - Kinds of water use**

**Article 21: Kinds of water use according to the purpose of use**

Water objects are given in use in the respect of lawful requirements and conditions to satisfy drinking, domestic, medical, resort, recreational and other needs of the population, agricultural, industrial, energy, transport, fish economy and other state and public needs.

The use of water objects for the discharge of wastewater may only take place in cases, and in the respect of special requirements and conditions, established by legislation.

Water objects may be used for one or several purposes.

**Article 22: General or special water use**

General water use does not involve the use of installations or technical equipment influencing the conditions of water, and special water use involves the use of these installations and equipment.

Special water use may also be defined, in some cases, as the use of water objects without resorting to installations or technical equipment, but that influences water conditions.

The list of general and special water uses is determined by the water economy organs, nature protection organs, health protection and geology and mineral resources organs.

**Article 23: Joint or individual water use**

Water objects may be in joint or individual water use.

Water objects which are not given in individual water use are given in joint water use.

Water objects are granted in individual use, whether totally or partly, to individual enterprises, organizations and institutions on the basis of a permit issued by the local organs.

**Article 24: Primary and secondary water use**

Factories, organizations and agencies which were given water objects in individual use are primary water users, and are entitled to allow other factories, organizations, agencies and citizens to be secondary water users according to agreements with the water economy and

nature protection organs.

The permit for secondary water use shall state the purpose for which a water object is given and the main conditions of use.

In the appropriate cases, the conditions relating to the secondary water use and the mutual rights and duties of the parties are specified in the agreement between the primary and the secondary water user. The primary water user bears responsibility for all water economy activities of the secondary water user.

In the case of water withdrawal or use of the share of water by the primary water user, the secondary water user is entitled to sue and to claim compensation for damage.

## **Chapter VIII - Order and conditions for the granting of the right to use water objects**

### **Article 25: Preferential granting of water objects for population needs**

Water objects shall be given in use first for the satisfaction of drinking and domestic needs.

### **Article 26: Order for granting water objects for individual use**

Water objects are granted for individual use whether totally or partly, by the Cabinet of Ministers of Uzbekistan or any other authorized state organ, in accordance with legislation.

The permit for individual water use is mandatorily registered.

### **Article 27: Order for granting permits for special water use**

Special water uses are carried out on the basis of the permit of the organs of the State Committee of Uzbekistan on Nature Protection, upon the agreement of the Ministry of Melioration and Water Economy of Uzbekistan, the State Committee for inspection of the safety of works within industry and mines inspection and the State Committee for Geology and Mineral Resources - underground sources.

The order for the agreement and the issuance of the permit for special water use is determined by the Cabinet of Ministers of Uzbekistan.

### **Article 28: General water use**

The general water use is carried out without permit and time limits, according to the order established by the present Law and other legal acts.

### **Article 29: General water use in water objects which are granted for individual use**

On water objects that are granted for individual use, the general water use is allowed under the conditions established by the first user in agreement with the water economy and nature protection organs, and may be prohibited when necessary.

#### **Article 30: Limited water use**

Limited water use is set for all water consumers.

Limits to water use are set in accordance with administrative-territorial principles, hydrographic basins and concrete water uses, and, with regard to groundwater, in accordance with the agreement with the geology and mineral resources organs and state mountain control.

Water use limits are set by the water economy organs and are mandatory for all water users, regardless of their departmental subordination.

In addition to limitation, the use of water shall be subject to payment, whether fully or partially, in order to ensure the maintenance of water systems, the payment of the staff in charge of services, and the preservation and restoration of water objects.

The conditions and order for subjecting the use of water to payment, whether totally or in part, are established by the Cabinet of Ministers of Uzbekistan.

#### **Article 31: Duration of the use of water objects**

Water objects are granted for permanent or temporary use.

The water uses recognized as permanent are those which have no term.

Temporary water uses may be short-term, not exceeding three years, and long-term, not exceeding 20 years.

The duration of temporary water uses may be extended upon the request of the interested water users by the state organs that decided to grant water objects for individual use or granted the permit for special water use.

### **Chapter IX - Rights and obligations of water users**

#### **Article 32: Rights of water users**

Water users are entitled to:

- use water objects only according to their intended purposes;
- construct buildings, installations, and other objects for the use of water;
- to control the quantity and quality of the water granted;
- to claim for compensation in the case in which water is not fully obtained, except for the cases provided for by legislation;
- to carry out any activities relating to the use of water, provided that such activities are not contrary to the law.



### **Article 33: Protection of the rights of water users**

The rights of water users are protected by law.

The violation of the rights of water users is subject to restoration, according to the order established by legislation.

