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ECOLOGICAL AND LEGAL BASIS OF BIOLOGICAL DIVERSITY CONSERVATION

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Abstract. This article is dedicated to analyzing legal solutions and innovative approaches in the field of biodiversity conservation, with a focus on the integration of modern technologies and regulatory systems. Biodiversity, as a cornerstone of ecological sustainability, faces unprecedented threats due to human activities, necessitating the strengthening of legal and institutional measures. The study examines national and international regulatory frameworks, identifies existing challenges, and proposes recommendations to address them. It highlights the significant role of innovative technologies such as artificial intelligence, blockchain, and remote monitoring in biodiversity conservation. These technologies enhance efficiency in monitoring, data collection, and the enforcement of environmental legislation. However, their practical implementation requires a robust legal and financial framework as well as strengthened international cooperation. The findings emphasize the importance of aligning legal mechanisms with sustainable development goals, enhancing public ecological awareness, and integrating innovative technologies into conservation measures. The article also provides specific directions for policymakers and stakeholders to advance biodiversity conservation efforts.

Keywords: biodiversity, legal solutions, innovations, sustainable development, regulatory framework, modern technologies

BIOLOGIK XILMA-XILLIKNI MUHOFAZA QILISHNING EKOLOGIK-HUQUQIY ASOSLARI

Narzullayev Olim Xolmamatovich,

Toshkent davlat yuridik universiteti professori,

yuridik fanlar doktori

Annotatsiya. Ushbu maqola zamонавиј технологијалар ва тартибга солиш тизимларини интегратсијалашга етібор қаратған holda биологик xilma-xillikni saqlash соһасидаги huquqiy yechimlar va innovatsion yondashuvlarni tahlil qilishga bag'ishlangan. Ekologik barqarorlikning asosi hisoblangan biologik xilma-xillik inson faoliyati tufayli misli ko'rilmagan xavf ostida qolmoqda. Bu esa huquqiy va institutsional choralarни kuchaytirish zarurligini ko'rsatmoqda. Tadqiqot milliy va xalqaro me'yoriy-huquqiy bazalarни o'rganib, mavjud muammolarni aniqlaydi hamda ularni bartaraf etish bo'yicha tavsiyalar beradi. Maqolada bioxilma-xillikni saqlashda sun'iy intellekt, blokcheyn va masofaviy monitoring kabi innovatsion texnologiyalarning muhim o'rni alohida ta'kidlanadi. Bu texnologiyalar monitoring, ma'lumotlarni to'plash va atrof-muhitga oid qonunchilikni ta'minlash samaradorligini sezilarli darajada oshiradi. Biroq ularni amalda qo'llash mustahkam huquqiy

va moliyaviy baza hamda kengaytirilgan xalqaro hamkorlikni talab etadi. Xulosalarda huquqiy mechanizmlarni barqaror rivojlanish maqsadlariga moslashtirish, aholining ekologik ongini yuksaltirish, tabiatni muhofaza qilish chora-tadbirlariga innovatsion texnologiyalarni joriy etish zarurligiga urg'u berilgan. Shuningdek, maqolada siyosatchilar va manfaatdor tomonlar uchun biologik xilma-xillikni saqlash bo'yicha harakatlarni ilgari surish uchun aniq yo'l-yo'riqlar ko'rsatilgan.

Kalit so'zlar: biologik xilma-xillik, huquqiy yechimlar, innovatsiyalar, barqaror rivojlanish, me'yoriy-huquqiy baza, zamonaviy texnologiyalar

