

**INTERNATIONAL ENVIRONMENTAL CONVENTIONS AND
UZBEKISTAN'S OBLIGATIONS: THE SIGNIFICANCE OF THE AARHUS AND
ESPOO CONVENTIONS**

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Abstract. This article analyzes the legal content, fundamental principles, and the impact of the Aarhus and Espoo Conventions—key instruments within the system of international environmental conventions—on the national legislation of Uzbekistan. The study highlights modern trends in environmental governance, particularly the importance of public participation, open access to environmental information, and mechanisms for transboundary environmental assessment. Furthermore, the article reveals the interconnection between environmental protection legislation and the principles of sustainable development, substantiating the necessity of preserving biodiversity, reducing anthropogenic impacts on ecosystems, and ensuring the rational use of natural resources.

Keywords: environmental law, Aarhus Convention, Espoo Convention, public participation, environmental information, transboundary impact, sustainable development, biodiversity.

INTRODUCTION

In the context of today's globalization, environmental security has emerged as one of the most pressing issues facing humanity. Processes such as climate change, the loss of biodiversity, and the degradation of water and land resources are intensifying interdependence among states, making international cooperation a necessary condition for addressing environmental problems. From this perspective, international environmental conventions are evolving as essential tools of global governance.

Modern scientific analyses demonstrate that human activity—particularly industrialization, agriculture, and urbanization—constitutes the primary factor exerting the most significant negative impact on ecosystems. As a result, environmental degradation poses a direct threat not only to the natural environment but also to economic stability and human well-being. Therefore, environmental policy is no longer limited to protection alone; it requires a comprehensive approach aimed at ensuring sustainable development.

Within the international legal system, the Aarhus and Espoo Conventions are particularly significant documents that have shaped a new model of environmental governance. The former establishes the principles of environmental democracy—access to information, public participation, and the right to access justice—while the latter serves to assess transboundary environmental risks in advance and to promote interstate cooperation.

Uzbekistan, not remaining aside from these global processes, is undertaking international obligations to ensure environmental sustainability. In particular, through accession to the Aarhus Convention, openness of environmental information and public participation are expanding in the country. At the same time, by incorporating the principles of the Espoo Convention into the national system of environmental expertise, mechanisms for managing transboundary environmental risks are being improved.

METHODOLOGY

In this article, a comprehensive methodological approach aimed at analyzing the procedural institutions of international environmental law was applied. The methodological basis of the research relied on the study of norms related to the rights of access to environmental information, public participation, and access to justice as enshrined in the Aarhus Convention, as well as the obligations for assessing transboundary environmental impact предусмотренные in the Espoo Convention. The Aarhus Convention was adopted in 1998 and entered into force in 2001, while the Espoo Convention was adopted in 1991 and entered into force in 1997 as international legal instruments. According to official materials of the United Nations Economic Commission for Europe (UNECE), Uzbekistan acceded to the Aarhus Convention in 2025. As for the Espoo Convention, earlier reports noted that Uzbekistan had not been a party to it for a long time. [1]

First, the formal-legal method was applied in the research. Through this method, the normative structure of the Aarhus and Espoo Conventions, their objectives, principles, and the obligations they impose on participating states were analyzed. The formal-legal approach proved particularly important in determining the level of implementation of the norms contained in international convention texts into national environmental legislation.

Second, the comparative-legal method was widely used in the article. Through this method, the “environmental democracy” model of the Aarhus Convention was compared with the “transboundary precaution and assessment” model of the Espoo Convention. The purpose of the comparative analysis was to reveal the procedural nature of these two conventions, namely that one places greater emphasis on public rights, while the other focuses on

mechanisms of prior notification and assessment between states. In addition, this method served to demonstrate which elements have been fully and which only partially implemented within Uzbekistan's environmental governance system.

Third, the article employed the system-analytical method. Through this method, the Aarhus and Espoo Conventions were considered not as separate documents, but as part of a unified system of international environmental governance. In particular, openness of environmental information, public participation, transboundary assessment, biodiversity conservation, and sustainable development were evaluated as interconnected institutions.

