

MICHAEL SUCCOW FOUNDATION
for the Protection of Nature

Possible constraints for the establishment of an enhanced protected area around Hissar Zapovednik



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Study on behalf of the
Michael Succow Foundation for the Protection of Nature
In the frame of the project
“Protected areas in Uzbekistan – pilot regions of sustainable development”

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Abbreviations

BMU	Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit
BR	Biosphere Reserve
GEF	Global Environmental Facility
IUCN	International Union for the Conservation of Nature and Natural Ressources
MAWR	Ministry of Agriculture and Water Ressources of the Republic of Uzbekistan
MSF	Michael Succow Foundation for the Protection of Nature
NP	National Park
SCNP	State Committee for Nature Protection of the Republic of Uzbekistan
UNCBD	United Nations Convention on Biological Diversity
UNFCCC	United Nations Framework Convention on Climate Change
UNCDD	United Nations Convention on Degradation and Desertification
UNDP	United Nations Development Programme
UNEP	United Nations Environmental Programme

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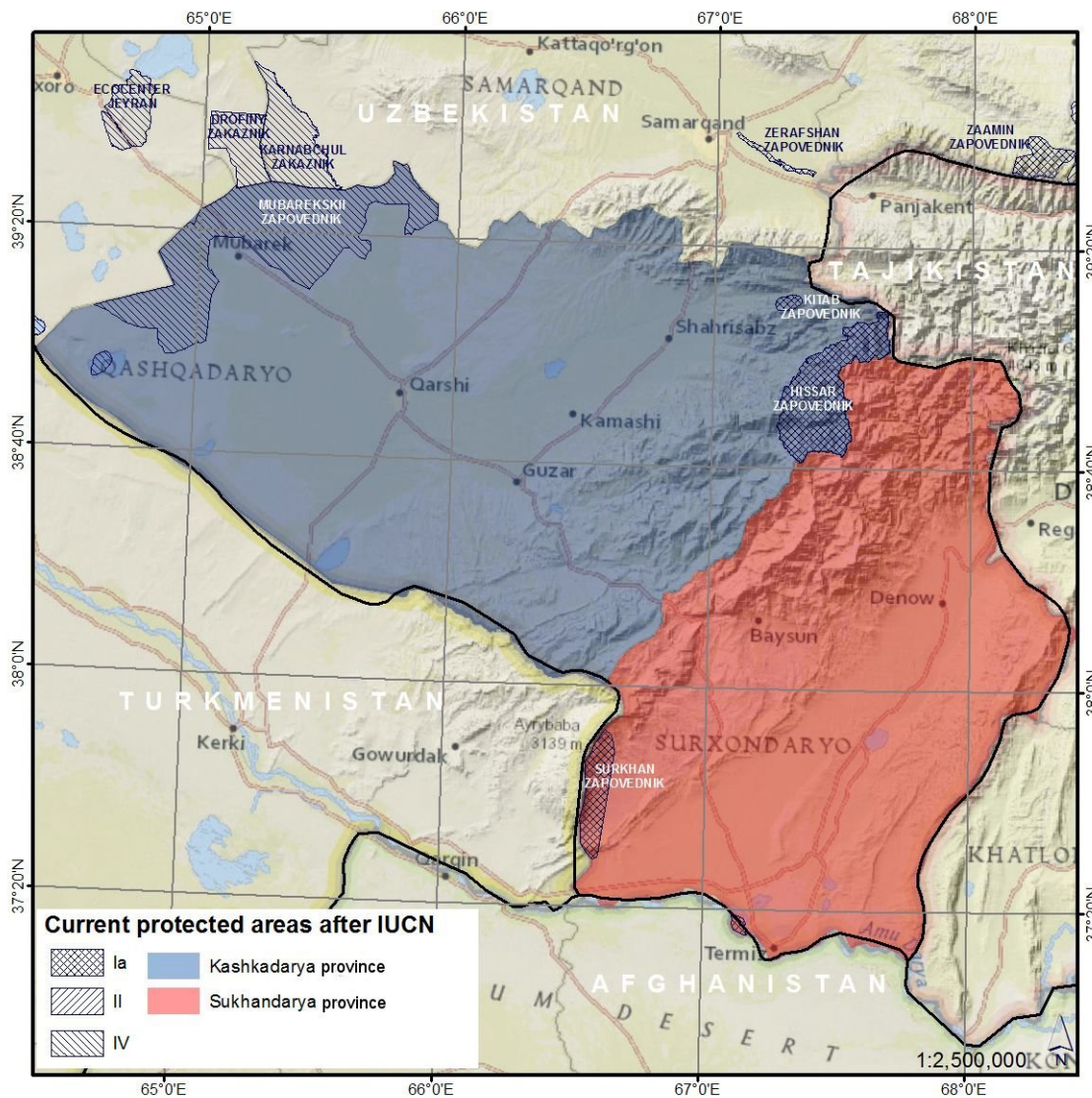
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1. SUMMARY

The study discusses opportunities and constrains for the improvement situation of land use and biodiversity around Hissar zapovednik – the largest protected area of category Ia IUCN in the Republic of Uzbekistan.

The zapovednik is located in the Kashkadarya province in the south of the country and occupies the northern slope of Hissar range, the highest mountain massive in Uzbekistan.

Basing on the results of direct interviews/discussions with representatives of various stakeholders – from local communities to national governmental agencies stakeholder statements were collected and prepared. Beyond the collection of information several scenarios for the development of Hissar zapovednik are discussed in the context of their feasibility against stakeholders’ attitudes, infrastructure, natural assets and the legal, administrative as well as infrastructural frame work.



Map of the region

2. INTRODUCTION

Hissar zapovednik is, with an area of 80.986 ha the largest one in Uzbekistan. It intends to protect juniper forests, alpine and subalpine mountains up to high mountain glaciers. The flora includes more than 800 vascular plants (24 are included into Red Data Book of Uzbekistan). The fauna is composed of more than 1.000 species of invertebrates and 268 species of vertebrate animals (16 are included into Red Data Book of Uzbekistan).

The zapovednik staff is composed of 57 persons: 4 persons is administrative staff, 3 persons – scientific staff, 8 persons – technical staff and 35 persons – protection staff. Even it is the largest staff number of all Zapovedniks in Uzbekistan, putting these numbers into relation to the territory size is much less per square unit compared to all other zapovedniks in Uzbekistan. Consequently this implies certain problems in protecting the territory, especially to the south, the border to Surkhandarya province. This is due to the fact that the whole protection staff is based in villages that are located along the northern limits of zapovednik. The zapovednik is managed from the headquarter office located in the city of Shakhrisabz, in Kashkadarya province. According to the current management rules all of the zapovednik staff must be highered in Kashkadarya province. Thus permanent access for the protection staff to the southern limits of the zapovednik turns out to be rather difficult even in summer and during winter season it is impossible.

The GEF/UNDP/Government of Uzbekistan project “Strengthening Sustainability of the National Protected Area System by Focusing on Strictly Protected Areas” among others proposed the establishment of the protected area “South-West Hissar” in both, Kashkadarya and Surkhandarya, provinces of Uzbekistan. The detailed proposal in Russian is attached with Annex I. It is proposed to establish a National Park where the Hissar Zapovednik will be a core zone. It is stated that more efforts have to be done to decide for a suitable zonation. However, there has been no research on feasible approaches neither of its creation nor on possible constraints or other options of protection status. This was not the inherent goal of the project mentioned since it was to define the most important territories for biodiversity conservation and to propose ways for strengthening the protected area system in Uzbekistan as a whole. Thus more detailed investigations on possibilities remains matter of other parties or projects. This is why we as Michael Succow Foundation for the Protection of Nature stepped into that certain task to bring on the process within the frame of the advisory assistance program of the Federal Ministry of Environment, Nature Protection and Nuclear Safety. The ministry finances the project „Protected areas in Uzbekistan – pilot regions of sustainable development“, an important contribution to the global network of protected areas to support the aims of the UN convention on biological diversity (CBD). In the frame of the project we advise the implementation of PAs which meets both findings – biodiversity conservation and sustainable human livelihood.

Currently the protected area system of Uzbekistan is based on standards of the former Soviet Union, of which the zapovedniks have the highest IUCN category Ia implying strict nature protection but neglect human being. In several cases some settlements were even translocated from the territory of established zapovedniks.

More recent approaches follow a holistic idea, considering needs of natural processes and human being in equal terms. These ideas are met with the UNESCO „Man & Biosphere“ concept and the Sevilla strategy which are commonly accepted at international level and well applied in many countries in the world. In the Soviet Union protected area system the protected area type of “zakaznik” exists which is quite similar to that concept of a sustainable economic zone. At the end of the Soviet Union era the first national parks were implemented, like the Zaaminsky National Park in Uzbekistan. This protected area category is aiming at both – nature conservation and improvement of the human livelihood, basically via recreation and tourism development. Only recently a new entity – the biosphere reserve – appeared in Uzbekistan. After independence of Uzbekistan two approaches have been made to establish biosphere reserves the Nuratau-Kyzylkum BR and the Lower Amudarya BR, with assistance of the UN bodies (at first GEF and UNDP), where the first one failed but the latter one succeeded in August 2011.