ЭКОЛОГИКО-ПРАВОВЫЕ ОСНОВЫ СОХРАНЕНИЯ БИОЛОГИЧЕСКОГО РАЗНООБРАЗИЯ

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Аннотация. Статья посвящена анализу правовых решений и инновационных подходов в сфере сохранения биологического разнообразия с учётом интеграции современных технологий и регулятивных систем. Биологическое разнообразие, являясь краеугольным камнем экологической устойчивости, сталкивается с беспрецедентными угрозами, обусловленными деятельностью человека, что требует усиления правовых и институциональных мер. В исследовании рассматриваются национальные и международные нормативные рамки, выявляются существующие проблемы и предлагаются рекомендации по их устранению. Особое внимание уделено роли инновационных технологий, таких как искусственный интеллект, блокчейн и дистанционный мониторинг, в обеспечении сохранения биоразнообразия. Эти технологии повышают эффективность мониторинга, сбора данных и исполнения природоохранного законодательства. Вместе с тем их практическая реализация требует надёжной правовой и финансовой базы, а также укрепления международного сотрудничества. Полученные выводы подчёркивают важность согласования правовых механизмов с целями устойчивого развития, повышения уровня экологической культуры населения и интеграции инновационных технологий в природоохранные мероприятия. В статье также намечены конкретные направления для законодателей и заинтересованных сторон по совершенствованию усилий в области сохранения биологического разнообразия.

Ключевые слова: биологическое разнообразие, правовые решения, инновации, устойчивое развитие, нормативно-правовая база, современные технологии

Introduction

In an era of unprecedented environmental problems and rapidly declining biodiversity, the need to preserve and protect the world's biodiversity has never been more urgent. In recent decades, the preservation of the natural environment has become one of the universal human values as a necessary condition for the continuation of life on Earth. However, the process of understanding this is very slow. Protection of the natural environment, rational use of

natural resources (Friasmitta, 2023), and ensuring the environmental safety of the population are among the main directions of state environmental policy.

In the world, the preservation of biological diversity, rational use of biological resources, and ensuring environmental safety are considered one of the most important socio-legal issues (Narzullaev, 2021). The World Economic Forum has published its Global Risks Report 2025, which identifies the main risks in the

medium term. Biodiversity loss and ecosystem collapse, the destruction of natural capital, have severe consequences for the environment, humanity and economic activity, resulting from the extinction or decline of species, affecting terrestrial and marine ecosystems (The Global Risks Report, 2025).

The International Union for Conservation of Nature (IUCN) Red List of Threatened Species lists 73 species and subspecies of animals. Their future is of global concern. According to the Global Environment Facility, biological diversity is declining, with rare genes, species and ecosystems disappearing, and is considered a threat. "If the current rate of biodiversity loss continues, half of the species on our planet will be extinct in less than 100 years as a result of human actions such as habitat destruction, pollution, and climate change" (Bekmurodov, 2020). The Living Planet Index, prepared by the Zoological Society of London, also shows that the rate of biodiversity loss has increased 2-3 times in the last 20 years (Kurbanov, 2019).

According to a scientific study published in the journal *Science Advances* in December 2022, climate change could cause 6-10 percent of all plant and animal species on our planet to disappear by 2050 and 27 percent by 2100 (Yuldasheva, 2021). From this point of view, research on this topic is of urgent importance as a means of ensuring legal solutions and innovations for the protection of biological diversity, and mechanisms for the rational use of bioresources.

The 21st century is the century of high technologies and information. The introduction of effective technologies is of particular importance in the history of civilization. On a global scale, it is necessary to meet the growing demand for natural resources and agricultural products, ensure the rational use of natural resources, and achieve development by forming a regulatory and legal framework with the

introduction of innovative technologies and scientific achievements in the context of sustainable development. Today, in the process of intensive use of natural resources by mankind, almost 40 percent of the Earth's natural resources have been used up over the past 200 thousand years (of the identified reserves) (Abdullaev, 2020). As a result of this, nature is creating various emergencies for humanity, such as global warming, desertification, pollution of the atmosphere, seas and oceans, forest fires, excessive snowfall, earthquakes, and floods.

There are a number of urgent issues in the field of environmental protection and the rational use of natural resources, particularly in ensuring ecological stability. In particular, there are existing shortcomings in the effective organization of biological resource management, biotechnology, genetic engineering, and the state cadastre and monitoring of biological diversity. Additionally, the insufficient implementation of mechanisms for financing and evaluating biodiversity conservation highlights the need to eliminate legal and practical shortcomings in this area.

Strengthening the legal framework for the protection and rational use of biological resources in the Republic of Uzbekistan and developing effective institutional mechanisms in this area are among the priorities. At the same time, raising public awareness and promoting environmental culture regarding the protection of biological diversity are of great importance. Targeted measures are being implemented to involve the population in solving environmental problems. Work in this area requires the development of scientific solutions, the harmonization of national legislation with international standards, and the improvement of law enforcement practices.