### **Article 34: Restriction to the rights of water users**

The rights of water users may be restricted in the cases established by legislation, in order to protect the health of the population and other state interests, and in the interest of other water users. The conditions of use of water objects for drinking and domestic purposes may not be restricted (aggravated).

### **Article 35: Obligations of water users with regard to the use of water objects**

Water users shall:

- use water objects rationally, be concerned about rational water use and the restoration and protection of water quality, and observe the established water use limits;
- take any measures necessary to cease the dumping of sewage containing pollutants into water objects;
- not violate the rights of other water users and damage the economy and environmental resources (land, forests, wildlife and others);
- maintain water protection installations and other hydraulic installations and technical devices, improve their operating level and keep accounts of the quantity of water withdrawn;
- pay for the use of water resources in due time.

## **Chapter X - Cancellation of the right to use water**

### **Article 36: Causes of cancellation of the right to use water**

The right to use water of enterprises, organizations, institutions, farmers and citizens is subject to cancellation in the following cases:

- non-use of the water or refusal to use it;
- expiry of the term;
- liquidation of enterprises, organizations, institutions or farms;
- transfer of water economy buildings to other users;
- need to withdraw water objects from individual water use.

The right to use water of enterprises, organizations, institutions, farmers and citizens (except for the right to use water for drinking and domestic purposes) may also be cancelled in the case of violation of rules on water use and protection, use of a water object not for the intended purpose and failure to pay for the use of water.

Other causes of cancellation of the right to use water of enterprises, organizations, institutions, farmers and citizens may be established by legislation.

### **Article 37: Order of cancellation of the right to use water**

Water use rights are cancelled in the following manners:

- cancellation of the permit for special and secondary water use;
- withdrawal of water objects from individual water use.

Special water use rights are cancelled by decision of the organ that granted the permit.

A secondary water use may be cancelled by decision of the primary water user, upon the agreement of the water economy and nature protection organs.

### **Article 38: Cancellation of the individual use of water objects**

The cancellation of the individual use of water objects shall take place according to legislation.

### **Article 39: Compensation of the damage caused by water economy activities and by the stopping or modification of water use conditions**

The damage caused by irrational use and the exhaustion of groundwater by enterprises, organizations, institutions, farmers and citizens, and the stopping or modification of water use conditions, are subject to compensation in the cases and order established by the Cabinet of Ministers of Uzbekistan.

## **Chapter XI - Use of water objects for drinking, domestic and other purposes**

### **Article 40: Water objects granted for drinking, domestic and other purposes of the population**

Water objects of a quality which corresponds to determined sanitary requirements shall be granted for drinking, domestic and other purposes of the population.

### **Article 41: Centralized water supply**

In the use of water objects for drinking, domestic water supply and other purposes of the population by centralized means, the enterprises, organizations and institutions responsible for the management of drinking and domestic waterworks (intakes), which own or use such waterworks, may take water from water supply sources in accordance with the approved water withdrawal project and the special water use permit issued for the preparation and supply of water suitable for drinking.

The enterprises, organizations and institutions provided for in this Article shall organize the accounting of water use, carry out the regular monitoring of the water quality conditions of water supply sources, and submit any information on changes in such quality to the nature protection organs, geology and mineral resources organs, state mountain control, sanitary control and local governments and administrations.

#### **Article 42: Non-centralized water supply**

When using water objects for drinking, domestic and other needs of the population by non-centralized water supply, enterprises, organizations, institutions, farmers and citizens are entitled to take water directly from surface and underground water sources according to the order of general or special water use. This kind of water withdrawal shall be planned during the design of canals and dams, and the water consumption limits shall be fixed.

The use of water withdrawal structures intended for this purpose shall take place according to the rules established by the local organs of administration and self-management.

Water users shall ensure that water withdrawal installations be maintained in proper sanitary conditions.

#### **Article 43: Use of groundwater of drinking quality for purposes other than drinking and domestic water supply**

The use of groundwater of drinking quality for purposes other than drinking and domestic water supply is, as a rule, prohibited. In regions where the necessary surface water sources are not available and underground water resources fit for drinking are sufficient, the environmental geology and mineral resources organs may permit the use of these waters for purposes other than drinking and domestic water supply, in accordance with the limits established at Article 30 of the present Law.

### **Chapter XII - Use of water objects for curative, recreational and health purposes**

#### **Article 44: Primary use of water objects ascribed to the category of curative waters for curative, health resort and health improvement purposes**

Water objects ascribed to the category of curative waters are used primarily for curative and health resort purposes.

In exceptional cases, the water economy and environment protection organs may permit the use of water objects ascribed to the category of curative waters for other purposes, according to an agreement with the appropriate organs of the state mountain control, health and resort management.

