



 Research Article

THE ROLE OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND THE SIGNIFICANCE OF THE LEGISLATION OF THE REPUBLIC OF UZBEKISTAN IN ENSURING THE HUMAN RIGHT TO WATER

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ABSTRACT

The article deals with theoretical and legal issues related to the human right to water, analyzes in detail the Universal Declaration of Human Rights and the legislation of the Republic of Uzbekistan in the field of ensuring the human right to water. Theoretical and practical conclusions are made regarding the role of the Universal Declaration of Human Rights and the significance of the legislation of the Republic of Uzbekistan in the field of the human right to water.

KEYWORDS

Water, human rights, human right to water, Universal Declaration of Human Rights, legislation of the Republic of Uzbekistan, global water crisis, ensuring the right to water.

INTRODUCTION

Water is the basis of everything, life and economy. One of the most difficult problems facing the world community is the sustainable use of fresh water resources around the world. Today humanity is facing a serious global water crisis.

Water shortages, droughts and floods have already affected many developing and developed countries of the world. In this regard, one of the vital branches of law in both national and international law is water law,

which has not been sufficiently studied from a scientific point of view.

In any study, first of all, it is necessary to determine the conceptual and categorical apparatus of the study. In this regard, in the framework of our study, it is necessary first of all to consider what the human right to water is.

At the present stage, the recognition of water as one of the fundamental human rights has become an important step in the process of solving the problem of providing the population with this vital resource.

Thus, in November 2002, the United Nations Committee on Economic, Social and Cultural Rights declared the human right to an adequate amount of water that meets sanitary standards for personal and household use as one of the fundamental human rights.

According to the resolution adopted by the UN General Assembly in July 2010, every person has the right to have access to sufficient water for personal and domestic needs (from 50 to 100 liters per day per person) [1].

A frequently discussed topic in the process of considering water as a basic human right has become the assertion that water is a necessary condition for the fulfillment of all other human rights. There is an opinion that without equal access to clean water, it is impossible to ensure such human rights as the right to a decent standard of living, to preserve health and well-being, as well as civil and political rights. It is believed that the Universal Declaration of Human Rights, which became the basis for all subsequent declarations of this kind, is not an exhaustive enumeration of everything without which human life is unthinkable, but only indicates the constituent elements of an adequate standard of living. The fact that water was not included in the list of these elements is due to the very nature of water: like the right to air, the right to water is so fundamental that its inclusion in the declaration did not seem necessary.

As Yu.A. Sluchevskaya rightly notes, at present there is a change in the priorities of the use of water resources. In international law, there is a clear tendency for the

world community to recognize the right to water as an inalienable human right [2].

In the wake of international law and in the domestic legislation of many states, these issues are reflected. It should be noted that the state of the environment and the organization of rational nature management are becoming an increasingly urgent problem of our time, especially in the industrialized and densely populated countries of Europe. The constitutions of European states reflect environmental problems and the main ways of regulating the relationship of a person, society, state with the natural environment, preventing its degradation.

The reflection of environmental problems in the fundamental laws of European countries was influenced by both the historical circumstances of the preparation, discussion and adoption of constitutions, as well as the level of social protection of the population, legal traditions and the realities of the present, the degree of provision of legal declarations with economic living conditions, climate, population density and acuteness. issues on the availability, distribution and rational use of land and other natural resources.

In the constitutions adopted in the first half of the 20th century, one can only occasionally find rather stingy general principles for the use of natural resources - land, its subsoil, waters, forests, wildlife, and atmospheric air. At the end of the twentieth century. in connection with the impending environmental crisis, the basic laws of European countries are being introduced not only with provisions on the rational consumption and conservation of natural goods as a condition of human life, but also with additions on human rights to the environment, his environmental responsibilities, state measures to improve nature,

primarily in purposes of protecting human health, on forms of ownership of natural resources.

It is clear that the fundamental laws provide only milestones, the contours of the state and legal environmental policy, which is then manifested in the legislation and in the process of its application, but also by the constitutional norms-principles one can judge the main directions, principles and manifestations of environmental activities, projecting it onto other constitutional and other legal institutions.

Each state develops and adopts its own national legislation, including in the field of ecology and environmental protection, based on its state of environmental problems and in accordance with generally recognized norms and principles of public international law.

In Uzbekistan, the issues of promotion, protection and observance of human rights are one of the priority areas of state policy. Within the framework of the National Strategy of the Republic of Uzbekistan on Human Rights, targeted measures are being implemented in the field of ensuring personal, political, economic, social and cultural rights [3].