The concept of protection and use of bioresources is based on the division of biological resources into 4 functional

groups. 1-material, 2-forming (organizing) the environment, 3-spiritual-aesthetic, 4-providing information. From this point of view, it is important to develop and strictly adhere to an integrated approach to the use of biological resources. Biological diversity, the complex web of life that includes all living organisms and their interactions, is not only a source of wonder and beauty, but also the basis for the survival and stability of ecosystems. However, human activities such as habitat destruction, pollution, overexploitation of natural resources, and climate change have caused a catastrophic biodiversity crisis. Species are disappearing at an unprecedented rate, ecosystems are being destroyed, and the delicate balance of nature is being disrupted.

From this perspective, it aims to empower individuals, communities and organizations with the knowledge and tools needed to effectively conserve and restore diversity. Drawing on the shared insights of scientists, conservationists and environmental lawyers around the world, this guide proposes a holistic approach to biodiversity conservation that integrates scientific research, traditional knowledge, legal frameworks and grassroots initiatives.

The protection of biological diversity, the rational use of biological resources, and the provision of environmental safety are among the most important socio-legal issues in the world. The Red Book of the International Union for Conservation of Nature lists 73 species and subspecies of animals. Their future is of global concern. According to the Global Environment Facility, "the loss of biodiversity, including the loss of rare genes, species, and ecosystems, is a threat. If the current rate of biodiversity loss continues, half of the species on our planet will be extinct in less than 100 years due to human activities such as habitat destruction, pollution, and climate change" (Sattorov, 2021). From this point of view, studying this

topic is of great importance as a means of ensuring mechanisms for the protection of biological resources and the right to their rational use.

Particular attention is paid to the issues of protecting the environment and organizing the rational use of natural resources, ensuring the stability of the ecological situation, insufficient implementation of the state cadastre and monitoring of biological resources, biotechnology, genetic engineering, biodiversity, insufficient implementation of financing and assessment mechanisms in the field of biodiversity conservation, and finding scientific solutions to problems associated with national legislative documents and law enforcement practice.

The method of doctrinal legal analysis was used in the study. The main goal of the research is to evaluate the effectiveness of legal solutions and innovations in the field of biological diversity protection and to analyze the relationship between legal documents in this field and their practical application. Also, in the study, the possibilities of developing innovative mechanisms that effectively regulate the processes of biological diversity protection were studied through the analysis of legal norms and the use of a conceptual approach.

The research focuses on identifying weaknesses in legal mechanisms for biodiversity protection and developing innovative approaches to improve them. Also, the results of mutual comparison of the legal instruments used in different countries were analyzed, and their specific characteristics and efficiency in the process of implementation were studied. As a result of this research, concrete recommendations can be developed for ecologically relevant legal solutions for the protection of biological diversity.

The main legal sources used in the study were the UN Convention on Biological

Diversity, the provisions of the European Ecological Network (Natura 2000), as well as relevant legal documents at the local and international levels. Additional legal sources included scientific literature, results of seminars, and documents on the protection of biological diversity.

The data was collected from various sources, including a review of legal literature, reports published by international organizations, and interviews with biological experts.

In the field of legal solutions and innovations for the protection of biological diversity, along with the analysis of legal solutions and innovative approaches to the protection of biological diversity, the study of international and national legal norms, the evaluation of innovations, the identification of effective mechanisms in practice, the study of the experience of developed foreign countries, and the development of biological is to find solutions to the problems of legalizing resources.

Main part

Legal solutions and innovations in the field of biological diversity in Uzbekistan

According to the content of national legislative documents in the field of ecology and analyses in scientific literature, biological diversity is a set of "natural plants, including forests, animals living freely in nature, and other living organisms."

Genetic diversity reflects the genetic information accumulated in the living matter of the earth or a certain territory.

Species diversity reflects the number and frequency of occurrence of species distributed in a certain territory.

Ecosystem diversity reflects the number of different types of habitats and the number of ecological processes.

