

LAW OF THE
REPUBLIC OF UZBEKISTAN

December 26, 1997. No. 545-I

On the protection and usage of the animal world

I. General provisions

Article 1. Legislation on the protection and usage of the animal world

The legislation on the protection and usage of the animal world consists of the present Law and other acts of the legislation.

The present law regulates relations in the field of protection and usage of the wild animals living in conditions of natural freedom on land, in water, atmosphere and in soil, which are permanently or temporarily present on the territory of Uzbekistan, as well as contained in semi-free conditions or artificially established habitats for scientific or nature protection purposes.

Relations in the field of protection and usage of the animal world in the Republic of Karakalpakstan are also regulated by the legislation of the Republics of Karakalpakstan.

If an international treaty of the Republic of Uzbekistan establishes other rules than those contained in the legislation on the protection and usage of the animal world, the rules of the international agreement are applied.

Article 2. Goals of the legislation on the protection and usage of the animal world

The goals of the legislation on the protection and usage of the animal world include the regulation of relations in the field of protection, usage, restoration and reproduction of the animal world with the purposes of maintaining conditions for its existence, preservation of specific variety, integrity of natural communities and habitats.

Article 3. Ownership of the animal world

The animal world is in state ownership as national wealth, subject to rational usage and is protected by the state.

Article 4. Objects of the animal world

Objects of the animal world are:

Organisms of animal origin, i.e. mammals, birds, reptiles, amphibia, fishes, invertebrates and their populations;

Natural animal communities formed by animals or any combination of them;

Rare and endangered species of wild animals;

Products of living activity of the animals.

Article 5. The rights and responsibilities of the citizens and public associations in the field of protection of the animal world and its habitation environment

Citizens and public associations shall:

Carry out measures on the protection of the animal world and habitation environment;

Contribute to state programs in the of protection of the animal world;

Conduct public ecological expertise;

Execute public control;

Receive information in the field of protection of the animal world in the order established by the legislation;

Come up with claims for compensation of damage inflicted to the animal world and habitation environment;

Realize other rights and responsibilities according to the legislation.

Article 6. Administration of government in the field of protection and usage of the animal world

Administration of government in the field of protection and usage of the animal world is implemented by the Cabinet of ministers of the Republic of Uzbekistan, State committee of the Republic of Uzbekistan for nature protection, State forestry committee of the Republic of Uzbekistan, local bodies of state authority within the limits of their competence.

Article 7. State ecological expertise

State ecological expertise is obligatory for:

Materials justifying selection of sites for all kinds of construction; pre-project, pre-design and design documentation, which, while implemented, can affect the condition of the animal world or its habitation environment;

Projects for establishment of hunting and fishing areas;

Projects of activities for acclimatization and hybridization of animals;

Means of plant protection, potentially dangerous for the animal world and its habitation environment;

State ecological expertise in the field of protection and usage of objects of the animal

world is implemented by the State committee of the Republic of Uzbekistan for nature protection in the order established by the legislation.

Article 8. State registration of animals and registration of volumes of their usage; state cadastre of the animal world

In order to ensure protection and organization of rational usage of the animal world, state registration of animals and registration of the degree of their usage is carried out; a state cadastre of the animal world is maintained, containing a full entirety of information about geographical prevalence of animal species, their numbers, characteristics of the environment of their habitation, characteristics of usage modalities for the animals and other required data.

State registration of animals and management of the state Cadastre of the animal world is implemented at the expense of funds of the state budget.

Users of the animal world are obliged to conduct annually registration of objects of the animal world which they use, and degree of their withdrawal, and to submit the data to the State committee of the Republic of Uzbekistan for nature protection and bodies of state statistics.

The order for the state registration of animals and registration of degrees of their usage as well as the management of the state cadastre of the animal world is approved by the Cabinet of ministers of the Republic of Uzbekistan.

Article 9. Monitoring of the animal world

Monitoring, collection, compilation and analysis of the information on objects of the animal world and the environment of their habitation are carried out by the unified system of state monitoring of natural environment in the order established by the legislation.

Article 10. Control over the protection and usage of the animal world

State control over the protection and usage of the animal world is implemented by local bodies of state power, state committee of the Republic of Uzbekistan for nature protection in the order established by the legislation.

Departmental, industrial and public control over the protection and usage of the animal world is implemented according to the legislation.