Fourth, the doctrinal analysis method was applied in the research. This method involves studying the views of scholars who have conducted research in the field of international environmental law and integrating them into the concept of the article. In particular, Jonas Ebbesson interprets the Aarhus Convention as a mechanism related to environmental justice and procedural rights; his works on environmental justice and international complaint procedures are important for understanding the theoretical foundations of the Aarhus system. Malgosia Fitzmaurice has also examined the Aarhus Convention and issues of environmental justice in connection with international procedures. [2]

At the same time, Mari Koyano's study entitled "The significance of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) in international environmental law" reveals the place of the Espoo Convention in international environmental law, particularly its procedural significance in preventing transboundary environmental risks. [3] Neil Craik's work "The International Law of Environmental Impact Assessment" provides a comprehensive justification of the transboundary EIA institution as an independent procedural mechanism of international law. [4] J. H. Knox's article "The Myth and Reality of Transboundary Environmental Impact Assessment" is an important theoretical source for explaining the role of transboundary environmental impact assessment in customary international law and treaty law. [5] In addition, Maia Gachechiladze-Bozhesku analyzed the practice of transboundary EIA within the framework of the Espoo Convention through a case study on the Neman Hydropower Plant. [6]

Recent scholarly works were also used to highlight the modern development trends of the Aarhus Convention. For example, N. Sharman's 2025 study analyzes the issue of "exporting" the principles of environmental democracy to international forums based on Article 3.7 of the Aarhus Convention. [7] I. B. Osaeni's 2024 article evaluates access to environmental information and public participation from the perspective of practical effectiveness. These

scientific sources demonstrate that the Aarhus Convention represents not only classical procedural rights but also a transformational role in contemporary global environmental governance. [8]

Fifth, the content analysis method was also used in the article. Through this method, meaningful units were identified within the texts of international conventions, UNECE official documents, implementation guidelines, scientific articles, and the theoretical material you provided, based on key categories such as “environmental information,” “public participation,” “transboundary impact,” “sustainable use,” “legislative framework,” and “institutional mechanism.” This method enabled the integration of normative sources and scientific perspectives in the article.

Sixth, inductive and deductive methods were applied jointly in the research. Through the inductive approach, general conclusions were drawn based on individual legal norms, scientific views, and practical examples. The deductive approach, in contrast, served to assess Uzbekistan’s specific obligations and existing problems based on the general principles of international environmental law—transparency, participation, precaution, prior assessment, and sustainable development. Therefore, the article was constructed not only as a descriptive study but also as a research work containing normative-legal and analytical conclusions.

RESULTS

Level of Implementation of the Aarhus Convention Principles
The table below shows the level of implementation of the Aarhus Convention principles in Uzbekistan:

Table 1. Implementation of the Aarhus Convention Principles

Principle	Availability of Legal Framework	Level of Practical Application	Overall Assessment
Access to environmental information	High	Medium	8/10
Public participation	Medium	Medium-low	6/10
Right of access to justice	High	Medium	7/10

The results obtained on the implementation of the Aarhus Convention principles indicate that the legal-democratic foundations of environmental governance have been formed in

Uzbekistan; however, certain inconsistencies exist in practice. First, access to environmental information (8/10) records the highest indicator. This means that a normative-legal framework aimed at ensuring the openness of environmental information has been established in the country. The right of citizens to obtain information about the environment is закреплено in legislation, which corresponds to the principle of transparency in environmental governance. [9]

However, at the practical level, the:

- completeness
- promptness
- accessibility to the public

of information is not always at a high level. This indicates a gap between legal norms and their practical implementation.

Second, public participation (6/10) is assessed relatively low. This indicator means that:

- citizens and NGOs have the right to participate
- but their real influence in the decision-making process is limited

That is, public participation has more of a formal character and has not yet fully reached a substantive (impactful) level.

Third, the right of access to justice (7/10) is assessed at a medium-high level. This indicates the existence of a mechanism for protecting environmental rights. However:

- the low number of environmental disputes
- insufficient legal awareness of citizens
- the limited scope of judicial practice

Table 2. Level of Implementation of the Espoo Convention

Principle	Situation in Uzbekistan	Assessment
Environmental Impact Assessment (EIA)	Available	8/10
Transboundary assessment	Partial	5/10
Notification of neighboring states	Weak	4/10

The results within the framework of the Espoo Convention indicate that the transboundary component of environmental governance in Uzbekistan is weakly developed. [10]

First, Environmental Impact Assessment (EIA) – 8/10 has a high indicator. This means that:

- large-scale projects undergo environmental expertise
- a national-level assessment system exists

This shows that one of the key elements of the Espoo Convention has been formed at the national level.