The Republic of Uzbekistan, immediately after gaining independence, on September 30, 1991, ratified the Universal Declaration of Human Rights of December 10, 1948. Article 3 of this declaration states that "Everyone has the right to life", and Article 25 states "Everyone has the right to such standard of living, including food, clothing, housing, medical care and necessary social services, as is necessary for the health and well-being of himself and his family" [4]. It should also be noted that Article 49 of the Constitution of the Republic of Uzbekistan, updated in 2023, states: "Everyone has the right to a favorable environment" [5]. This right means the opportunity to live in

favorable conditions that do not harm life and health, and the right to demand from the relevant officials of specially authorized state bodies in the field of environmental protection, to maintain a favorable environment in proper condition. And the opportunity to live in favorable conditions that do not harm human life and health is impossible without the provision of water. Based on this, we can argue that the right to water is one of the important constitutional human rights.

On the basis of the Constitution of the Republic of Uzbekistan, a number of laws and regulatory legal acts in the field of ecology have been developed and adopted, so the Laws "On Nature Protection of December 9, 1992", "On Water and Water Use of May 6, 1993", "On the Protection of Atmospheric Air dated December 27, 1996", "On Specially Protected Natural Territories dated December 3, 2004", "On Environmental Control dated December 27, 2013", "On Environmental Expertise", "On Environmental Audit dated March 15, 2021", approved by the Presidential Decree dated October 30, 2019 "The concept of environmental protection of the Republic of Uzbekistan until 2030", the Law of the Republic of Uzbekistan On drinking water supply and wastewater disposal, dated July 22, 2022, as well as others regulations.

Since we are talking about the human right to water, let us dwell in more detail on the Law of the Republic of Uzbekistan "On drinking water supply and wastewater disposal". In this Law, for the first time in paragraph 2 of Article 3, a definition of drinking water is given, which reads; "drinking water - water that is safe for human health, prepared in accordance with sanitary rules, norms and hygiene standards, state standards, to meet the body's need for drinking water, as well as sanitary needs." This means that consumers

have the right to use sufficient safe water for basic needs and acceptable, accessible, safe and affordable sanitation facilities, and to act in a way that ensures that water resources are protected from, for example, pollution, overuse.

Article 7 of the law defines the main directions of the state policy in the field of drinking water supply and wastewater disposal, among which I would especially like to note the provision of safe and reliable operation of drinking water supply and wastewater disposal systems; development and implementation of state and other programs in the field of drinking water supply and wastewater disposal; introduction of modern information and communication technologies and automated digitalization systems; support for the introduction of resource-saving technologies; protection of consumer rights, provision of quality services for drinking water supply and wastewater disposal [6].

In addition, Article 51 stipulates that international cooperation in the field of drinking water supply and wastewater disposal is carried out in accordance with the legislation and international treaties of the Republic of Uzbekistan.

We believe that as a result of the implementation of this Law, an effective legal framework will be created in Uzbekistan aimed at sustainable development of the sector and improving the quality of services, preventing losses of drinking water due to malfunctions, preventing cases of illegal connection of consumers to drinking and wastewater pipelines, achieving the implementation open and equal mechanisms between consumers and service providers.

So, according to the law, the right to water is the right of every person, and the right to safe water is part of

the law, and the observance of this right depends on good environmental protection and integrated water resources management. It differs from water rights, which consider a certain volume of water provided for certain consumer needs.

It should be noted that the right to water implies attempts to guarantee equitable and sustainable access to safe water and sanitation for all at affordable prices, in physically accessible places, and in a safe environment for all. This is reflected in the rights and obligations of both consumers and public authorities.

With regard to the rights and obligations of consumers, they include:

- the right to use sufficient safe water for basic needs and adequate, accessible, safe and affordable sanitation facilities, and to act in such a way as to ensure the protection of water resources;
- the right to receive reliable information on water supply and participate in effective consultations in which women will be involved;
- the right to create effective systems of legal protection of consumers;
- the obligation to pay for water supply services and public actions regarding water.

And the rights and obligations of public authorities in the field of water provision include: to integrate the right to water into national legislation and guarantee the application of the law; organize water supply services at the most appropriate decentralized territorial level and as close as possible to consumers; define the responsibilities of the parties involved and determine the distribution of water costs among consumers; set goals for access to water (quality, quantity, availability and price) for each situation, adopt and implement a plan of priority actions and

investments, identify people who do not have access to drinking water; exercise effective supervision over the management of water services and monitor the gradual fulfillment of the tasks of public utilities; establish sustainable systems to guarantee the quality, consistency of services and rationally cover the costs of these systems in the long term.

Thus, the role of the Universal Declaration of Human Rights, whose 75th anniversary is being celebrated this year, is expressed in the fact that all modern international and national human rights mechanisms are built on its basis, as well as in the opportunity to recall the need to protect and strengthen human rights in all over the world. Respect for human rights is not a political choice, but a legal obligation. These are universal obligations and legal principles guaranteed by official declarations or treaties that are legally binding on the states that have acceded to these documents.

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