3. METHODOLOGY

According to the Article 10 of the Law of the Republic of Uzbekistan “On Protected Natural Areas” (Annex VIII), dated 2004, different entities of citizens’ self-governance, non-governmental, non-commercial organizations and citizens shall assist state bodies in the realization of measures to organize, to protect and to utilize protected areas. The governmental agencies in charge shall consider the opinion of these legal entities while implementing measures. In regard to the Hissar zapovednik it is indispensable that the interests of local stakeholders from Kashkadarya and Surkhandarya provinces are taken into account, in addition to stakeholders from relevant institutions and ministries at national level.

The general methodology took these legal requirements into account and thus prepared that study on the basis of interviews / discussions with relevant stakeholders from both –national and local level. Additional material was collected from available project material, relevant literature and internet resources. The interviews and discussion on province and district level were done at a field mission into the Hissar zapovednik surroundings in May 2012. Places and stakeholder are depicted and described in Annex V and VI). As a result Annex VII was prepared explaining individual interests of the stakeholder.

All of the here discussed scenarios (see chapter 5) were chosen to its feasibility in the frame of the current legislation of the Republic of Uzbekistan.

4. POSSIBLE APPROACHES FOR THE ESTABLISHMENT OF PROTECTED AREAS

Doubtless is that all activities that aim to improve the situation around Hissar zapovednik have to fit the legal procedures and provisions of the prevailing legislation of the Republic of Uzbekistan. Of course, it does not prevent any interested party from attempts to improve legislation according to the recent internationally recognized practices; however these legislation changes will take quite a long time.

The existing legislation of the Republic of Uzbekistan, among others the law “On Protected Natural Areas” (2004), describes procedures for the creation of any new protected area. According to that “Protected areas are formed through a decision of Cabinet of Ministers of the Republic of Uzbekistan and local bodies of state authority based on the order stipulated by the legislation. Reorganization of protected areas is made if a change in their category is required. In doing so, a transfer of a protected natural territory from a stricter regime category to a softer regime category is allowed in exceptional cases only”. The creation of protected areas of higher categories like zapovedniks or biosphere reserves is an exclusive mandate of the central government (Cabinet of Ministers), while protected areas of local importance like zakazniks, nature monuments or natural nurseries could be organized by the decision of local authorities. At the same time the bodies of the citizens’ self-governance, non-governmental, non-commercial organizations and individual citizens shall assist state bodies in realization of measures to organize, protect and use protected areas (Article 10). The governmental agencies in charge shall consider the opinion of these legal entities while implementing measures.

In reverse it implies that the decision on the establishment of a protected area of any category should be approved by local authorities from district to provincial level. Following the draft of the decision of the Cabinet of Ministers it is necessary to be confirmed by all relevant ministries. In some cases such a decision has to be approved by the parliament (Oliy Majlis).

For all the protected area categories except the Zapovedniks, core zones of National Parks and Biosphere Reserves the land property rights could remain with the previous land owners. For the above mentioned exceptions land ownership moves to the government, usually to the Ministry of Agriculture or the State Committee for the Nature Protection.

The same law defines categories of protected area that are accepted and existent in Uzbekistan. These categories are similar to those, proposed by IUCN in 1994:

1) State reserves (protected areas of national-wide importance with a strict regime of protection of natural objects and complexes intended for conservation and research of typical ecological systems, genetic fund of plants and animals, category Ia of the IUCN);

2) Complex zakazniks (the protected areas intended for conservation in a pristine condition of natural objects and complexes with particular ecological value, category Ib IUCN);

3) Natural parks (the protected areas intended for conservation and use of natural objects and complexes with a particular ecological, cultural and aesthetic value for nature protective, recreational, scientific and cultural purposes, category II IUCN);

4) State monuments of nature (represented by protected areas with unique and irreplaceable natural objects, valuable in the ecological, scientific, cultural and aesthetic sense, category III IUCN). State monuments of nature are subdivided into the following types:

- Hydrological (marsh, lake, river and other), intended for conservation of natural objects;
- botanical, intended for conservation of certain plants;
- geo-morphological, intended for conservation of certain forms of landscape created by nature;
- paleontological, intended for conservation of mineral objects;
- geological and mineralogical, intended for conservation of geological and mineralogical formations.

5) Territories for conservation, reproduction and restoration of certain natural objects and complexes (category IV IUCN); they are created as zakazniks, natural nurseries or fishery zones.

Zakazniks are the protected areas intended for conservation, reproduction and restoration of certain natural objects and complexes. Zakazniks can be of the following types:

- Biological (botanical, zoological) ones, intended for conservation, reproduction and restoration of valuable, rare and endangered species of plants and animals, ways of migration of living organisms;
- Paleontological intended for conservation of certain mineral objects and their complexes;
- Hydrological (marshes, lakes, rivers), intended for conservation of valuable water objects;
- Geological and mineralogical, intended for conservation of rare geological and mineralogical formations.

Preserves can be of national-wide or local importance.

6) Protected landscapes (category V IUCN);

To that category belongs the resort-like natural territories, recreation zones, water protective zones, coastal strips, zones of sanitary protection for water objects, zones of formation of superficial and underground water.

7) Territories for the management of certain natural resources (category VI IUCN). That type of protected area include land of forest fund serving anti-erosion purposes, urban forests, forests around green zones of cities, other human settlements and industrial centers, especially valuable forests, nuts procurement zones, fruit plants, forests with scientific or historical significance and land areas of hunting farms intended for rational use of vegetation and fauna.

Close to this type could be considered the natural nurseries - the protected areas intended for conservation, reproduction and restoration of certain species of plants and animals by creation of necessary conditions for them. It is important to note that natural nurseries can be state-run or private, with formation or without formation of a legal entity.

Finally the law "On Protected Natural Areas" determines the possibility to establish state biosphere reserves which are intended for preservation of biological diversity, rational use of natural objects and complexes together with steady economic and social development of territories. State biosphere reserves can be included in the international network of biosphere reserves and participate in global monitoring of natural environment.

5. POSSIBLE SCENARIOS AND CONSTRAINTS FOR THE ESTABLISHMENT OF AN ENHANCED PROTECTED AREA AROUND HISSAR ZAPOVEDNIK

As it was pointed out before the possible scenarios should include all appropriate ways either to extend and/or strengthen the existing Hissar Zapovednik.

5.1. Creation of zakaznik

According to the existing practices in Uzbekistan zakazniks usually have no land in own property – it remains under the previous owners. Zakazniks often have no staff assigned, neither for proper administration nor for territory protection and are no legal entities. Therefore the creation of a zakaznik at the discussed territory would be a possible option but as it has in fact no impact in sustainable land management and law enforcement it doesn't make sense, even some of the stakeholders interviewed expressed their support to this certain idea.

5.2. Enlargement of zapovednik

Along the northern and western border of Hissar zapovednik there is a chain of settlements, which do not allow any enlargement to Kashkadarya province. Moreover the heads of neighboring communities stated in interviews that the zapovednik needs to be divided to provide villages with pastures. This topic has become of special importance since the last two years the area was faced by serious droughts and people lost large amount of their cattle. From the other hand the administration of the Hissar zapovednik stated that they have much more problems with people from Surkhandarya province. This is due to the fact that access to the zapovednik from Surkhandarya side is comparably easy, while for the zapovednik ranger located at the northern villages, it is much more difficult to access. A possible solution could be the establishment of a buffer zone at the southern border. This would enable the protected area administration to hire extra rangers in the southern settlements and would improve the contact with local population and law enforcement at the southern limits. Constrictively must be said that a buffer zone does not exist yet and a zapovednik has limited budget only.

At the southern slope of the Hissar range villages are more or less remote from the zapovednik limits. Large parts of adjacent territory belong to the state forest farms. Only about 20-25% belongs to the farmers. But this area serves as the main grazing area for Surkhandarya province – during summer season and droughts here are flocks grazing from more than half of the province. State forest farms have a significant benefit from the so called “grazing permissions”, the same is true for local farmers. That's why they are mostly opposite to any enlargement of a zapovednik. Such circumstances are an issue for consideration of both – districts and province

authorities. Another issue limiting the support of Surkhandarya provincial authorities to an enlargement of the zapovednik to the south is the fact that it is already under the management of an administration located in Kashkadarya province. Under any circumstances they would not support transfer of power to their neighbors. Rather they could agree with the establishment of a new zapovednik under the administration of the own province.

5.3. Establishment of a buffer zone around the existing zapovednik

Currently there is no buffer zone along Hissar zapovednik. Consequently there are several human activities that negatively impact natural resources but are legally possible. On top the exceptional high land use pressure in close proximity to the zapovednik provokes the infringement of the zapovednik regime by inhabitants of the surrounding settlements. This is especially true bearing in mind the comparably very few number of protected area ranger staff.

The easiest possible solution is the establishment of a buffer zone around the zapovednik, which allows PA staff to control human activities outside of the zapovedniks' limits. According to the current legislation in buffer zones may become implemented several legal regulations on agricultural, industrial and other human activities which may have a negative impact on the natural processes at the protected area territory.

The major challenge for that proposal will become the legal agreements with the land owners. In Kashkadarya province mainly the farmers benefit from cattle breeding or potato growing, while in Surkhandarya province mainly state forest farms under the Main forestry Department of MAWR benefit from the same grazing, the so-called "pasture permissions" benefit. Any restrictions over grazing immediately will face serious resistance. It is important to know that according to the current legislation any sub-rent of land delivered to agriculture is prohibited legally, thus farmers have no legal right to allow grazing of cattle of other owners. However this legal prescription is quite often neglected, especially in cases of droughts which affect the area every five to seven years. There is a good example of the neighboring Kitab geological zapovednik. The zapovednik administration prepared all necessary documents for the establishment of a buffer zone in 2009 and passed it to the provincial administration. The response was positive and the administration was informed that the documents were passed to the central government for the final decision. Since that time there was no further information on the status.