Biological diversity is one of the specific manifestations of the phenomenon of general diversity of nature. However, the various forms and types of flora and fauna

living in the biosphere of the Earth are distinguished by their diversity rather than their diversity in ecosystems. Because organisms in an ecological system differ from each other not only in their color, but also in their size, ability to perform certain tasks, functions, and participation in certain natural processes. Each of them, regardless of their color, performs a certain ecological function in the biosphere.

The various forms and species of plants and animals living in Earth's biosphere are distinguished more by their diversity within ecosystems than by their color. This is because organisms in an ecological system differ not only in color, but also in size, functional abilities, and their roles in natural processes. Each species, regardless of its color, performs a specific ecological function in the biosphere.

It should be noted that there are narrower definitions of biological diversity as well. For example, biological diversity is often defined as the variety of species within the total fauna and flora (animals, plants, microorganisms), including diversity within species, between species, and among ecosystems (Kadirov, 2021).

The Republic of Uzbekistan acceded to the Convention on Biological Diversity in 1995 (Saidov, 2021). This convention sets out the basic principles for the rational use, reproduction, and conservation of biological resources; the jurisdiction of states; cooperation in the protection of biological resources; monitoring requirements; personnel and genetic resource management; information exchange; and other issues related to scientific and technical cooperation.

The norms that define the legal framework for the protection of biological diversity are as follows: First, biodiversity-related legislation. Second, special regulations aimed at protecting endangered species. Third, the legal basis for state cadastre and monitoring systems.

It should be noted that national legislation serves as the main legal basis for the protection of biological diversity. The key mechanisms include the Law of the Republic of Uzbekistan "On the Protection of Nature" (1992); the Laws "On the Protection and Use of the Animal World" (2016), "On the Protection and Use of the Plant World" (2016), and "On Forests" (2018); the Decree of the President of the Republic of Uzbekistan of February 7, 2017, No. PD-4947 "On the Strategy of Actions for the Further Development of the Republic of Uzbekistan"; the Resolution of the Cabinet of Ministers "On Regulation of the Use of Biological Resources" and "On the Procedure for Obtaining Licenses in the Field of Nature Use"; as well as the Resolution of the Cabinet of Ministers dated June 11, 2019, No. 484 "On Approval of the Strategy for the Conservation of Biological Diversity in the Republic of Uzbekistan for 2019–2028" (Mamatkulov, 2020). These and other regulatory documents contribute to the development of scientific research in the field of conservation and use of biological resources.

Scientific institutions also play a special role in addressing biological resources as a social issue. They help determine biological standards and requirements for the rational use and protection of biological resources, and conduct research in genetics, microbiology, plant chemistry, and the development of the Red Book of the Republic of Uzbekistan. In recent years, the study, protection, and rational use of biological resource objects have reached a new level at the institutes of the Academy of Sciences of Uzbekistan. Among them are the Institute of Chemistry of Plant Substances named after Academician S.Yu. Yunusov, the Institute of Bioorganic Chemistry named after O. Sodikov, the Institute of Genetics and Experimental Biology of Plants, the Center for Genomics and Bioinformatics, the Institute of Microbiology, the Plant and Animal Gene

Pool Institute, the Institute of Zoology, and the Institute of Immunology and Human Genomics. These institutions have established specialized research areas for the scientifically grounded use of biological resources.

It should also be noted that the term "biological diversity" has different interpretations. It was first used in 1892 by G. Bates and later appeared in 1968 at the National Conference on the "U.S. Strategy for Biological Diversity." "Biodiversity" is formed from "bio," meaning life or living organisms, and "diversity," meaning variation or variety. Mechanisms for organizing and managing reserves, national parks, and other protected natural areas have also been developed.

There are many international treaties on the protection of biological diversity and they strengthen cooperation between states. These include "On International Trade in Endangered Species of Wild Fauna and Flora"; "On Wetlands of International Importance, Mainly as Waterfowl Habitat"; "On the Conservation of Migratory Waterfowl in Africa, Europe and Asia", "On the Conservation of Migratory Species of Wild Animals"; "On Biological Diversity" such international documents as the Convention. It should be noted that the Law "On the Accession of the Republic of Uzbekistan to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity" has been signed. The purpose of this international convention is to preserve biological diversity on Earth. It covers the use of forest resources, wildlife, and agricultural biological resources in an efficient manner, as well as issues related to genetic resources and their use, and relevant incentives (Rakhimov, 2018).

