



## CLIMATE CHANGE AND ENVIRONMENTAL LAW

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**Abstract:** *This article explores the evolving relationship between climate change and environmental law, focusing on Uzbekistan's recent legislative developments in the context of international frameworks. Key instruments such as the United Nations Framework Convention on Climate Change (UNFCCC), the Paris Agreement, and Uzbekistan's Law on Limiting Greenhouse Gas Emissions (No. ZRU-1073, 2025) alongside the Law on Environmental Expertise, Environmental Impact Assessment, and Strategic Environmental Assessment (No. ZRU-1036, 2025) form the basis of analysis. Uzbekistan's updated Nationally Determined Contribution (NDC 3.0, 2025) commits to a 50% reduction in GHG emissions intensity per unit of GDP by 2035 from 2010 levels, reflecting alignment with global norms while addressing national vulnerabilities like water scarcity and desertification. A comparative examination with international standards and practices in other jurisdictions reveals strengths in policy ambition but highlights implementation challenges, including enforcement mechanisms and public participation. The discussion emphasizes the necessity of strengthened legal tools to ensure effective mitigation and adaptation in arid regions.*

**Keywords:** *Climate change, environmental law, Uzbekistan, Paris Agreement, UNFCCC, Nationally Determined Contributions (NDCs), greenhouse gas emissions, strategic environmental assessment, climate justice, sustainable development, comparative legal analysis, international obligations.*

Climate change poses one of the most pressing challenges of the contemporary era, intertwining environmental integrity with economic development, social equity, and intergenerational responsibility. International environmental law has responded

through progressive instruments, beginning with the 1992 UNFCCC, which established the principle of common but differentiated responsibilities and respective capabilities. Subsequent developments, notably the Kyoto Protocol and the Paris Agreement of 2015, have shifted toward more inclusive, nationally driven commitments while maintaining global oversight.

In Uzbekistan, a landlocked country in Central Asia facing severe impacts from climate change—such as shrinking water resources from the Aral Sea basin, increasing droughts, and land degradation—the integration of these international obligations into domestic law has gained momentum. Recent reforms, including the declaration of 2025 as the Year of Environmental Protection and Green Economy, underscore a strategic pivot toward sustainability. This article analyzes Uzbekistan's environmental legal framework in relation to global standards, drawing on primary sources from Uzbek legislation and international treaties to assess alignment, gaps, and potential pathways for enhancement.

The foundational treaty remains the UNFCCC (1992)<sup>1</sup>, which commits parties to stabilize greenhouse gas concentrations at levels that prevent dangerous anthropogenic interference with the climate system (Article 2). It introduces core principles, including equity, precaution, and sustainable development.

The Kyoto Protocol (1997) imposed quantified emission reduction targets on developed countries (Annex I parties) and introduced market-based mechanisms like the Clean Development Mechanism to support technology transfer and sustainable development in developing nations.

The Paris Agreement (2015)<sup>2</sup> represents a landmark shift to a universal, bottom-up model. All parties submit Nationally Determined Contributions (NDCs) reflecting their highest possible ambition, with provisions for progressive

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<sup>1</sup> United Nations Framework Convention on Climate Change (UNFCCC), adopted May 9, 1992, entered into force March 21, 1994, Art. 2, available at [https://unfccc.int/files/essential\\_background/convention/background/application/pdf/convention\\_text\\_with\\_annexes\\_english\\_for\\_posting.pdf](https://unfccc.int/files/essential_background/convention/background/application/pdf/convention_text_with_annexes_english_for_posting.pdf).

<sup>2</sup> Paris Agreement, adopted December 12, 2015, entered into force November 4, 2016, Arts. 4, 7–9, available at <https://unfccc.int/process-and-meetings/the-paris-agreement>.

enhancement every five years (Article 4). It emphasizes adaptation, loss and damage, and finance flows from developed to developing countries (Articles 7–9). Transparency and accountability are reinforced through enhanced reporting and review processes.

Recent judicial guidance has further clarified state obligations. The International Court of Justice's Advisory Opinion of 23 July 2025 on Obligations of States in respect of Climate Change affirms that international law requires states to exercise due diligence in preventing significant transboundary harm from GHG emissions, drawing on customary law, human rights treaties, and the law of the sea. This opinion underscores that failure to mitigate can entail legal responsibility, particularly for major emitters.

Complementary frameworks, such as the Aarhus Convention (1998) on access to information, public participation, and justice in environmental matters, and the Espoo Convention on transboundary environmental impact assessment, promote procedural rights and regional cooperation.

Uzbekistan's environmental legislation has evolved significantly since independence. The Constitution enshrines the right to a healthy environment, providing a constitutional basis for protection measures.

Major recent enactments include the Law on Limiting Greenhouse Gas Emissions (No. ZRU-1073, signed 7 July 2025, effective January 2026)<sup>3</sup>. This law defines key concepts such as GHG emissions, carbon credits, and green projects; establishes a national carbon credit registry; introduces monitoring, reporting, and verification (MRV) systems; and regulates carbon unit trading. It aims to fulfill Paris Agreement commitments by enabling systematic emission reductions and participation in international carbon markets.