5.4. Creation of a National Park

National Parks fit the main criteria of this study – to ensure both – nature conservation and sustainable human livelihood. A strong favour for the creation of a national park is that it is not necessary to remove settlements and relocate citizen which would be the case for the establishment of a zapovednik. The establishment of a national park at the

territory will lead to the implementation of several restrictions of human activities that are of negative impact to the natural conditions and processes.

More important is that local people and authorities do know what the concept of national park means. During the discussion in the target area some of the interview partners expressed neutral or even negative reaction to the idea, while some others were very supportive, in one case the head of a local self-governance body was very disappointed with information that major part of its territory is not included into the proposed area by the GEF/UNDP/Government of project “Strengthening of Protected Area System with Focus on Zapovedniks” protected area South-West Hissar. He was asking for support to get all of the mahalla territory (in this case 5 villages) integrated into the national park territory. It is important to note that among district administrations are those more supportive who are already familiar with opportunities provided by tourism development. In the first line these were authorities of Shakhdisabz district of Kashkadarya province and Baysun district of Surkhandarya province. In other district administrations we found a more neutral attitude and been less familiar with National Park benefits.

However, the major problem for the establishment of a national park is a management reason. The Hissar zapovednik is under administration of the State Committee on Nature Protection (SCNP), while the areas around are mainly under Ministry of Agriculture and Water Management. In case the proposed protected area territory will be organised under management of the SCNP, then the Ministry of Agriculture and Water Resources will try to prevent its organization. Vice-versa the transfer of power over the zapovednik to the MAWR will face serious resistance from the SCNP side.

Another side of the problem is the legal mandate of these agencies. The SCNP should execute the **controlling functions** over the state of nature but not the management activities including management of protected areas. The MAWR is at first responsible for **development of agriculture and management of water resources**. Of course, within the recent state system forestry is considered as a part of agriculture, for which the Main Department of Forestry is responsible. The Main Department of Forestry has the department of Zapovedniks, National Parks, and Hunting Management and its structure. In any case nature conservation issues will remain a secondary task for the ministry.

A possible solution could be to give both – zapovednik and national park under the management of the provincial authorities. This was successfully proven in Chatkal Zapovednik and Ugam-Chatkalsky National Park. However in this case both agencies could try to resist the decision. The management under the Tashkent province did not really improve the nature protection situation in Ugam-Chatkalsky National Park, – even the financing of both - Chatkal Zapovednik and Ugam-Chatkal National Park - is

much better than any other protected area in Uzbekistan. Thus the chance that the “environmental community” of Uzbekistan will support such a decision is only little.

Environmental experts quite a long time ago raised the idea to establishing a special state agency responsible for protected area management, but still this issue remains open. Such a decision might be taken only at the level of Council of Ministers. This was pointed out many times already like in the National Action Plan and Strategy for Biodiversity Conservation. The GEF/UNDP/Government of Uzbekistan Project “Strengthening of Protected Area System with Focus on Zapovedniks” prepared such a proposal to the Cabinet of Ministers of Uzbekistan which must be signed by MAWR as official implementing agency.

Moreover the division of power between two provinces must be faced as well. It is very unlikely that the provincial administrations will not fight for key positions in the location of the central office of a potential National Park. In this respect the position of the Kashkadarya province is much better. The province keeps the leading positions within the country in oil and gas production as well as in corn and potatoes production. Thus Kashkadarya has much more resources to be involved into National Park development in addition to the possible finances from the national budget to stimulate sustainable regional development.

At the same time the situation with electricity and water supply is much better in Surkhandarya province. Even in the best hotel in Shakhrisabz, “The Shakhrisabz star” / Kashkadarya intended to accept international tourists there is no hot water and electricity is provided only several hours a day. The second hotel there the “Orient Star” is closed at all. In all other neighboring district centers there are no hotels at all. Approximately the same situation with hotel business status is seen in the Surkhandarya province but in both cases there are people ready to invest into tourism business development. During the field mission we met such people and community leaders in both provinces. Of course many people would prefer to wait until somebody external will come and start to invest. This might be a reason that all local tourism companies, even those stated in the Internet their independence, are in fact branches of Samarkand or Tashkent companies. In turn that means the major part of incomes and taxes from organized tourism and recreation in the protected area region flows back to Tashkent and Samarkand.

To summarise: the key issues that contradict the establishment of a National Park is about the management and ownership over the territory.

5.5. Creation of the biosphere reserve

The main difficulty with the Biosphere Reserve creation is a total lack of knowledge among local stakeholders on this conception. Even at national level only few people have a clear understanding – what Biosphere Reserves are.

As it was pointed out above in Uzbekistan there were two attempts to establish a Biosphere Reserve, the Nuratau-Kyzylkum (covering about 1.600.000 ha of Jizzak, Samarkand and Navoi provinces) and Lower Amudarya (69.000 ha in Republic of Karakalpakstan). Both attempts were conducted with support of the Global Environmental Facility and UNDP. Where the first one was stopped at the level of national government, the second one was officially approved in August 2011. In fact the process of organization of Lower Amudarya Biosphere Reserve is not finished by now (after the official end of the UNDP/GEF project).

The other problems with the establishment of a Biosphere Reserve Hissar are almost similar to problems related to the establishment of a National Park.

A brief overview of different options is provided with (Annex IV).

6. CONCLUSIONS

It has been shown in chapter 5 that there are several possible options to enhance the protected area around Hissar Zapovednik. None of them give consensus among all the relevant stakeholders. Finding compromises and sensible solutions that all stakeholders can accept are fundamental for a success. This study has figured out the convictions of all relevant stakeholders that may function as basis to start participatory negotiations about the enhancement of Hissar Zapovednik. The most promising approaches in terms of stakeholders' ownership and applicability from an administrative and ecosystem based approach point of view are the establishment of either one national park or one biosphere reserve where in both cases the existing zapovednik remains the core zone. This has been depicted in chapter 5 and Annex IV. Impartially considered the biogeographical situation of the region, a huge pristine mountain area, which is bordering to settlements with immense land-use pressure imply more a decision for a national park. It maintains the unique biodiversity in the region or even increases that area under supportive conditions. As the main challenge there is the task to develop and implement sustainable land-use approaches for a smaller area adjacent to that core zone as a conferable model region.

Establishment of a new protected area starts with smart planning and must be developed on the long run. A management plan that is basis for any protected area has to concern future alternative courses of action. It must provide mechanisms to solve problems, needs to promote meetings and discussions among all of the involved parties. It should value judgements which give answers to the questions how things should become in future. It is to communicate that the development of a protected area is more a process than an event.

The support of the central government is crucial in every scenario. This is certainly true not only because the Cabinet of Ministers has to sign the approval for the establishment. But also to deliver mechanisms that ensure balanced equalization of burdens of the stakeholder. Considering the immense pressure of land-use in Surkhandarya province the only way to solve this massive threat to biodiversity, soil degradation and welfare loss are substantial alternatives for income generation. This is not only an admission of the government of Uzbekistan to the citizen of Uzbekistan. It is a contribution to obligations that the government of Uzbekistan has against the UNCBD and UNCDD. Finally measures on climate change adaption and international mechanisms of its finances are not taken into account yet by the government but need to be faced under UNFCCC.

From a legal point of view there are no inventions or amendments to the law necessary since both, national parks and a biosphere reserve has been established already in Uzbekistan.

ANNEXES

Annex I

Background Information for the Proposed Protected Area «South-West Hissar» as proposed in the frame of the UNDP project on “Strengthening Sustainability of the National Protected Area System by Focusing on Strictly Protected Areas”