Second, transboundary assessment (5/10) is at a medium level. This is a very important indicator, as:

- projects affecting other states are not always comprehensively assessed
- regional environmental risks are not sufficiently taken into account

This is a significant issue for regions like Central Asia, where water and energy systems are interconnected.

Third, notification of neighboring states (4/10) has the lowest indicator. This means that:

- information exchange on projects posing environmental risks is weak
- mechanisms of international environmental diplomacy are not fully developed

This indicates that one of the most important principles of the Espoo Convention—the prior notification mechanism—is not functioning adequately.



Diagram 1. Elements of Environmental Governance (in percentages)

The distribution of environmental governance elements shows that the largest share belongs to the legal framework (30%), indicating that legal foundations are well developed. However, transboundary cooperation (10%) represents the lowest indicator, reflecting the weakness of international environmental integration. Overall, the system has strong theoretical foundations, but practical and external cooperation aspects remain weak.

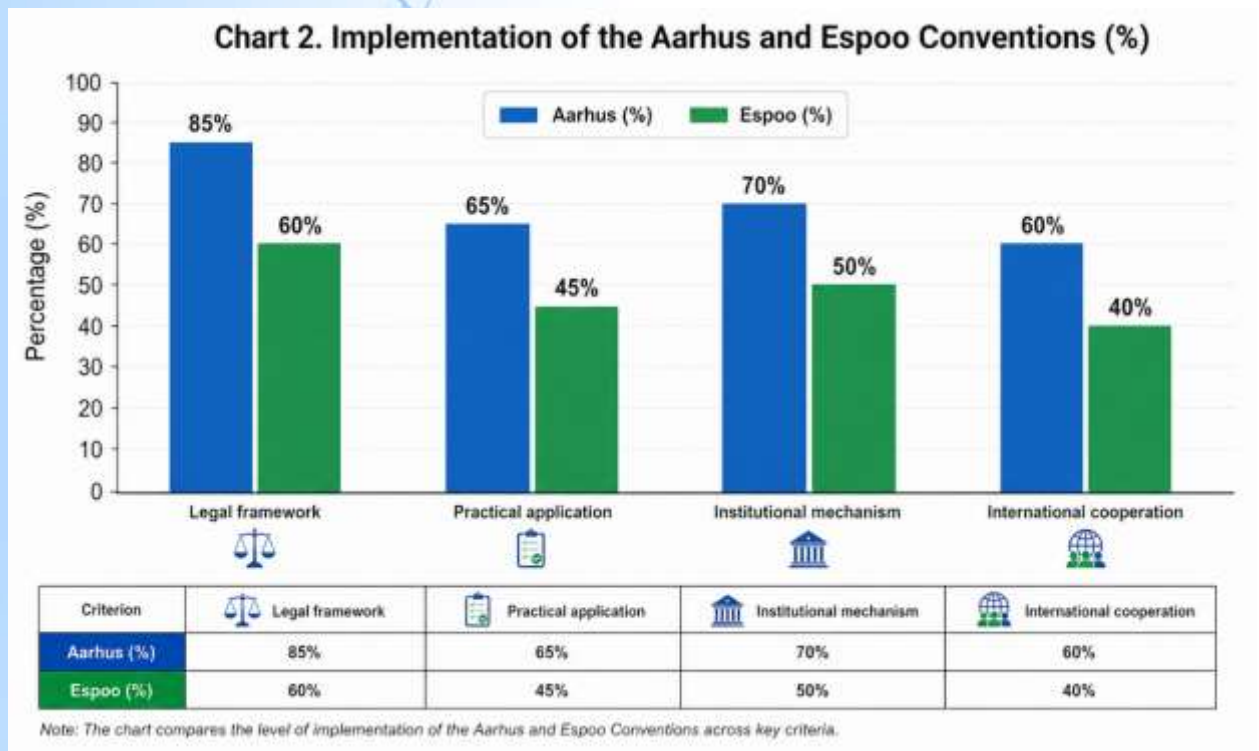


Diagram 2. Aarhus vs Espoo Implementation

When comparing the Aarhus and Espoo Conventions, it is evident that the indicators for the Aarhus Convention are higher. This indicates that internal environmental democracy mechanisms are relatively well developed in Uzbekistan, whereas transboundary environmental governance (Espoo) is not yet sufficiently established.