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<sup>3</sup> Law of the Republic of Uzbekistan No. ZRU-1073 "On the Limitation of Greenhouse Gas Emissions," signed July 7, 2025, effective January 9, 2026, available at <https://lex.uz/en/docs/7618164>.

Complementing this is the Law on environmental expertise, Environmental impact assessment, and Strategic environmental assessment. It mandates environmental assessments for projects, programs, and strategic plans, incorporating elements of public expertise and integration of environmental considerations into decision-making.

Uzbekistan's NDC 3.0 (submitted November 2025) advances ambition significantly, targeting a 50% reduction<sup>41</sup> in GHG emissions intensity per unit of GDP by 2035 from 2010 levels—up from earlier targets. This reflects integration with national priorities, including renewable energy expansion, energy efficiency, and adaptation in agriculture and water sectors. The Ministry of Ecology<sup>52</sup>, Environmental Protection and Climate Change (restructured in late 2025 as the National Committee for Ecology and Climate Change) oversees implementation, supported by international partners like UNDP, GGGI, and OSCE.

Uzbekistan's framework demonstrates clear convergence with international norms. The NDC 3.0's intensity-based target aligns with the Paris Agreement's flexibility for developing economies, avoiding absolute reductions while enabling growth. The 2025 GHG law mirrors flexibility mechanisms under Kyoto and Paris (e.g., Article 6 cooperative approaches), facilitating carbon trading and green investments.

Strategic environmental assessment provisions in the 2025 law draw inspiration from the EU SEA Directive (2001/42/EC), requiring integration of environmental factors into plans and programs. However, differences emerge in procedural depth: while the Aarhus Convention mandates robust public participation and access to

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<sup>1</sup> Republic of Uzbekistan, Updated Nationally Determined Contribution (NDC 3.0) for the period up to 2035, submitted November 2025, p. relevant sections on the 50% reduction in GHG emissions intensity per unit of GDP by 2035 from 2010 levels, available at <https://unfccc.int/sites/default/files/2025-11/Uzbekistan%20Third%20NDC.pdf>.

<sup>2</sup> Decree of the President of the Republic of Uzbekistan on measures for the organization of activities of the National Committee of the Republic of Uzbekistan for Ecology and Climate Change, November 18, 2025 (restructuring the Ministry of Ecology, Environmental Protection and Climate Change into the National Committee directly accountable to the President), available at <https://president.uz/ru/lists/view/8689>.

justice, Uzbekistan's framework, though improved, still emphasizes state-led expertise with more limited mandatory stakeholder involvement across all stages.

Enforcement contrasts are notable. International standards, reinforced by the ICJ's 2025 opinion, emphasize due diligence and accountability, including potential liability for transboundary harm. In Uzbekistan, while MRV systems and registries provide tools for compliance, judicial mechanisms for environmental claims remain less developed compared to jurisdictions like the European Union, where climate litigation has driven policy shifts.

Regionally, peers like Kazakhstan have acceded to the Aarhus Convention, enhancing transparency. Uzbekistan could benefit from similar steps to strengthen public engagement, particularly in vulnerable areas affected by shared water resources.

Economic and capacity factors also influence outcomes. Uzbekistan's reliance on fossil fuels and agriculture necessitates balanced transitions, akin to challenges faced by other middle-income countries. International support—through finance, technology transfer, and capacity building—remains crucial, as highlighted in Paris Agreement provisions.

Opportunities for reform include fuller incorporation of climate justice principles (addressing disproportionate impacts on vulnerable groups), expansion of SEA to transboundary contexts (via Espoo alignment), and leveraging global carbon markets under Article 6.

The interplay between climate change and environmental law reveals both progress and persistent challenges. Uzbekistan's adoption of targeted legislation in 2025—the GHG Emissions Law and SEA framework—alongside an ambitious NDC 3.0, positions the country to address acute regional vulnerabilities while contributing to global efforts. These developments reflect a deliberate effort to harmonize domestic policy with UNFCCC principles and Paris Agreement requirements, emphasizing emission intensity reductions, renewable integration, and adaptive measures.

Nevertheless, comparative insights indicate areas for refinement. Procedural enhancements in public participation and access to justice, stronger enforcement mechanisms, and deeper integration of transboundary considerations would align more closely with international benchmarks and the ICJ's guidance on due diligence obligations. Judicial and institutional reforms could further bolster accountability, drawing lessons from global trends in climate litigation and regional practices.

Ultimately, effective environmental law must evolve as a dynamic instrument for resilience and equity. By continuing reforms, enhancing international cooperation, and prioritizing implementation, Uzbekistan can transform climate challenges into opportunities for sustainable development, safeguarding ecosystems and livelihoods for current and future generations in Central Asia and beyond.

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