#### **Article 45: Prohibition to discharge wastewater into water objects ascribed to the category of curative waters**

The discharge of wastewater into water objects ascribed to the category of curative waters is prohibited.

#### **Article 46: Order of the use of water objects for recreation and sports**

The order of the use of water objects for recreation and sports is determined by legislation.

## **Chapter XIII - Use of water objects for agricultural purposes**

### **Article 47: Agricultural water use**

The use of water in agriculture aims at establishing a favourable water regime on the irrigated land of kolkhozes, sovkhozes and other agricultural enterprises, institutions, organizations and farmers.

The use of water objects for agricultural purposes takes place as general and special water use, according to the established order of limited water use.

The permit for special water use is registered by the organs which exploit irrigation, drainage and water systems, in accordance with the conditions established in the order.

### **Article 48: Planning of agricultural water use**

Water use from irrigation, drainage, water systems, main canals, reservoirs and other water economy objects takes place on the basis of internal economy and general water use plans, taking into account the annual availability of water.

The use of water from double purpose drainage systems takes place on the basis of internal economy and general plans for the regulation of the water regime of reclaimed land.

The internal economy water use plans formulated by sovkhozes, kolkhozes and other enterprises, organizations and institutions - water users - are subject to the agreement of the administrations responsible for the exploitation of water objects of the Ministry of Melioration and Water Economy of Uzbekistan, and the approval of the district authority organs.

General water use plans are approved by:

- as regards the systems of district relevance, by the district authority organs;
- as regards the systems of regional republican relevance, by the regional melioration and water economy organs of the Republic, in agreement with the agricultural organs.

### **Article 49: Features of water use on irrigated land**

Irrigated land is equipped with complex engineering works and melioration networks.

Water fund land, inter-economy canals and works and underground water intakes located on irrigated land are used as a single water economy system, are state-owned and are not subject to privatization, regardless of the form of ownership of the land.

The banks of rivers, main canals, reservoirs, water collectors and other basins located within the 1st and 2nd zones of sanitary protection areas may be withdrawn from land owners and users for environment protection purposes.

The use of water objects for irrigation purposes takes place in the respect of the established order of limited water use.

Water withdrawal and accounting takes place at registered water distribution points (main canal, bores, pumping stations and other water intakes), upon the agreement of the district water economy organs.

The water economy enterprises, institutions and organizations engaged in the exploitation of water sources, canals, collectors and other water objects are exempted from the payment of land tax.

**Article 50: Duties of water users using water objects for agricultural purposes**

Agricultural water users shall:

- observe the established limits, plans, rules, norms and regimes of water use, keep accounts of water withdrawals for all kinds of use, including vertical drainage;
- keep the intereconomy irrigation, water and drainage network and the relevant waterworks, including water intakes, in good technical conditions;
- carry out the integrated reconstitution of reclaimed land and maintain a favourable irrigation regime of agricultural crops and plantations, and water supplies for pastures;
- improve irrigation methods by introducing water-saving technologies and advanced irrigation techniques;
- eliminate the causes and consequences of negative processes through monitoring the water used for agricultural purposes;
- increase efficiency in the application of sludge according to the intended purposes.

Water users shall execute irrigation improvement works according to legislation, in order to maintain technical melioration systems in good technical conditions.

**Article 51: Irrigation with sewage water**

The irrigation of agricultural land with sewage water is subject to a permit granted by the nature protection organs upon the consent of the state sanitary and veterinary organs.

It is forbidden to industrial, communal and other enterprises, organizations and institutions to supply water for the irrigation of agricultural land which has harmful effects on soil fertility and agricultural production.

**Article 52: Irrigation of forest land, land planted with trees and nursery forests**

The principles provided for at Article 48 and 50 and in the first Paragraph of Article 51 of this law shall also apply to the irrigation of forest land, land planted with trees and nursery forests.

**Article 53: Use of water objects for the irrigation of collective gardens, orchards and personal plots**

The use of water objects for the irrigation of collective gardens, orchards and personal plots is considered as secondary water use. The supply of water for these purposes shall take place

within the limits applicable to the primary water users.

This water use takes place at the main points of water distribution of canals, on the basis of an agreement with the primary water users.

**Article 54: Prohibition for water users to regulate water supply from water objects of intereconomic significance**

It shall be prohibited for kolkhozes, sovkhozes and other enterprises, organizations, institutions and citizens to independently regulate hydrotechnical works on canals and reservoirs of intereconomic significance in order to increase or decrease the water discharge, and to set up temporary bridges, pumping stations and other works.