Общие сведения о предлагаемой территории	
1. Название территории:	Юго-Западный Гиссар
2. Географическое название	Хребет Байсунтау, Гиссарский хребет
3. Географическое местоположение	Западный Памиро-Алай
4. Административная область/Области	5. Административный район/районы
Кашкадарьинская, Сурхандарьинская области	Шахрисабзский, Яккабагский, Камашинский, Дехканабадский, Сариасийский, Кумкурганский, Денауский, Байсунский районы
6. Площадь (га)	7. Основные координаты
683.771	
8. Высота (м)	Широта: 38°41'36" N Долгота: 67°26'27"E
Мин: 1000	Макс: 4425
9. Собственность (лесное х-во, ширкатное х-во, фермерское х-во, госземзапас, другое)	
10. Описание границ территории:	
<p>Отправная точка границы ОПТ расположена на государственной границе Республики Узбекистан с координатами N 67°38'14" E 39°08'39". Далее граница совпадает с государственной границей Узбекистана до точки с координатами N 68°03'42" E 38°34'14". Затем граница ОПТ поворачивает на запад и следует по полевой дороге до тальвега сая Кульфиста в точке с координатами N 68°00'50" E 38°33'46", затем следует на северо-запад и, огибая с севера поселок Чинар, идет по прямой до тригопункта с отметкой 1685,6 и с координатами N 67°56'42" E 38°34'43", после чего следует по прямой до восточной части плотины Туполангского водохранилища в точке с координатами N 67°48'31" E 38°35'08". Далее граница идет на запад по плотине, а затем по грунтовой дороге до перекрестка грунтовых дорог в точке с координатами N 67°48'02" E 38°34'20", после чего она следует по грунтовой дороге в западном направлении до точки с координатами N 67°46'38" E 38°34'09". Далее граница поворачивает на юго-запад до вершины горы с отметкой 1851 м с координатами N 67°45'13" E 38°33'39", затем продолжается на юго-запад и следует до перекрестка грунтовых дорог в точке с координатами N 67°44'34" E 38°32'38", после чего идет на запад до реки Шарасай в точке с координатами N 67°43'05" E 38°32'29", затем следует по правому берегу рек Шарасай и Нилу в южном направлении до места впадения реки Нилу в реку Сангардаксай в точке с координатами N 67°42'07" E 38°28'55". После этого граница ОПТ идет на юго-юго-запад по прямой до тригопункта Коктепа с отметкой 2277 м и с координатами N 67°39'44" E 38°26'45", потом следует на юг до родника в точке с координатами N 67°39'46" E 38°24'37", далее она идет на юго-запад до родника на левом берегу реки Обидара с координатами N 67°38'27" E 38°23'05", затем граница продолжается на юго-запад до точки на берегу реки Вахшивардаря с координатами N 67°37'00" E 38°20'51", далее идет по прямой на запад до тригопункта с отметкой 2957,9 м с координатами N 67°32'02" E 38°21'15", затем следует на запад до отдельно стоящей скалы с координатами N 67°29'01" E 38°21'04" после чего идет на северо-запад до могилы Ходжаинур с координатами N 67°27'56" E 38°21'57". Далее граница ОПТ идет на северо-северо-запад до северной окраины кишлака Алачапан к точке с координатами N 67°26'40" E 38°23'37", затем следует на юго-юго-запад до слияния рек Уртаногай и Шотут в точке с координатами N 67°24'09" E 38°23'10", далее идет на запад по тальвегу реки Шотут до тригопункта с отметкой 3723 м и координатами N 67°16'47" E 38°22'57", после чего следует на</p>	

юго-запад до истока реки Кайраксай в точке с координатами N 67°12'44" E 38°19'28", затем идет на запад-юго-запад до перевала Газа с отметкой 2692 м и с координатами N 67°09'47" E 38°18'58". Далее граница следует на юго-запад до полевой дороги к точке с координатами N 67°06'47" E 38°17'00", затем идет в юго-западном направлении по полевой дороге до точки с координатами N 67°04'25" E 38°14'57", после чего следует по прямой на запад до тригопункта с отметкой 1945 м и с координатами N 67°00'58" E 38°14'51". Далее она идет по подножью горного уступа на север до пересечения полевой и грунтовой дорог в точке с координатами N 67°00'18" E 38°17'56", затем следует в северо-западном направлении по полевой дороге через перевал с отметкой 1583,2 м, огибая с южной стороны населенный пункт Чалика и от него по прямой – до тригопункта с отметкой 1642 м и с координатами N 66°51'59" E 38°22'33". После этого граница ОПТ идет на северо-запад до истока сая Капландара в точке с координатами N 66°49'37" E 38°25'59", далее идет на север до вершины горы Уйликак с отметкой 2062 м и с координатами N 66°49'17" E 38°30'16", затем идет на север до районной границы к точке с координатами N 66°49'37" E 38°34'36", далее идет на север по районной границе до ее пересечения с рекой Катта-Урадарья в точке с координатами N 66°49'04" E 38°36'42", далее продолжается на север до восточной окраины поселков Уртадара и Бешдара в точке с координатами N 66°49'12" E 38°39'56", затем идет на северо-запад и север по полевой дороге, огибая с востока поселок Лянгар до ее пересечения с районной границей в точке с координатами N 66°47'55" E 38°44'10". Далее граница следует по районной границе в восточном и северо-восточном направлении до точки с координатами N 67°07'13" E 38°50'56", затем идет на северо-восток до вершины горы Яккаарча с отметкой 2006 м и с координатами N 67°11'22" E 38°52'36", после чего она продолжается на восток-северо-восток до пересечения с границей Гиссарского заповедника в точке с координатами N 67°16'01" E 38°53'27", затем она идет в северо-западном направлении по границе заповедника до точки с координатами N 67°31'21" E 39°06'49", потом следует на северо-восток до перевала с координатами N 67°34'06" E 39°07'54". Далее граница идет на восток-северо-восток до отправной точки.

Обоснование территории

11. Географо-геологические критерии

Природные ландшафты (репрезентативность; представленность, площадь, количество объектов неживой природы нуждающихся в охране, сохранность; угрозы; значимость)

1. Репрезентативность: Участок, предлагаемый для создания ОПТ в пределах Гиссаро-Кугитангского района Сурхандарьинского округа, представлен ландшафтами высокогорий и среднегорий, репрезентативен для Предгорно-горной подпровинции Туранской физико-географической провинции.

2. Представленность в существующей системе ОПТ: данные виды ландшафтов частично представлены в Гиссарском заповеднике.

3. Площадь: территория в предлагаемых границах достаточна для отражения ландшафтного разнообразия рассматриваемого региона.

4. Количество объектов неживой природы, нуждающихся в охране: 2 палеонтологических объекта;

5. Сохранность: на большей части региона ландшафты рекомендуемой ОПТ слабо деградированы и обладают сравнительно высокой сохранностью.

6. Угрозы: Существуют потенциальные угрозы изменения структуры ландшафтов вследствие негативных последствий воздействия богарного и орошаемого земледелия с возможным развитием антропогенного опустынивания. Реальные угрозы связаны с перевыпасом скота и рубкой кустарниково-древесной растительности.

7. Значимость: расширение охраняемой площади в предлагаемой части Гиссара обеспечит оптимизацию природной среды этого региона и сохранность его ландшафтного разнообразия.

Объекты неживой природы (редкость; информативность; зрелищность; сохранность; угрозы; значимость)

1. Палеонтологический объект «Площадь в Южном Узбекистане».

1. Редкость/типичность объекта: На территории объекта, расположенного на южном макросклоне Гиссарского хребта представлены интересные в палеонтологическом плане явления: 1 – следоносное поле «Ташкуртан», расположенное вблизи одноименного селения – это отпечатки следов нового вида хищного динозавра позднеюрского времени. Здесь расположено также одно из самых таксономически разнообразных захоронений остатков растений юрского возраста; 2 – следоносное поле «Гуматаг», расположенное в юго-западных

отрогах Гиссарского хребта к северу от райцентра Байсун. Отличительной чертой этой территории, сложенной прибрежными терригенными породами позднемелового возраста, является наличие копытообразных следов неизвестных копытных (?) динозавров, схожих с *Iguanodontidae* или *Hadrosauridae*. Кроме того, в подстилающих и перекрывающих отложениях установлены остатки не менее шести видов морских беспозвоночных (моллюски, фораминиферы и др.).

Таким образом, характеризуемые территории являются редким палеонтологическим явлением в планетарном масштабе.

2. Информативность: информативность и познавательный потенциал объекта очень высок, так как он включает отпечатки следов новых видов динозавров и более 10 видов древних растений.

3. Зрелищность: следоносные поля окружают живописные горные массивы и долины.

4. Сохранность: часть территории объекта находится в пределах функционирующего ОПТ «Гиссарский заповедник», что является фактором высокой его сохранности.

5. Угрозы: в случае развития в регионе рекреационной деятельности следоносным полям может грозить опасность со стороны неорганизованных туристов.

6. Значимость: значение объекта для науки и образования очень высоко, так как зарегистрированные здесь образцы компонентов юрских экосистем расширяют наши знания об особенностях жизни в данном регионе в середине мезозоя.

2. Палеонтологический объект «Аксу».

1. Редкость /типичность объекта: данный объект, расположенный в юго-западных отрогах Гиссарского хребта уникален и является претендентом на статус международного стратиграфического эталона нижней границы среднего отдела каменноугольной системы. Здесь обнажены морские вулканогенно-кремнисто-карбонатные образования. Изученный ископаемый биоценоз представлен 33-мя родами и 55-ю видами морских (головоногие, ракообразные, конодонты и т.д.) беспозвоночных. Остатки обнаруженных здесь радиолярий и рыб не изучены. Сохранность окаменелостей хорошая, количество экземпляров велико. Объект является опорным для границы нижнего и среднего отделов каменноугольной системы в Южном Тянь-Шане.

2. Информативность: учитывая многочисленные палеонтологические материалы, обнаруженные на территории объекта, он обладает очень высокой информативностью.

3. Зрелищность: вокруг объекта расположены живописные горные массивы и долины.

4. Сохранность: в целом сохранность объекта высокая;

5. Угрозы: потенциальную угрозу для объекта составляет неорганизованный туризм. Однако удаленность астроблемы от населенной местности и близость его к приграничной зоне сводят угрозы к минимуму.

6. Значимость: создание ОПТ дает гарантию сохранения для науки этого уникального природного объекта.