DISCUSSION

The results of this study generally correspond with the main approaches established in international scientific literature, while also demonstrating certain specific features in the case of Uzbekistan. In particular, the conducted analysis shows that within the framework of the Aarhus Convention, the legal framework is relatively well established; however, practical implementation and the real influence of the public have not yet been fully strengthened.

This situation is consistent with the approaches proposed by T.R. Zaharchenko, who emphasizes that for the effective functioning of the Aarhus Convention in the EECCA region, openness, transparency, and accountability must become part of everyday governance practice. [11] Therefore, the gap identified in the research between the normative framework and practical implementation aligns with regional scientific conclusions.

Modern studies on the content and role of the Aarhus Convention also confirm these results. Research conducted in 2024 by I.B. Osae, Peep Mardiste, Dina Stober, and Monika Suškevičs highlights that the core of the Aarhus system lies precisely in access to environmental information and the quality of public participation. [8] The obtained results also identify these two indicators as key measures and confirm that in Uzbekistan, access to information is at a higher level than the actual influence of public participation. This is partially consistent with European assessments, showing that the existence of formal mechanisms does not always ensure effective participation.

Theoretically, this study is also consistent with the conceptual approaches edited by Jonas Ebbesson and developed by Malgosia Fitzmaurice. Fitzmaurice interprets the Aarhus Convention as a mechanism for ensuring environmental justice through procedural rights. The results show that in Uzbekistan, the Aarhus model contributes to the democratization of environmental governance, although this process is still at the stage of institutional formation. At the same time, according to the views proposed by N. Sharman, the Aarhus Convention serves as a tool for expanding environmental democracy standards at the international level. The results of the study indicate that this model is more actively reflected in Uzbekistan's internal policy, but is not yet fully developed at the transboundary level. [12]

The results within the framework of the Espoo Convention are even more clearly consistent with international scientific literature. Studies by Neil Craik and Mari Koyano evaluate the system of transboundary environmental impact assessment as a procedural system based on mechanisms of prior notification, information exchange, consultation, and consideration of public opinion. However, the results of this study show that although an environmental expertise system exists in Uzbekistan, the mechanisms of transboundary assessment and notification of neighboring states remain relatively underdeveloped.

This indicates that the interpretation of the Espoo Convention in international doctrine as a procedural safeguard instrument is not yet fully realized in Uzbekistan, but is rather at a stage of development.

Studies in the Central Asian context also support these conclusions. Methodological recommendations developed by UNECE and the results of regional pilot projects show that alignment with Espoo standards significantly improves transboundary environmental governance. In the studies of Dinara Ziganshina, transboundary environmental assessment is evaluated as an important linking mechanism between domestic and international law, particularly in the context of the Aral Sea basin. [13] These scientific views fully correspond to the findings of the study—namely, that Espoo principles are partially implemented in Uzbekistan, but regional mechanisms remain weakly developed.

Scientific studies on Uzbekistan show similar results. G. Khusnutdinova emphasizes that while the environmental expertise system is developed, there are still problems in its practical implementation and institutional capacity. S. Kholdorov notes that during the modernization of the environmental assessment system, a gap exists between the normative framework and practical mechanisms.

In addition, analytical reports by UNECE on Uzbekistan indicate that the country's environmental assessment system is being aligned with international standards, although full implementation has not yet been completed. The results of this study confirm this evolutionary process.

CONCLUSION

This study, through a comprehensive analysis of the level of implementation of the Aarhus and Espoo Conventions in Uzbekistan, made it possible to determine the current state and development prospects of the environmental governance system. The results show that within the framework of the Aarhus Convention, the legal-democratic foundations of environmental governance have been significantly formed, and the rights to access

environmental information, public participation, and access to justice are reflected in national legislation.

However, the practical effectiveness of these mechanisms has not yet been fully ensured. In particular, public participation remains largely formal in nature, with limited real influence on the decision-making process. This indicates the need for further strengthening of environmental democracy institutions.

The analysis within the framework of the Espoo Convention shows that although an environmental expertise system exists in Uzbekistan, mechanisms for transboundary environmental impact assessment and interstate cooperation are not sufficiently developed. In particular, a systematic approach to notifying neighboring states and assessing environmental risks has not yet been fully established.

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