**Article 55: Prohibition for tractors, transportation means and cattle to transit through canals and other hydrotechnical works**

The transit of tractors, agricultural machines, vehicles and other transportation means through canals and other hydrotechnical works, as well as the transit and watering of cattle in areas not intended for these purposes is prohibited.

**Chapter XIV - Use of water objects for industrial and energy purposes**

**Article 56: Duties of water users using water objects for industrial, heating and energy purposes**

Anyone using water objects for industrial, heating and energy purposes shall observe the established limits, technological norms and rules of water use, take measures to decrease water consumption and prevent the dumping of sewage by way of improvement of the production technology.

**Article 57: Restriction to the use of drinking water for industrial purposes**

In case of natural calamity, accidents, other exceptional circumstances and water consumption by water supply enterprises exceeding the established limits of water use, the local authority and administration organs have a right to restrict or prohibit the use of drinking water for industrial purposes \* ... in the interest of the immediate satisfaction of the drinking and domestic needs of the population.

**Article 58: Use of groundwater for technical water supply and other industrial purposes**

Fresh underground waters ascribed to the drinking water category may not be used for industrial or technical purposes, except in the cases of regions in which sufficient sources of surface water are not available.

Underground waters (fresh, mineral, thermal) which are not ascribed to the drinking or

curative water category may be used according to the order for technical water supply for the extraction of chemical elements, the receipt of heat and other industrial purposes, in the respect of rational use and water protection requirements and within the limits of the reserves available for exploitation.

#### **Article 59: Use of water objects for energy purposes**

The use of water objects for energy purposes shall take place by taking into account the interests of other sectors of the national economy and in the respect of the requirements of integrated water use, unless otherwise provided by the Cabinet of Ministers of Uzbekistan, by decision of the water economy and water protection organs.

Water objects given in use for energy purposes may be used for other purposes, depending on natural conditions, the economy and other demands.

The energy institutions shall:

- observe the regime established for the filling and operation of reservoirs according to exploitation rules; \*
- provide sanitary and environment protection releases.

#### **Chapter XV - Use of water objects for the needs of fish economy**

##### **Article 60: Limitation of water use in fishing reservoirs in the interest of fish economy**

Within fishing reservoirs or parts thereof which are of special significance to the preservation and reproduction of valuable kinds of fish and other water products for trade, water use rights may be limited in the interest of the fish economy.

A list of such reservoirs or parts thereof, and the kinds of restrictions to water use therein, shall be defined by the environment and water economy organs and confirmed by the Cabinet of Ministers of Uzbekistan.

##### **Article 61: Arrangements relating to the protection and reproduction of fish stocks**

During the exploitation of hydrotechnical and other works on water economy reservoirs, arrangements shall be timely carried out for the provision of conditions for the preservation and reproduction of fish stocks.

It shall not be allowed to dump soil and construct works that may negatively affect fish stock conditions and the conditions for reproduction in those parts of fishing reservoirs where fish spawn or hibernate.

Water withdrawals for industrial, irrigation and other purposes from fishing reservoirs shall take place only by means of installations equipped in such a way as shall be agreed upon by the environment protection organs, so as to prevent fish from being trapped.

**Article 62: Duties of enterprises and organizations using fishing reservoirs**

Enterprises and organizations which are given in use fishing reservoirs or parts thereof shall provide the conditions necessary for the reproduction of fish stocks, carry out the necessary improvement works and keep the banks of the reservoirs at the place where they are located in appropriate sanitary conditions.

**Article 63: Order for the use of water objects for the needs of fish economy**

The order for the use of water objects for the needs of fish economy is established by legislation.

**Article 64: Use of water objects for sport and recreational fishing**

Sport and recreational fishing in water objects is allowed, with the exception of fishing reservoirs and water objects declared as national parks according to the established order. The environment organs, in agreement with the local authority organs and administration, may give in use for specified purposes water objects or parts thereof.

Sport and recreational fishing in water objects given in use to voluntary sports societies shall be subject to the permission of these societies.

**Chapter XVI - Use of water objects for hunting purposes**

**Article 65: Priority rights to water use of hunting organizations**

The environment and water economy organs may grant priority rights to use the waters of rivers, lakes and other water objects populated with wild water fowl and valuable fur animals (beavers, musk rats and other \*) to hunting enterprises and organizations, taking into account complex demands.

**Article 66: Order of use of water objects for hunting purposes**

The order of use of water objects for hunting purposes is set by legislation.

**Chapter XVII - Use of water objects located in special protected areas**

**Article 67: Reserved water objects**

Water objects of special scientific or cultural value are declared as reserved by the relevant legislation. are withdrawn from economic use and given free of charge and without any fixed term to national parks.