12. Ботанические критерии (флористическая и ботанико-географическая репрезентативность; уникальность флоры и растительности; наличие редких, уязвимых видов и растительных сообществ; естественность (низкая степень антропогенной нарушенности) растительного покрова)

1. Репрезентативность. А. Территория, предлагаемая для ОПТ, репрезентативна для Юго-западно-гиссарского флористического округа Горносреднеазиатской провинции. Здесь представлены наиболее характерные для данного округа основные типы растительности – реликтовая растительность гипсоносных толщ, эфемеретум, петрофитон, шибляк, горные лиственные леса, арчовники, высокогорные степи, трагакантники и альпийские лужайки. С ботанической точки зрения, это самый уникальный участок в горной флоре Узбекистана.

Б. Выделение данной территории позволит повысить репрезентативность национальной системы ОПТ, увеличить охваченную ОПТ площадь горных экосистем, а также сохранить реликтовые ценозы уникальных диких видов хурмы, чилона, граната, платана, инжира и винограда, реликтовые рехо-плодовые леса.

В. Уровень видового богатства флоры данной территории, по предварительной оценке, составляет около 2000 видов (более 40 % флоры Узбекистана и более 50 % флоры узбекистанской части Горносреднеазиатской провинции).

2. Уникальность.

А. На территории произрастает 3 эндемичных рода (*Calispepla*, *Sphaerosciadium*, *Vvedenskya*), как минимум 37 эндемичных видов (*Iskandera hissarica*, *Calispepla aegacanthoides*, *Dionysia*

hissarica, *Acantholimon annae*, *Tulipa orithyioides*, *Leonurus kudrjashevii*, *Otostegia bucharica*, *Scutellaria holosericea*, *S. villosissima*, *S. guttata*, *S. fedtschenkoi*, *Dracocephalum formosum*, *D. spinulosum*, *Ribes malvifolium*, *Oxytropis vvedenskyi*, *Calophaca reticulata*, *Cicer incanum*, *Astragalus lasiocalyx*, *A. tupalangi*, *A. alexeji*, *A. nigrocarpus*, *A. pseudanthylloides*, *A. massagetovii*, *Euphorbia densiusculiformis*, *E. triodonta*, *Silene michelsonii*, *Jurinea sangardensis*, *Cousinia praestans*, *C. vvedenskyi*, *Eremurus iae*, *Astamotopsis galiocarpa*, *Paulita ovczinnikovii*, *Zeravschania regeliana*, *Cephalopodium hissaricum*, *Sphaerosciadium denaense*, *Vvedenskya pinnatifida*, *Ungernia victoris*) и как минимум 5 субэндемичных видов (*Eulophia turkestanica*, *Colchicum kesselringii*, *Ostrowskia magnifica*, *Ferula sumbul*, *F. tuberifera*). Эти виды включены в 4-ое издание Красной книги Узбекистана. Наличие 3 эндемичных родов 37 видов и 5 субэндемичных видов характеризует флору как реликтовую и уникальную.

Б. Для территории характерно наличие уникальных реликтовых лесов из *Ziziphus jujuba*, *Punica granatum*, *Platanus orientalis*, *Ficus carica*, *Diospyros lotus*, *Rhus coriaria*, *Vitis vinifera* (все эти виды внесены в Красную книгу Узбекистана). Это единственное в Узбекистане местонахождение реликтовых зарослей дикого инжира, граната, хурмы, сумаха, унаби и самое южное местонахождение естественных орехо-плодовых лесов. В верхних высотных поясах на территории развиты фитоценозы с участием краснокнижных видов *Cousinia allolepis*, *Restella albertii*.

3. Наличие редких и уязвимых видов и сообществ.

А. В 4-ое издание Красной книги Узбекистана включено 50 видов растений, произрастающих на территории.

Б. Для территории характерно наличие редких и уязвимых растительных сообществ (уникальные реликтовые рощи платана, сумаха, хурмы, чилона, граната, инжира и винограда; орехо-плодовые леса; фитоценозы с участием краснокнижных видов *Cousinia allolepis*, *Restella albertii*). Здесь находится самое южное местонахождение естественных орехо-плодовых лесов в Узбекистане, орешники разбросаны небольшими рощами в среднем течении рек Сангардак и Тупаланг и их притоков, занимая в сумме около 50 га.

4. **Естественность.** Территория находится в глубине горного массива отрогов Гиссарского хребта, она удалена от крупных населенных пунктов, крупных промышленных и горнодобывающих предприятий, районов интенсивно орошаемого земледелия. Плотность населения очень низкая. Растительность территории имеет слабую степень антропогенной нарушенности, количество адвентивных и сорных видов растений и их фитоценотическая роль крайне незначительны. На территории представлены все основные типы горных лесов Узбекистана, характерно наличие обширных разновозрастных лесных массивов с высокой и средней сомкнутостью, полночленной структурой и составом ярусов, хорошим естественным возобновлением, травяной ярус представлен естественными сообществами.

5. **Угрозы.** Основную угрозу для флоры и растительности территории представляет интенсивный выпас скота. Степень угрозы низкая в силу малонаселенности района.

13. Зоологические критерии (фаунистическая и экосистемная репрезентативность; наличие редких и/или угрожаемых видов и сообществ; наличие эндемичных видов; характер и степень воздействия основных типов угроз; значимость для сохранения фауны и экосистем)

1. Фаунистическая и экосистемная репрезентативность. Территория охватывает средний пояс гор и высокогорья, характерные для западной оконечности Памиро-Алая, с типичными местообитаниями, значимыми с точки зрения сохранения зоологического разнообразия:

1. Горные леса;

а) Лиственные леса с фаунистическим комплексом, в основе которого 9 видов млекопитающих, 18 видов птиц и 4 вида рептилий;

б) Арчевые леса с фаунистическим комплексом, в основе которого 9 видов млекопитающих, 12 видов птиц и 3 вида рептилий;

2. Высокогорья, включающие типичные местообитания, расположенные выше границы горного леса, скалы и осыпи, высокогорные степи с характерными фаунистическими комплексами;

3. Долины горных рек с характерным фаунистическим комплексом.

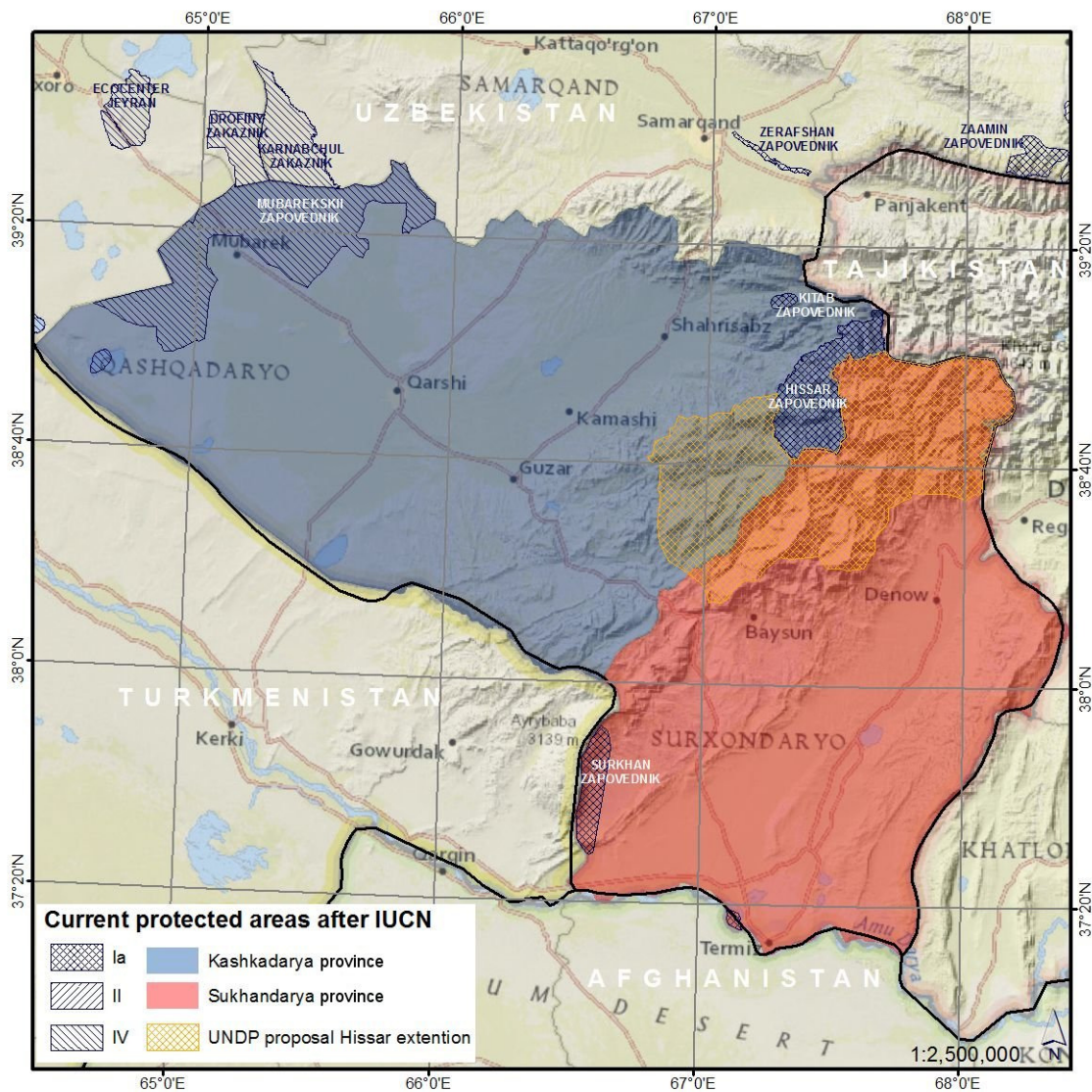
2. Наличие редких и угрожаемых видов. На территории отмечено 18 редких и глобально угрожаемых видов (подвидов) позвоночных животных. Из глобально угрожаемых на территории отмечены: черный гриф (*Aegypius monachus*) (UzRDB RL CITES II), балобан (*Falco cherrug*) (UzRDB RL CITES II), степная пустельга (*Falco naumanni*) (UzRDB RL CITES II), снежный барс (*Uncia uncia*) (UzRDB RL CITES I), иранская выдра (*Lutra lutra seistanica*) (UzRDB RL CITES I),