Article 11. Main requirements to the protection and usage of the animal world and its habitation environment

The main requirements to the protection and usage of the animal world and its habitation

environment are as follows:

Preservation of the specific variety and integrity of animal communities in the conditions of natural freedom;

Preservation of habitats, conditions of reproduction and migration routes of animals;

Rational usage, restoration and reproduction of the objects of the animal world;

Regulation of the number of objects of the animal world with the purposes of securing public health and prevention of potential damage to physical and legal persons.

Article 12. Coordination of programs and measures on the protection and usage of the animal world

Proposed programs and measures on the protection and usage of the animal world, developed by the users of the animal world, are coordinated with the State committee of the Republic of Uzbekistan for nature protection in the order established by the legislation.

Article 13. Provision of economic incentives for the protection and rational usage of the animal world

Provision of economic incentives for the protection and rational usage of the animal world, including its reproduction, is implemented by granting tax and other privileges to legal and physical persons, which comply with the requirements to the protection and rational usage of the animal world, as well as protection and improvement of conditions of its habitation environment.

II. Use of the animal world. Types and ways of use.

Article 14. Users of the animal world

The users of the animal world can be legal and physical persons.

The users exercise the right to use objects of the animal world on conditions and in the order established by the legislation.

Article 15. Use of objects of the animal world

The use of the objects of the animal world is implemented in the order defined as general and special use.

The general use of objects of the animal world is implemented by physical persons free of charge in the order and extent established by the legislation.

The special use of objects of the animal world is implemented for a certain payment based on permissions to be issued in the order, established by the Cabinet of ministers of

the Republic of Uzbekistan.

Article 16. Rights and responsibilities of the users of the animal world

Users of the animal world have the right:

To use objects of the animal world in conformity with conditions of their allocation for use;

To have the ownership rights on procured objects of the animal world and products obtained from them.

Legal persons involved in hunting or fishing activities, have the right:

To issue permissions to physical persons to use objects of the animal world within the limits of the established norms;

To conclude contracts with legal and physical persons on the usage of objects of the animal world for commercial purposes in the limits of established norms;

To process hunting and fishing products and to make goods from objects of the animal world;

To use and sell products and goods, made from objects of the animal world;

To use artificially bred species of animals which are released in their habitats.

Users of the animal world are obliged:

To keep to the established norms and terms of using the animal world;

To ensure protection of the animal world;

To use the animal world by ways which prevent violation of the integrity of natural communities and ensure preservation of animals, which were not allocated for use;

To avoid violation of natural habitats of animals;

To conduct activities aiming at registration of the numbers of animals and extent their usage;

To conduct measures, directed at restoration and reproduction of the animal world.

The users of the animal world can have other rights and responsibilities established by the legislation.

Article 17. Types and ways of use of the animal world

Types of use of the animal world are as follows:

hunting;

fishery;

use of the animal world for scientific, cultural, educational and aesthetic purposes;

usage of useful properties of animal living patterns;

usage animals with the purpose of obtaining products of their living activity.

The legislation can stipulate other types of use of the animal world.

The use of the animal world is implemented with or without withdrawal of objects of the animal world from their environment.

Article 18. Hunting

Hunting is defined as search, tracing and chasing with the purpose of procurement, attempt of procurement or procurement (shooting, capturing) of animals, living in conditions of natural freedom.

Hunting can be divided into commercial, amateur and sportive hunting categories.

Article 19. Fishery

Fishery is defined as fishing and procurement of water invertebrate species.

Fishery can be divided into commercial, amateur and sportive fishery categories.

Article 20. Prohibited ways of hunting and fishery

While implementing hunting and fishery, the application of generally hazardous instruments and methods is prohibited.

Hunting of animals which are in a disaster or in unnatural conditions is prohibited.

Article 21. Use of the animal world in scientific, cultural, educational and aesthetic purposes

Use of the animal world in scientific, cultural, educational, and aesthetic purposes is allowed with or without withdrawal of objects of the animal world from their habitation environment in the order established by the legislation.

Article 22. Usage of useful properties of animal living patterns

The usage of useful properties of animal living patterns, such as soil generation, natural sanitary functions, pollinizers of plants, as well as other useful properties of objects of the animal world, is implemented without a withdrawal of them from the habitat and harming them or their environment.