**Article 68: Order of use of water in national parks and measures for water protection**

The order of use of water in national parks is determined by regulations on national parks.



It is forbidden to use the waters in national parks for fishing, hunting, collecting aquatic plants and other purposes which affect the natural conditions of these waters.

The discharge of wastewater into the waters of national parks and the execution of hydromelioration works which may change the natural conditions of these waters is allowed, subject to the requirements established in the present Law and the agreement of the administration of the national parks.

#### **Article 69: Withdrawal of water objects from reserve use**

Water objects may be withdrawn from reserve use in cases of special need by the Cabinet of Ministers of Uzbekistan.

It shall be allowed to use fish resources and other aquatic animals in reservoirs located within reserve zones and national parks intended for the protection of wildlife and not subject to trade.

### **Chapter XVIII - Use of water objects for transportation purposes**

#### **Article 70: Navigable waterways**

Rivers, lakes, reservoirs and canals are water routes of common use, except when their use for this purpose is fully or partially forbidden, or they are granted in individual use.

#### **Article 71: Order for the declaration of waterways as navigable and the setting of rules for their exploitation**

The order for the declaration of waterways as navigable and the setting of rules for their exploitation is determined by legislation.

#### **Article 72: Use of water objects for sailing on small boats**

The use of water objects for sailing on small boats is allowed, subject to the rules on the use of small boats (rowing and motor boats, cutters, sailing yachts, etc.), which are established by the Cabinet of Ministers of Uzbekistan.

### **Chapter XIX - Use of water objects for the discharge of wastewater**

#### **Article 73: Organs authorizing the use of water objects for the discharge of wastewater**

Water objects may be used for the discharge of industrial and domestic wastewater, drainage water and other wastewater in accordance with legislation and with the permit of water economy organs, upon the consent of the state organs of sanitary control, mountain control and geology and mineral resources.

The permit is granted on the basis of documents proving the need for and the feasibility of use of water objects for wastewater discharge.

**Article 74: Conditions for granting permits to use water objects for the discharge of wastewater**

The use of water objects for the discharge of wastewater is permitted only in the cases in which it does not lead to an increase in the polluting content of the waters beyond the norms, and provided that the wastewater is treated by the water user in conformity with the levels set by the environment and sanitary control organs.

If the established requirements are not met, the discharge must be limited, stopped or prohibited by the environment and sanitary control organs until the cessation of the activities of enterprises, organizations and institutions. In case of threat to the health of the population, the discharge of wastewater shall be stopped until the cessation of the activities of industrial and other objects.

**Article 75: Order and conditions for the use of water objects for the discharge of wastewater**

The order and conditions for the use of water objects for the discharge of wastewater are established by legislation.

**Chapter XX - Use of water objects for fire-extinguishing purposes and other state and public needs**

**Article 76: Use of water objects for fire-extinguishing purposes**

The waters of any water object may be used for fire-extinguishing purposes.

**Article 77: Order of use of water objects for fire-extinguishing purposes and other state and public needs**

The order of use of water objects for fire-extinguishing purposes and other state and public needs is established by the Cabinet of Ministers of Uzbekistan.

**Chapter XXI - Exploitation of reservoirs, hydropower plants and other works**

**Article 78: Regime of the filling and operation of reservoirs**

The enterprises, organizations and institutions exploiting water storing, water releasing and water withdrawal installations on reservoirs shall observe the established regime of filling and operation of reservoirs, taking into account the interests of water users and the interests of land owners and users in areas that are affected by reservoirs.

Reservoirs are constructed in order to regulate the surface flow in order to satisfy the demands of different water users.

The regime of the filling and operation of reservoirs, the regulation of the water level, the discharge of water through hydropower plants, the maintenance of navigability conditions and the release of fish to spawning grounds is determined by rules on the exploitation of

reservoirs.

**Article 79: Order of exploitation of reservoirs**

The order of exploitation of reservoirs is determined by rules confirmed by the Ministry of Melioration and Water Economy of Uzbekistan for each reservoir, cascade or system of dams, in agreement with the State Committee for Nature Protection of Uzbekistan and the other interested organs.

**Article 80: Organization and coordination of activities providing appropriate technical conditions and the improvement of reservoirs**

The organization and coordination of activities providing appropriate technical conditions and the improvement of reservoirs, and the control over the observation of rules on their exploitation, are the responsibility of the water economy organs.

**Article 81: Exploitation of lakes and other basins which are used as reservoirs**

The regulations provided for at Articles 78, 79 and 80 also apply to the exploitation of lakes and other basins which are used as reservoirs.