When it comes to an innovative approach to protecting biological diversity, it should be emphasized that scientific and technological development is the main source of development of any country. Today, a separate stage in the introduction

of scientific and technological developments into the economy and various aspects of social life is the innovation stage. Innovation is an integral part of the economic and social policy of each state. It is not simply a conceptual category for legal regulation but consists of material achievements that have a real impact on economic, socio-political, and other spheres of life. Therefore, all developed countries in the world have identified innovation as a priority direction of state policy. In particular, the leadership of the People's Republic of China has announced that the direction of further development will be linked to innovation, and in return, a decrease in the growth rates of gross social product will be allowed.

Scientific research in the field of genetic engineering plays a key role in the development of various vaccines that prevent any disease, drugs that quickly cure diseases, and the emergence of new food products. This requires environmental safety and non-violation of the laws of nature. It was announced in the media that US scientists have created a drought-resistant variety of rice by cloning it by changing the DNA code in the rice kernel. It is difficult to imagine the scale of products and services that are emerging due to biodiversity. Certain types of species are extremely vital. For example, humans use about 7,000 plants for food, 90 percent of the world's food production is created due to 20 species, 3 of which (wheat, corn, and rice) account for half of the world's food needs. Biological resources are also an important source of raw materials for industry and medicine (Kasimova, 2020).

Analysis of international instruments in the field of biological resources allows us to conclude that the international community is increasingly paying attention to genetic resources and biotechnology, as well as the obligation of states to ensure free access to information about genetic resources, including traditional knowledge about

them and genetic sources. Issues of genetic resources and biotechnology are also closely connected with intellectual property rights.

It should be emphasized that the development of biotechnology has significantly changed traditional breeding, during which the genotype of plant and animal breeds is directly changed under artificial conditions. Biotechnology allows you to interfere with the genetic apparatus and purposefully modify living organisms, selecting the best from among artificially created genotypes. In addition, biotechnology has demonstrated the special importance of genetic resources, which are truly a public treasury.

Therefore, the state must ensure the preservation of national genetic resources, including cultural biological resources. It is necessary to develop and adopt a state program on national cultural biological resources, which would ensure the collection, processing, storage, and application of scientific achievements in biotechnology. This should take into account the rapid development of the global bio-industrial market, as well as trends in international and national legislation.

In addition, it is important to develop and improve regulatory legal acts in terms of relations in the field of exploited biological resources in the following areas:

- improving international legal norms, including the international activities of Uzbekistan in the field of legislation on genetic resources and biotechnology;

- ensuring legal regulation of protection of human and citizen's rights and freedoms in the use of genetic resources and biotechnology in the food industry and agriculture;

- preparing standards in the field of biological resources and biotechnology;

- ensuring legal regulation of biological safety, including genetic safety.

In the cultivation of medicinal plants,

it is important to organize rational use of irrigated land in the cultivation and protection of rare and medicinal plants, as it is scientifically stated by scientists.

First, the issue of artificial intelligence plays an important role in introducing information technologies for the protection of biological diversity. Artificial intelligence makes it possible to monitor species, analyze their habitats, and control ecological systems. For example, drones and AI-based sensors are being used for biodiversity monitoring. Second, creating digital cadastres to centralize ecological information and describe the distribution of biological species is an effective solution. The state cadastre of wildlife is a continuously updated collection of information on the number of wild animals, their geographical distribution, their quantitative and qualitative characteristics, patterns of use, and their economic value.

However, we have an even more serious problem with our laws on the protection and use of the animal world. What complicates the situation is that the law refers to by-laws that are still to be adopted in the future. For example, the Law of the Republic of Uzbekistan "On the Protection and Use of the Animal World", which was in force until September 2016, stipulated that the procedure for state registration of animals and the volume of their use, as well as maintaining a cadastre of the animal world, should be carried out by a regulation approved by the Cabinet of Ministers of the Republic of Uzbekistan (Narzullaev, 2021). However, these regulations and rules were adopted almost 2 years later. During this period, the legal norms on state registration of animals and maintaining a cadastre of the animal world did not work, they lay dormant. Therefore, in this regard, the fate of the law depends on the government's decision. In these circumstances, how can we talk about the supremacy of the law. In such cases, of

course, government decisions should be prepared before the law. This will lead to the immediate implementation of the new law.