<p>туркестанская рысь (<i>Lynx lynx isabellinus</i>) (UzRDB RL СИТЕС I), бухарский горный баран (<i>Ovis vignei boharensis</i>) (UzRDB RL). Ранее это был один из наиболее жизнеспособных и с высокой численностью участков ареала красного сурка (<i>Marmota caudata</i>) (RL) в Узбекистане. Из национально угрожаемых видов здесь гнездится черный аист (<i>Ciconia nigra</i>) (UzRDB CITES II), обитают крупные хищные птицы: бородач (<i>Gypaetus barbatus</i>) (UzRDB CITES II), беркут (<i>Aquila chrysaetos</i>) (UzRDB CITES II), снежный сип (<i>Gyps himalayensis</i>) (UzRDB CITES II), белоголовый сип (<i>Gyps fulvus</i>) (UzRDB CITES II), орел-карлик (<i>Hieraetus pennatus</i>) (UzRDB CITES II). Из редких млекопитающих обитают: малый подковонос (<i>Rhinolophus hipposideros</i>) (UzRDB RL), тяньшанский бурый медведь (<i>Ursus arctos isabellinus</i>) (UzRDB СИТЕС I), площадь ареала которого на предлагаемой территории составляет около 40 % площади ареала вида в стране. Площадь ареала туркестанской рыси в пределах выделенной территории составляет порядка 60 % всего ареала вида, площадь ареала снежного барса – более 45 %. В бассейне р. Сангардак (южные склоны Гиссарского хребта) сохранилась одна из наиболее крупных и жизнеспособных популяций иранской выдры. Из редких пресмыкающихся на территории обитают: среднеазиатская кобра (<i>Naja oxiana</i>) (UzRDB RL СИТЕС II), черноголовая бойга (<i>Boiga trigonata</i>) (UzRDB).</p> <p>3. Наличие эндемиков. Площадь ареала реликтового суслика (<i>Spermophilus relictus</i>) (эндемик - UZ KZ KG TJ) в пределах указанной территории составляет около 25 % площади ареала вида в стране. Красная пищуха (<i>Ochotona rutila</i>) (эндемик - UZ KZ KG TJ), бухарский горный баран (<i>Ovis vignei boharensis</i>) (эндемичный подвид - UZ TM TJ).</p> <p>4. Основными угрозами для биоразнообразия и местообитаний на данной территории являются: браконьерство, вырубка древесной растительности, особенно арчи, ненормированный выпас скота. Одним из факторов, ограничивающим численность выдры, является сокращение запасов рыбы в водоемах, что происходит в частности из-за обмеления горных рек. Кроме того, значительное влияние на состояние популяции выдры оказывает уничтожение мест обитания вследствие изменения гидрорежима равнинных рек, хозяйственное освоение горных долин.</p> <p>5. Значимость для сохранения фауны и экосистем. Территория обладает репрезентативными экосистемами и предназначена для сохранения и изучения типичных горных экосистем. Создание ОПТ на данной территории целесообразно для организации долгосрочной охраны типичных ландшафтов и фаунистических комплексов всех представленных здесь экосистем, что будет способствовать комплексному сохранению фауны в пределах выделенной территории. Создание ОПТ на данной территории позволит видам крупных млекопитающих (тяньшанский медведь, снежный барс, туркестанская рысь), с ареалами, выходящими далеко за пределы существующих заповедников, круглый год находится в пределах охраняемой территории, избегая тем самым мощного антропогенного пресса. Включение данной территории в систему ОПТ повысит репрезентативность охраняемых территорий Узбекистана, позволит увеличить охваченную ОПТ площадь горных экосистем. Создание ОПТ позволит снизить уровень антропогенных угроз по отношению к экосистемам и биоразнообразию.</p>	
14. Важные дополнительные замечания по предлагаемой территории	
Рекомендуемая территория может служить одним из демонстрационных образовательных объектов на полевых практиках студентов, а также использоваться в целях научного туризма.	
15. Дополнительные обоснования выбора территории	
<p>Проектом UNEP-GEF/Bioversity international «<i>In situ/on farm</i> сохранение и использование агробиоразнообразия (плодовые культуры и их дикорастущие сородичи) в Центральной Азии (компонент Узбекистана)» рекомендовано создание ОПТ в Сангардакском и Зеварском лесничествах Узунского лесхоза. Проектом GEF/UNEP/WWF «Развитие экосети как основы для долгосрочного сохранения биоразнообразия Центральноазиатского экорегиона» рекомендовано создание в данном регионе национального природного парка с заповедным ядром в высокогорной части территории.</p> <p>Палеонтологические объекты «Площадь в Южном Узбекистане» и «Аксу» предложены для охраны Госкомитетом геологии.</p>	
16 Существующая охрана	17. Предлагаемая форма охраны
Гиссарский заповедник. Часть территории относится к системе лесного хозяйства. Северная и	Национальный парк (категория II МСОП) с заповедным ядром - существующий Гиссарский заповедник. Необходимы дополнительные

восточная части территории контролируются пограничниками.	исследования для проведения функционального зонирования рекомендуемой территории.
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Annex II

Map of the proposed PA South-West Hissar by UNDP project



Annex III

Relevant stakeholders

name of the stakeholder	inherent interests	power by legislation	relation to each other in terms of opportunities and constraints
Local level			
Hissar zapovednik	Protection of biodiversity of zapovednik and surrounding areas	Limited by zapovednik territory, no buffer zone	Very supportive
Kitab zapovednik	Protection of geological sites, biodiversity of zapovednik and surrounding areas	Limited by zapovednik territory, no buffer	Very supportive
Local authorities (mahalla, rural council, etc.)	To ensure development of own communities, i.e. using PA potential	Local self-governance, including land management and presenting community interests at different levels	Some of them are very supportive, some quite opposite
Informal leaders (oldermen, etc.)	To ensure development of own communities, i.e. using PA potential	Internal conflicts resolution, form public opinion	Usually more conservative part of the communities, more often opposite
Farmers	To keep pastures and access to water	Farmland management	Against any PAs development
District authorities (hokimiat)	To ensure district development, i.e. using PA potential	Full responsibility for all aspects of human activity in the district except those related to regional and national levels	With a few exception (Shakhrisabz and Baysun)) opposite having no experience with international and local tourism
Agriculture department	Increase of agricultural production in the area	Agriculture development including forestry	Rather opposite seen potential limitations of agricultural activities and more strong control over these activities
State forest farms	Forests conservation and keeping benefits (i.e. grazing, hunting, medical and other plants collecting)	Forestry development and protection of forests	Rather opposite seen potential limitations of agricultural activities and more strong control over the activities, especially in the case if the PA will be managed by SCNP
District prosecutor office	Assistance with legal regime	Watch legislation execution	Formally neutral but unofficially

			rather opposite expecting more labour
Police	Certain support from PA staff	Keeping the order	Rather neutral
Local tourism companies	As investigation shows in the region there are no local companies- all of "Local" are in fact branches of Samarkand and Tashkent companies		
Local recreants	Recreation, access to interesting places	Right for well managed healthy environment	Would support NP but opposite to zapovednik
Board Guard Stations	Certain support from PA staff	Protection of the external boards of the country	Rather neutral
Handicrafts enterprises	Increase of products realisation, possible direct realisation		Supportive
Religious leaders	A bit afraid about loss the influence to locals due influence of external people		Rather neutral
School	Additional tools for education		Supportive
Hotel owners	Additional income from tourists		Very supportive
Provincial level			
Provincial authorities (hokimiat)	To ensure district development, i.e. using PA potential	Full responsibility of all human activities in the province except those related to the national level	Kashkadarya: enlargement of zapovednik without chances. Creation of NP could be supported if there will be no grazing restrictions. Surkhandarya: The same position on zapovednik and grazing restrictions. An additional aspect is – Surkhandarya would refuse management by Kashkadarya.
Agriculture department	Increase of agricultural production in the area	Agriculture development including forestry	Rather opposite seen potential limitations of agricultural activities and stronger control over these activities
Forestry Department	Forests conservation and keeping benefits (i.e. grazing, hunting, medical and other plants collecting)	Forestry development and protection of forests	Rather opposite seen potential limitations of agricultural activities and stronger control over the activities, especially in case if PA will be managed by SCNP