**Article 82: Order of exploitation of hydropower stations and other hydrotechnical works**

Hydropower stations and other hydrotechnical works on rivers, main and inter-economy canals and collectors are state water objects, and are used by the water economy organs in accordance with rules established during the design of these works.

Hydrotechnical works on the inter-economy hydromelioration network, including irrigation canals and collectors and drainage networks, are exploited by the water users according to the intended purposes.

The water economy organs may accept inter-economy networks and the related works on technical service, by agreement with the water users.

**Chapter XXII - Interstate water use within the Aral Sea Basin**

**Article 83: Regulation of the use of water objects located on the territory of Uzbekistan and other states within the Aral Sea basin**

The use of interstate water objects - the rivers Amudarya, Syrdarya, Zaraphshan, the Aral sea and others - located on the territory of Uzbekistan and other states within the Aral Sea basin is regulated on the basis of interstate agreements and treaties.

**Article 84: Water use on frontier waters**

The use of water and the implementation of water economy and water protection activities on frontier waters take place on the basis of international agreements.

The use of water in sections of frontier waters situated in Uzbekistan which is not regulated by international agreements is regulated by the legislation in force in Uzbekistan.

### **Chapter XXIII - Settlement of disputes relating to water uses**

#### **Article 85: Organs responsible for the settlement of disputes relating to water uses**

Disputes relating to water use shall be settled by the Cabinet of Ministers of Uzbekistan, the local authority organs and administration, and also by the water economy organs, the organs for environment protection, geology and mineral resources and the other authorized state organs in the order established by legislation.

#### **Article 86: Competence of the village self-government organs relating to the settlement of disputes on water use**

The village self-government organs may settle disputes on the use of water objects among citizens, arising within the village territory, with the exception of the disputes whose solution is the responsibility of water economy, environment and other authorized state organs.

#### **Article 87: Competence of the organs of cities relating to the settlement of disputes on water use**

The authority organs of cities are responsible for the settlement of disputes arising between enterprises, organizations and institutions within cities, between the said enterprises, organizations and institutions and citizens, as well as among citizens, relating to the use of water from water objects located on the territory of cities, except for the disputes whose settlement is the responsibility of water economy, environment and other authorized state organs.

#### **Article 88: Competence of the organs of authority of the districts relating to the settlement of disputes on water use**

The authority organs of the districts are responsible for the settlement of disputes arising between sovkhozes, kolkhozes, farmers, other enterprises, organizations and institutions of district relevance, between the said enterprises, organizations and institutions and citizens, relating to the use of water from water objects located on the territory of districts, except for the disputes whose settlement is the responsibility of water economy, environment and other authorized state organs.

#### **Article 89: Competence of the organs of authority of the regions relating to the settlement of disputes on water use**

The authority organs of the regions are responsible for the settlement of disputes on water use to which enterprises, organizations and institutions located in different areas of said regions are parties, except for the disputes whose settlement is the responsibility of water economy, environment and other authorized state organs.

#### **Article 90: Competence of the Cabinet of Ministers of Uzbekistan relating to the**

## **settlement of disputes on water use**

The Cabinet of Ministers of Uzbekistan is responsible for the settlement of the disputes on water use to which one party is an enterprise, organization or institution of republican relevance, and disputes between enterprises, organizations and institutions located in different regions or in one region and the Republic of Karakalpakstan, except for the disputes whose settlement is the responsibility of water economy, environment, geology and mineral resources and other authorized state organs.

### **Article 91: Settlement of interstate disputes relating to water use**

The disputes relating to water use arising between Uzbekistan and other states are considered on the basis of the order established by interstate agreements.

### **Article 92: Request for the settlement of disputes relating to water use**

Disputes relating to water use are settled at the request of one of the parties.

The request for settlement shall be accompanied by documents showing evidence of the violation of the right of a water user.

### **Article 93: Order of consideration of disputes on water use**

The disputes on water use are considered with the participation of the interested parties, which shall receive communication of the place and time of discussion of the matters which are the subject of such disputes.

### **Article 94: Decisions on disputes on water use**

The organ responsible for the settlement of a dispute on the use of water shall make its decision on the basis of the results of the discussion.

In the appropriate cases, a decision shall envisage the order and time of its execution, and shall contain arrangements concerning the restoration of the violated rights.

### **Article 95: Order of appeals against decisions on disputes on water use**

The decisions on disputes relating to water use may be appealed against to the higher organ within 10 days from their receipt.

An appeal against a decision shall not suspend the execution of such decision. The execution of a decision on the use of water may be suspended or postponed by the organ which made such decision, or by the higher organ.

### **Article 96: Settlement of water disputes relating to property**

Water disputes relating to property shall be settled by the competent court in the order established by legislation.