Article 23. Usage animal with the purposes of procuring products of their living activity

The usage of animals with the purposes of obtaining products of their living activity is

allowed without a withdrawal of objects of the animal world from their habitats and their destruction, as well as without disturbance of their environment in the order established by the legislation.

Article 24. Regulation of the number of objects of the animal world

Regulation of the number of objects of the animal world is implemented on the basis of quotas. The quotas are approved by the State committee for nature protection based on the data of registration and conclusions of the Academy of sciences of the Republic of Uzbekistan in the order established by the legislation.

With the purpose of protecting certain animal species, the State committee of the Republic of Uzbekistan for nature protection based on the conclusions of the Academy of sciences of the Republic of Uzbekistan may impose limitations or prohibitions on use or certain types of use of such animal species.

With the purposes of public health, preventive control of diseases of agricultural and other domestic animals, preventing of damage to legal and physical persons, maintenance of the species variety of the animal world, measures for the regulation of the number of certain animal species are carried out.

Measures for the regulation of the numbers of certain animal species should be implemented in ways, eliminating any potential harm to other species and ensuring safety of habitation environments, based on the conclusion of the Academy of sciences of the Republic of Uzbekistan and in coordination with appropriate state bodies, responsible for the protection and usage of land, water and forestry resources.

Animal species, whose number is subject to regulation and the order of such regulation are determined by the legislation.

Article 25. Management of hunting and fishing activities

Management of hunting and fishing activities is implemented by legal and physical persons on the basis of the following:

State ecological expertise of projects of hunting and fishing activities;

Data of the registration of animals and condition of hunting and fishing resources;

Quotas and permissions to the right to use the animal world, contracts for the implementation of activities aiming at the protection, usage and reproduction of objects of the animal world and their environment.

The regulation for hunting and management of hunting and fishing activities shall be approved by the Cabinet of ministers of the Republic of Uzbekistan.

Article 26. Movement, acclimatization and cross-breeding of animals

Movement (resettlement) of animals to new habitats, acclimatization of species new to the existing fauna, as well as measures for crossbreeding of the animals are allowed for research and economic purposes under the permission of the State committee of the Republic of Uzbekistan for nature protection based on the conclusions of the Academy of sciences Republic of Uzbekistan.

Unauthorized movement(resettlement), acclimatization and crossbreeding of animals is prohibited.

Article 27. Forfeiture of the right to use the animal world

The right of use of the animal world can forfeit in the following cases:

Voluntary renunciation of the right;

Expiry of the term of use;

Violation of the legislation on the protection and usage of the animal world;

Necessity for a withdrawal of objects of the animal world from use with the purposes of their protection;

Liquidation of the legal person who was given the right to use.

The legislation can stipulate other reasons for the forfeiture of the right to use the animal world.

The right of use the animal world is canceled through making permissions void in the order established by the legislation.

Article 28. Creation and replenishment of zoological collections

Use of the animal world with the purpose of creation and replenishment of zoological collections by legal persons with withdrawal of animals from their habitation environment is implemented in accordance to the established rules.

The order for creation, replenishment, storage, usage and registration of zoological collections, rules of trade in zoological collections as well as the rules for transferring and exportation beyond the limits of the Republic of Uzbekistan of objects of zoological collections are determined by the legislation.

Article 29. State registration of zoological collections

Zoological collections representing scientific, cultural, educational or aesthetic value, are subject to state registration in the State committee Republic of Uzbekistan for nature protection.

Legal and physical persons, as the owners such Collections, are obliged to observe rules applicable to storing, registration and usage of collections containing objects of the animal world.

III. Protection of the animal world

Article 30. Measures for the protection of the animal world

The protection of the animal world is implemented through:

Establishment of rules and standards on the protection, rational usage and reproduction of objects of the animal world;

Establishment of limitations and prohibitions with regard to the use of the animal world;

Preventing of unauthorized use and other violations of the established order of use of the animal world;

Organization of protection of habitats, conditions of reproduction and migratory routes of animals;

Prevention of deaths of animals in the course of economic and other activities, operation of transport means;

Creations of specially protected natural territories;

Cultivation in captivity of rare and endangered species of animals;

Helping animals in case of diseases, danger of death under natural disasters or owing to other reasons;

Organization of scientific research, directed at the substantiation of measures for the protection of the animal world;

Realization of other measures on the protection of the animal world.