Prov. Branch SCNP	Increased biodiversity and landscape conservation + increased budget in case the PA will be under SCNP	Responsible for all matters related to nature conservation at province level	Very supportive
Province prosecutor office	Assistance with legal regime	Watches legislation enforcement	No position. At all.
Police	Certain support from PA staff	Keeping the order	Rather neutral
Farmers Association	Potential limitations of grazing / farming	Farmers support	Rather opposite
Universities	Basis for education and research. Working places for graduates		Very supportive
National level			
SCNP	Enlargement of PAs territory in Uzbekistan, potentially territory under SCNP management	Responsible for all matters related to nature conservation	Supportive with certain problems in case the PA will be under Ministry of Agriculture
Ministry of Agriculture and Water Management	Enlargement of PAs territory in Uzbekistan from one hand, but limitation of land use from other	Responsible for agriculture development including forestry, nature conservation is a secondary task	Supportive in general - in case the PA will be under Ministry of Agriculture
Academy of Sciences	Basis for research and education.	Public organization responsible for scientific and research activities	supportive
Ministry of Internal Affairs	Certain support from PA staff	Keeping the order	Rather neutral
Olij Majlis (Parliament)	Enlargement of PAs territory in Uzbekistan, potentially territory under SCNP management	Legislation development	Rather supportive
Ministry of Economics	Tourism development, esp. international	Responsible for economical development	Rather supportive
Ministry of Finance	Expenses planning	Responsible for country budget	Rather opposite
Board Guard Committee	Certain support from PA staff	Protection of the external boards of the country	Rather neutral
Large tourism companies	Tourism development, esp. international	Development of tourism, both – national and international	Supportive
Mass-media	Enlargement of PAs territory in Uzbekistan	Propaganda of nature conservation	Supportive
International level			
UN Bodies, including UN Conventions	Uzbekistan implements its duties to CBD and other environmental agreements, improvement of the socio-economical situation in the country	Development of international cooperation in environmental sphere	Supportive
Agencies of Bilateral co-operation		Bilateral cooperation in environment and socio-economic development	Supportive
International tourism companies	Income from international tourism	Business	Supportive

Annex IV**Creation of the Enabling Environment for Hissar Zapovednik (tree of opportunities)**

NN	Option	Variants	Efficiency	Comments
1.	Creation of buffer zone around the whole zapovednik	Creation of a buffer zone around the whole zapovednik.	According to law buffer zones should be under control of zapovednik, what should prevent environmentally contradictory human activities.	Possible, even difficult. Could be certain resistance from administration and population of both provinces.
		Creation of a buffer zone in Kashkadarya only.		Possible, even difficult. Certain resistance from the Kashkadarya province administration and population.
		Creation of a buffer zone in Surkhandarya only.		Possible, even difficult. Could be certain resistance from the Surkhandarya province administration and population.
2	Creation of zakaznik around zapovednik	One transboundary for both provinces	Usually zakazniks have no own staff and are rather something declarative. Thus creation of zakaznik will not improve the whole situation.	Rather impossible
		Two separate (for each province)		Low chances
		In Kashkadarya only		Possible
		In Surkhandarya only		Very low chances
3	Enlargement of zapovednik	to both provinces	According to the current legislation any human activities in zapovedniks are prohibited, thus co-existence of settlements and zapovednik at the same territory is impossible.	Rather impossible
		In Surkhandarya only		Very low chances
		In Kashkadarya only		Very low chances
4	Creation of a new zapovednik in Surkhandarya	Creation of a new zapovednik in Surkhandarya province	Only high mountains are unpopulated,	Very low chances

	province		while the area is too small for nature protection targets	
5	Creation of a national park, common for two provinces, where zapovednik becomes a core zone	The zapovednik loses its status of a separate legal entity	The zapovednik loses its status and is thus inappropriate.	Very low chances without strong support from central government.
		The zapovednik remains a separate legal entity	The best option, but appear problem of coordination of work	
6	Creation of two national parks (separate for Kashkadarya and Surkhandarya provinces)	The zapovednik loses its status of a separate legal entity	The zapovednik loses its status and is thus inappropriate.	Possible, even difficult
		The zapovednik remains a separate legal entity	Possible, but create certain problems in coordination of work.	
7	Creation one national park	Creation of a new national park in Surkhandarya province	Possible, but create certain problems in coordination of work.	Possible, especially with support of the central government.
		Creation of a new national park in Kashkadarya province	Does not protect southern limits of zapovednik.	Possible, even difficult
8	Creation of a biosphere reserve, where zapovednik become a core zone	The zapovednik loses its status of a separate legal entity	The zapovednik loses / its strong status and is thus inappropriate.	Possible, even difficult. Support of the central government is crucial.
		The zapovednik remains a separate legal entity	The best option	

Annex V

Hissar Field Mission Schedule

Data	Route	Km
25.03.2012	Tashkent-Samarkand-Karshi-Shakhrisabz	637
26.03.2012	Shakhrisabz	44
27.03.2012	Shakhrisabz-Tamshush	75
28.03.2012	Tamshush-Kamar-Shakhrisabz	158
29.03.2012	Shakhrisabz-Kamashi- Sherabad	251
30.03.2012	Sherabad-Baysun & vicinity	136
31.03.2012	Baysun-Denau- Baysun	476
01.04.2012	Baysun- Karshi	208
02.04.2012	Karshi- Shakhrisabz-Samarkand	223
03.04.2012	Samarkand-Tashkent	320
	Total:	2.528

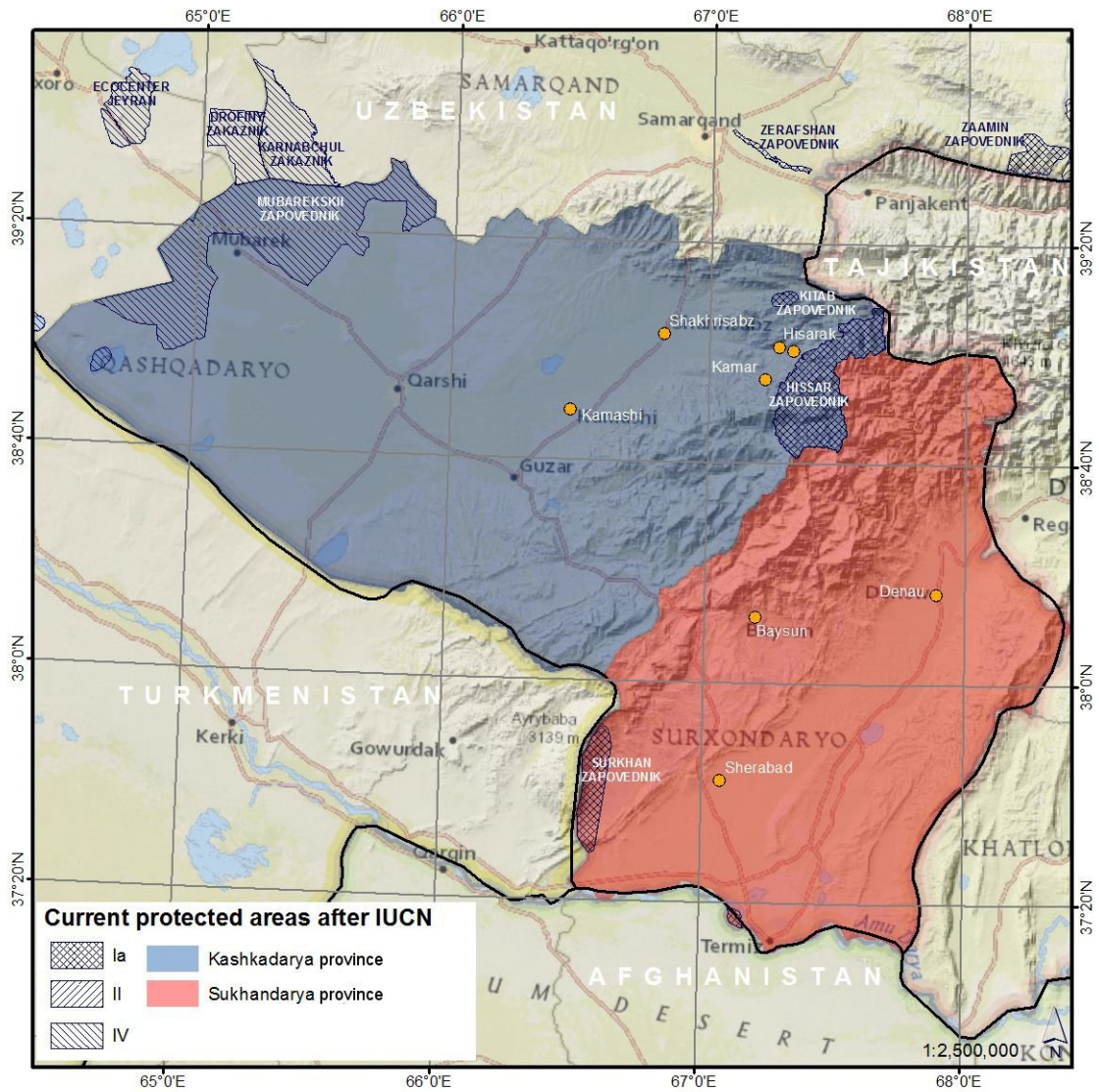
ANNEX VI

List of stakeholders interview and map of places where interviews were done

Tashkent

- A. Grigoriantz, Head of the State Biological Control (Gosbiocontrol)
- A. Abakumov, Dept. of Protected Areas
- A. Ismatov, Manager of the GEF/UNDP/Government of Uzbekistan Project
"Strengthening of Protected Area System with Focus on Zapovedniks"
- S. Zagrebin, National Technical Consultant of the same project
- B. Muradov, Head of Department of the Ministry of Economics
- R. Rasulov, Deputy of Head of Department of Department of reserves, national parks and hunting economies
- B. Dyakin, Department of reserves, national parks and hunting economies
- A. Filatov, Zoology Institute
- F. Khasanov, Botanika Scientific-Production Center