## **Chapter XXIV - Water protection**

### **Article 97: Functions relating to water protection**

All water objects are subject to protection from pollution, contamination and exhaustion which may damage the health of the population, decrease fish stocks, worsen water supply conditions and bring about other negative impacts as a result of changes in the physical, chemical and biological characteristics of water, thereby decreasing the natural ability of self-purification and modifying the hydrotechnical and hydrological regime of the water.

### **Article 98: Implementation of activities resulting in the protection of water and the improvement of the conditions of the water regime**

The enterprises, organizations and institutions whose activities influence water conditions shall carry out technological, forest improvement, agrotechnical, hydrotechnical and sanitary activities in agreement with the local authority organs and the environment, water economy, sanitary control and other interested organs.

### **Article 99: Protection of water from pollution and contamination caused by waste and garbage**

Enterprises, organizations, institutions and citizens are not allowed to:

- discharge into water objects industrial, domestic and other kinds of waste and garbage;
- pollute and contaminate water as a result of spills of oil, chemicals and other products;
- pollute and contaminate the surface of water collectors, the ice cover of reservoirs and the ice surface with industrial and domestic waste and garbage, oil and chemical products the elimination of which leads to further pollution of surface and underground water;
- pollute water by means of fertilizers and chemical weed-killers.

The discharge of wastewater into water objects shall be allowed, subject to the rules provided for in Articles 73, 74 and 75 of the present Law.

### **Article 100: Sanitary zones for the protection of water**

Sanitary control zones and special protected zones shall be established in accordance with legislation in order to protect the waters used for drinking and domestic water supply, curative, health resort and health improvement of the population.

### **Article 101: Groundwater protection**

If during the execution of drilling and other mining works relating to the research, prospection and exploitation of mineral resources underground aquifers are discovered, it is necessary to inform the environment and water economy organs, and to take measures to protect underground water.

The organs involved in mining and the use of underground water shall observe the regime of such water at the water intake and the surrounding area, and shall keep account of the quantity and quality of used waters.

The drilling of boreholes on porous soil for the purpose of discharging industrial wastewater shall be prohibited in all cases in which such boreholes may be a source of pollution of underground aquifers.

The wells which are self-sinking \* and unfit for exploitation shall be equipped, maintained and liquidated in the order established by legislation.

It is prohibited to establish depots of solid and liquid waste, industrial, agricultural and other structures whose activities may be a source of groundwater pollution in areas where groundwater sources are located.

The enterprises whose activities may influence groundwater conditions shall provide for the protection of groundwater, including the installation of devices for the monitoring of bores.

#### **Article 102: Protection of streams**

The enterprises, organizations, institutions and farmers whose economic activities have a negative influence on the conditions and regime of streams shall ensure, jointly with the water economy and environment protection organs, the purity and quality of water.

The activities of enterprises, organizations and institutions on the banks of streams are regulated by legislation.

### **Chapter XXV - Prevention and abatement of the harmful effects of water**

#### **Article 103: Duties of enterprises, organizations and institutions with regard to the prevention and abatement of the harmful effects of water**

Enterprises, organizations and institutions, in agreement with the environment, water economy, geology and mineral resources organs, local authority organs and other interested organs, or with the permission of the authorized organs, shall carry out the activities necessary to prevent and abate:

- the harmful effects of water;
- the erosion of banks, embankments and other works;
- swamping and the salination of soil;
- soil erosion, the formation of ravines and landslides, floods and other harmful occurrences.

#### **Article 104: Implementation of urgent measures for the prevention and abatement of natural calamities caused by the harmful effects of water**

The implementation of urgent measures for the prevention and abatement of natural calamities caused by the harmful effects of water is regulated by legislation.

The execution of works for the prevention and abatement of emergency situations during spring-flood periods and floods on the territory of administrative districts are organized by the authority organs of the districts.

Commissions on spring floods and other events are established by the Cabinet of Ministers of Uzbekistan and by the regional and city authorities in order to manage works for the prevention and abatement of natural calamities caused by the harmful effects of water. These commissions consist of representatives of the appropriate enterprises, organizations, water economy and environment protection organs.

**Article 105: Activities relating to the protection from, and the prevention and abatement of, the harmful effects of water**

The activities relating to the protection from, and the prevention and abatement of, the harmful effects of water are carried out at the expenses of water users - and are charged to the enterprises' organizations' and local budgets; republic and national programmes are financed out of the budget of the Republic.