Issuance of grants and special environmental bonds is one of the important directions in improving the financing mechanisms as a component of the innovative approach to biodiversity protection.

Increasing public participation in the protection of biological diversity is one of the important tasks. Creating mobile applications on social networks, using social networks to involve the population in the protection of biological diversity and distributing information through mobile applications (Crowdsourcing platform) (Nazarov, 2018).

Transboundary cooperation and technology exchange can be seen as an innovative approach to biodiversity conservation. International conventions and agreements play an important role in the protection of biological diversity. Technology transfer - the introduction of advanced technologies from developed countries to developing countries. Innovative approaches to the protection of biological diversity not only increase efficiency in nature protection, but also in the social, economic and legal spheres.

Based on the results of the assessment of the effectiveness of legal solutions and innovations in the field of biodiversity protection, the following questions were discussed:

a) shortcomings of legal systems are often associated with weak enforcement mechanisms and complexities in law enforcement (laws are less widely implemented in sectors that negatively affect biodiversity (agriculture and industry);

b) the use of artificial intelligence, blockchain and drones allows for rapid solutions to environmental problems (high-tech approaches may face difficulties in

implementing in practice in low-income countries);

c) harmonization and implementation of international standards for the protection of biodiversity are important (in this case, a universalized model of legislation and interstate agreements can provide effective results).

Conclusion

The results of the study are aimed at assessing the effectiveness of existing legal mechanisms used in the field of biodiversity protection. In the field of legal solutions and innovations in the field of biodiversity protection, it is important to implement the following main directions. In particular:

improve the regulatory and legal framework in the field of biodiversity conservation and its sustainable use;

improve the state cadastre and monitoring of fauna and flora objects;

improve modern scientific information on the state and significance of biodiversity, necessary for policy formation and comprehensive decision-making in this area;

develop a system of protected natural areas;

implement comprehensive measures to reduce the rates of degradation and fragmentation of the most vulnerable natural ecological systems;

implement measures to restore rare and endangered species of animals and plants;

strengthen control over the illegal use of fauna and flora objects;

development of ecological tourism;

as advanced legal solutions (innovative approaches to biodiversity protection in different countries; for example, blockchain technologies and artificial intelligence technologies allow automating the processes of environmental monitoring, data exchange, and distribution of natural resources);

the need to strengthen financial guarantees for the protection of biological diversity has been identified (the establishment of special environmental funds

and the introduction of a payment system for biological resources on a global scale are shown as effective solutions);

Increasing the level of awareness and environmental culture of the population regarding biological diversity. In this regard, the effectiveness of legal solutions is associated with increasing the level of awareness on the protection of biological diversity. Advanced educational platforms are of great importance in disseminating knowledge among citizens and public organizations.

The historical development of legal sources in the field of protection and use of biological resources is divided into three periods, divided into stages.

The first stage covers the ancient era, and according to the Zoroastrian book "Avesta," a person must not harm living nature in any way during his life, "he is obliged to preserve water, soil, fire, and all good things in the world in their entirety."

The second stage, during the former Soviet era, was devoted to the development of legislation regulating the use of objects of the animal (forest, plant) world and its legal protection, which revealed its own specific aspects.

The third stage highlights the main trends in the development of legislation regulating the use and legal protection of fauna (forest, flora) objects in the independent Republic of Uzbekistan.

Liability for violations of legislation in the field of biological resources combines three goals:

firstly, to apply punitive measures to persons who violate the rules for the use and protection of biological resources (objects of the plant and animal world);

secondly, to compensate for damage caused to biological resources;

thirdly, to warn against committing violations in the field of the protection and use of biological resources.

The results of this study can serve to effectively introduce legal solutions and innovative approaches in the field of biological diversity protection. By improving

the legal and regulatory framework and using technologies, the possibility of creating effective solutions to environmental problems will increase.

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