Article 31. Requirements to activities which are able to affect conditions of the animal world

Activities affecting conditions of the animal world, natural habitats, conditions of reproduction and routes of migration of animals, shall be implemented with observance of the requirements, ensuring protection of the animal world.

Article 32. Limitation of the rights of nature users

In pursuing the interests of protection of the animal world, land users, forest users, water users and users of bowels of earth can be subject to limitation of their rights, and appropriate responsibilities can be assigned to them in the order established by the legislation.

Article 33. Prevention of diseases and deaths of animals in the course of economic and other activities

Legal and the physical persons are obliged to ensure prevention of diseases and deaths of animals in the course of implementation of any kinds of economic and other activities.

Bodies of the State veterinary service and State sanitary & epidemiological control supervise and control the emergence and distribution of diseases among the objects of the animal world, registration of all found cases of diseases among the objects of the animal world, and undertake required measures to prevent emergence and distribution of diseases and to eliminate them.

Burning of vegetation, storage and application of hazardous substances, materials and wastes, posing a danger to objects of the animal world and habitation environments, without implementation of measures, guaranteeing prevention of diseases and deaths of the animals are prohibited.

While applying means of protection of plants, stimulants of their growth, mineral fertilizers and other chemicals, used in economic activities, the requirements to the protection of the animal world established by the legislation should be taken into account. On certain territories, in the order established by the legislation, sanitary zones are established, where the application of means/substances of plant protection, stimulants of their growth, mineral fertilizers and other substances is prohibited.

Article 34. Measures for the preservation of habitats and conditions for reproductions of animals in the situation of economic development of the area

While locating, designing and constructing human settlements, enterprises, facilities and other objects, improvement of existing and introduction of new technological processes, and in the course of economic development of swamps and scrub territories, land reclamation, implementation of forestry use, realization of explorations, mining of mineral resources, allocation of areas for grazing and movement of agricultural animals, development of tourist routes and organization of places of recreation for the population, the measures for the nature preservation and protection of habitats and conditions of reproduction of animal should be envisioned and implemented, as well as inviolability of sites representing a special value for the quality of animal habitats shall be ensured.

Article 35. Preservation of migration routes, habitats and reproduction conditions of animals

In the course of locating, designing and construction of transport lines, electric-power transmission lines and communication facilities, as well as hydropower facilities, measures should be developed and implemented to ensure preservation of migration

routes, habitats and reproduction environments of animals.

Article 36. Protection of rare and endangered animal species

Rare and endangered species of the animal world are recorded in the Red Book.

Operations which can result in loss, reduction in the number or disturbance of a habitat of rare and endangered species of animals, are not allowed.

Article 37. Preservation measures for rare and endangered species

With the purposes of preservation of rare and endangered species, which cannot be reproduced in natural conditions, the State committee of the Republic of Uzbekistan for nature protection and State forestry committee of the Republic of Uzbekistan are obliged to arrange for the creation of required conditions for breeding of such species.

Article 38. Order of capturing of rare and endangered species

Capturing of rare and endangered species for their breeding in specially created conditions and subsequent release, as well as for research and other purposes, is allowed based on permissions issued by the Cabinet of Ministers of the Republic of Uzbekistan upon presentation of the State Committee of the Republic of Uzbekistan for nature protection and a conclusion of the Academy Sciences of the Republic of Uzbekistan.

the IV. FINAL PROVISIONS

Article 39. The responsibility for the violation of the legislation on protection and usage of the animal world

Persons violating the legislation on the protection and usage of the animal world, are subject to responsibility in the order established by legislation.

Legal and physical persons are obliged to compensate for harm, caused by the violation of the legislation on the protection and usage of the animal world, in the order established by the legislation. Indemnification of damages does not free the person from the responsibility in accordance to the legislation.

Article 40. Seizure of illegally procured objects of the animal world, derived products, arms and instruments for illegal procurement of animals

Illegally procured objects of the animal world, products derived from them, arms and instruments used for illegal procurement including the means of transportation, are subject to seizure or confiscation in the order established by the legislation.

When it is impossible to seize illegally procured animals and products derived from them, their cost is collected from guilty persons in the amounts and order foreseen by the legislation.

Article 41. Settlement of disputes with regard to the use of the animal world

Disputes between legal and physical persons with regard to the use of the animal world are settled in the order established by the legislation.

President of the

Republic of Uzbekistan

I.Karimov