**Article 106: Economic measures of rational use and protection of water**

The economic measures relating to the rational use and protection of water shall include:

- charges for special water use, the pollution of water objects and any other kinds of harmful activities;
- tax, credit and other privileges which are granted to enterprises, organizations and institutions, as well as to legal and physical persons and citizens, applying water-saving technologies and carrying out activities leading to water-saving and water protection;
- a system of effective legal, economic, organizational, social, ecological and other incentives for the complex (integrated) and rational use and protection of water.

Public organizations, funds, companies and associations of republican, international and other relevance may, in conformity with their respective statutes, stimulate and promote the implementation of effective measures relating to the rational use and protection of water, according to the order established by legislation.

**Chapter XXVI - State accounting and planning of water use**

**Article 107: Functions of state accounting of water and water use**

The state accounting of water and water use aims at determining the availability and quality of water which makes up the water fund, and data on the use of water for the needs of the population and the national economy.

**Article 108: Planning of water use and protection**

The planning of water use shall provide for the scientifically-based division of water among water users, taking into account the preferential use of water for meeting the drinking and domestic needs of the population, water protection and the prevention of the harmful effects



of water.

The planning of water use and protection shall be based on the data resulting from the state water cadaster, the water economy balances and the schemes of complex use and protection of water.

**Article 109: State water cadaster**

The state water cadaster contains data relating to water accounting by quantity and quality standards, the registration of water uses, and data on the accounting of water uses.

**Article 110: Water economy balances**

Water economy balances are established by river basins and water economy regions in order to determine the availability and level of water use.

**Article 111: Schemes of complex water use and protection**

The general and basin (territorial) schemes of complex water use and protection shall provide for the main water economy and other activities to be carried out in order to meet the future water demands of the population and water economy, water protection requirements and the prevention of the harmful effects of water.

**Article 112: State functions with regard to the accounting of water and water uses, the maintenance of the state water cadaster, the preparation of the water balance and the elaboration of the complex schemes of water use and protection**

The state functions with regard to the accounting of water and water uses, the maintenance of the state water cadaster, the preparation of the water balance and the elaboration of the schemes of complex water use and protection are determined by the Cabinet of Ministers of the Republic of Uzbekistan, and are financed out of the budget.

**Article 113: Water monitoring**

Water monitoring, including groundwater, means a system of observation of the conditions of water aimed at finding changes, estimating such changes and preventing and abating negative processes.

The structures, maintenance and order of carrying out water monitoring is determined by the Cabinet of Ministers of the Republic of Uzbekistan.

**Chapter XXVII - Liability for the violation of water legislation**

**Article 114: Invalidity of transactions violating the state right to water ownership**

Any trade of the right to use water in violation of the state right to water ownership is

unlawful.

**Article 115: Liability for the violation of water legislation**

In addition to the actions provided for in Article 144, whoever

- uses water objects without observing the rules on water use and on the pollution and contamination of rivers;
- puts into operation enterprises, domestic and other structures without equipping them with devices for the prevention of pollution and contamination and the prevention of the harmful effects of water;
- uses water non-economically;
- violates the regime of water protection in water collectors, thereby causing their pollution, soil erosion and other harmful effects;
- damages and destroys waterworks and structures;
- violates the rules relating to the exploitation of waterworks;
- constructs dams, reservoirs, pumping stations and other works influencing the conditions of water without authorization;
- fails to pay water charges and fines for the violation of water legislation on time;
- fails to execute hydrotechnical, technological, reforestation, sanitary-technical and other activities ensuring the protection of water against pollution and exhaustion, and the improvement of the conditions and regime of water in accordance with plans;
  
- damages and destroys devices for the exploitation and monitoring of wells;
- violates the norms relating to the drilling of groundwater;
- fails to construct water protection works on time;
- puts into operation uncompleted water protection works, works with defects of construction and works which do not meet construction standards;
- fails to respect water protection zones;
- fails to report, or submit false information, on the use of water;
- fails to meet the requirements of the environment protection organs;
- violates the regime of specially protected water objects.

bears legal, administrative and other liability according to legislation.

Legislation may determine liabilities for additional kinds of violation of the water legislation.

**Article 116: Restitution of unlawfully used water objects**

Unlawfully used water objects shall be returned together with their accessories, without any reimbursement of the expenditures effected during the unlawful use.

**Chapter XXVIII - Compensation of the losses caused by the violation of water legislation**

**Article 117: Compensation of the damage caused by the violation of water legislation**

Enterprises, organizations, institutions, farmers and citizens shall compensate the damage caused by the violation of water legislation in the amount and according to the order

established by legislation.

**Article 118: Material liability of officials and other employees who are responsible for damage**

Officials and other employees who are responsible for damage \* bear financial liability according to the order.

**Chapter XXIX - International treaties**

**Article 119: International treaties**

The provisions of international agreements shall prevail over the provisions of the present Law.