Interviews in other regions



ANNEX VII

Hissar Field Mission Interviews

Data	Place	Name(s)	Notes
26.03.	Shakhrisabz	Hissar zapovednik Z. Ochilov, Director V. Khudyakov, Head of the Protection Unit B. Aromov, Scientific Deputy	Very supportive to idea of creation NP or BR around zapovednik, however very doubt that authorities of both provinces will support it.
		Kitab zapovednik U. Rakhmanov, Director Kh. Eziev, Scientific Deputy	Supportive to idea of creation NP or BR around Hissar zapovednik, however very doubt that authorities of both provinces could support it. Don't think that enlargement of zapovednik in Kashkadarya prov. could be possible. Noted that proposed PA S-W Hissar does not include Kitab.
27.03.	Hisarak - Tamshush	U. Chorshanbaev, Head of Tamshush rural council, T. Norov, Secretary	Ready to support NP, especially if somebody will come and start tourism or related business. Not ready to do anything themselves. Noted that "the most interesting sites lie within zapovednik"
28.03.	Kamar	A. Tursunov, Head of Kamar rural council Kh. Amirov, Deputy of Head of Kamar rural council	Ready to support NP and start tourism or related business with own money. "We just need some teaching – what to do and how to start" Also noted that the most interesting sites lie within zapovednik, but still have something to show visitors.
	Shakhrisabz	G.Sulaymonov, Deputy of Hokim of the District on construction, communication and communal affairs (коммунальное хозяйство)	Ready to support tourism (esp., international) development using NP opportunities. But district should be supported with special budget and political support for infrastructure development. Recently all the tourism agencies are branches of Tashkent or Samarkand ones, all the taxes go there.
29.03.	Kamashi	N. Abdullaev, Head of the Department of the Agriculture and Water Management	District already faces serious problems with lack of pastures, therefore any zapovednik enlargement will be resisted. NP might be supported only if there will be no restriction for cattle grazing.
		T. Kurbonov, SCNP inspector	Enlargement of zapovednik should be very difficult. NP, buffer zone or zakaznik might be possible, but local authorities at first will resist any grazing restrictions
30.03.	Sherabad	Surkhansky zapovednik A. Jabbarov, Director T. Khalikov, Scientific Deputy	Very supportive, especially because recently they are the only PA in province. The same time very doubt

			that local authorities will agree with management from Kashkadarya – they rather agree with a separate NP.
31.03.	Baysun	N. Umarov, Owner of the hotel “Normat”	Hopes that tourism, esp., international, could improve the economical situation in the area. Already took a bank credit to prepare 3-5 rooms of “high comfort” (shower, air conditioner , etc.). Supposes that NP could be a good solution.
01.04.	Denau	Mamadaliyev O., SCNP Inspection Chief	As the NSCP staff support the idea, noted that authorities at prov. and districts level as well as local farmers will try to prevent anything related to grazing limitation.
02.04.	Karshi	A. Aripov, Deputy of the Province Hokim on Agriculture	Last years drought demonstrated lack of lands for cattle grazing, therefore any zapovednik enlargement will be resisted. More – there’s a need to discuss transfer of some lands back to forest farms in order to allow grazing. NP might be supported only if there will be no restriction for cattle from other parts of province.
		Kh. Samadov, Deputy of the Provincial branch of the SCNP K. Kholikberdiev, SCNP Inspection Chief	May be creation of zakaznik around zapovednik (west part) could solve some problems. The NP also might be a solution, but not enlargement of zapovednik within Kashkadarya prov., because it will create additional problems with local people.
03.04.	Samarkand	M. Gritzina	Discussion on the field mission results

ANNEX VIII

Law of the Republic of Uzbekistan “On Protected Natural Areas”

I. GENERAL PROVISIONS

Article 1. Objective of the present Law

The objective of the present Law is the regulation of relations in the area of organization, protection and use of protected areas.

Article 2. Main goals of the present Law

The main goals of the present Law are preservation of typical, unique, valuable natural objects and complexes, the genetic fund of plants and animals, prevention of negative impacts of human activity on nature, study of natural processes, monitoring of environment, and improvement of ecological education.

Article 3. The legislation on protected areas

The legislation on protected areas consists of the present Law and other acts of legislation.

The relations in the area of organization, protection and use of protected areas in the Republic of Karakalpakstan are also regulated by legislation of the Republic of Karakalpakstan.

Should an international treaty of the Republic of Uzbekistan provide for other rules than those stipulated by the legislation of Republic of Uzbekistan on protected areas, the rules of the international treaty shall apply.

Article 4. Protected areas

Protected areas are the areas of land and (or) water (water areas) possessing a high priority ecological, scientific, cultural, aesthetic, recreation and sanitary value, and completely or partially, permanently or temporarily withdrawn from economic use.

With the purposes of preservation, reproduction and restoration of natural objects and complexes in protected areas, the regime of protection and use (further referred to as the Regime) is established. Protected areas represent a uniform ecological system intended for maintenance of a biological, landscape diversity and ecological balance.

Article 5. Categories of protected areas

The protected areas, based on their purpose and regime are divided into the following categories:

- State reserves;
- Complex preserves;
- Natural parks;
- State monuments of nature;
- Territories for preservation, reproduction and restoration of certain natural objects and complexes;

- Protected landscapes;
- Territories for management of certain natural resources.

Article 6. Property rights for protected areas

The protected areas are the property of the state and are protected by it. Land areas and other natural objects can be allocated for use to legal and physical persons for establishment of private preserves and natural nurseries.

Article 7. Land areas and water areas of protected areas

Land areas of protected areas are considered as lands designed for nature protection, improving and recreational purpose. On land areas and water areas of protected areas, any activity contradicting to their particular purpose is prohibited. To restrict or prohibit activities impacting or able to provide negative impact on the condition of protected areas, limitations are established for the land areas. In organizing protected areas, the loss incurred by legal and physical persons caused by restriction or discontinuance of their activity, is compensated for according to the legislation. While allocating lands of agricultural purpose and wood fund for creation of protected areas, withdrawals of agricultural and forest lands are not compensated for.

Land areas of state reserves, complex preserves, natural parks, state monuments of nature, preserves (with the exception of preserves, established in hunting farms), natural nurseries are not subject to the land tax. The land tax is levied in cases where economic activity is conducted on the protected areas. Withdrawal of land areas of protected areas for state and public needs is allowed in exceptional cases.

In cases, where legal and physical persons do not fulfill duties assigned to them regarding the protection of state monuments of nature, preserves, natural nurseries, such land areas can be withdrawn.

The order of protection, use and withdrawal of land areas and water bodies of protected areas is defined in the legislation.

Article 8. Access of citizens to protected areas

Protected areas are accessible by citizens, except for cases stipulated by the present Law. With the purposes of protection of species of rare and endangered plants and animals, and their habitats, the access of citizens to certain parts of protected areas can be limited or prohibited by state bodies, legal and physical persons, in whose purview these territories have been allocated.

The access of citizens to protected areas is organized according to the rules of attendance to such territories approved by specially authorized state bodies. Based on the order established by the Cabinet of Ministers of the Republic of Uzbekistan, the access of citizens to some protected areas can be allowed on a paid basis. The historically established residence of people in certain protected areas can be continued on a condition of observance of their regime.

Article 9. State control in protection and use of protected areas

State control in the area of protection and use of protected areas is implemented by the State committee of the Republic of Uzbekistan for nature protection and local bodies of state authority.

Article 10. Participation of bodies of civil self-management, non-government non-commercial organizations and citizens in organizing, protecting and using protected areas

The bodies of self-management of citizens, non-government noncommercial organizations and citizens shall assist state bodies in realization of measures to organize, protect and use protected areas. The state bodies while implementing such measures, shall take into account the opinion of bodies of self-management of citizens, non-government noncommercial organization and individual citizens.

With the purpose of involving population in the management of certain protected areas from among representatives of self-management bodies of citizens, non-government noncommercial organizations, and individual citizens, local bodies of state authority may create advisory commissions. The decisions on formation of a protected natural territory and its security zones impacting interests of the population living in such territories, shall be made in view of the conclusions issued by the advisory commissions.

The bodies of self-management of citizens, non-government noncommercial organizations and citizens have the right to request and receive from appropriate state bodies information on protected areas;

Bodies of self-management of citizens, non-government noncommercial organizations and citizens may initiate public ecological expertise and public ecological monitoring while organizing, protecting and using protected areas in the order established by the legislation.

II. MANAGEMENT of PROTECTED AREAS

Article 11. State management of protected areas

State management in the field of organization, protection and use of protected areas is carried out by the Cabinet of Ministers of the Republic of Uzbekistan, local bodies of state authority, and specially authorized state bodies.

Article 12. Reservation of land areas for organization of protected areas

With the purpose of organizing protected areas based upon proposals of specially authorized state bodies, and legal and physical persons, local bodies of state authority decide on reservation of required land areas. Activities of legal and physical persons on reserved land areas which represent a threat to preservation of natural objects and complexes intended for protection should be limited or prohibited. Granting in possession and usage of such land areas or rent to legal and physical persons is allowed only with a positive conclusion of the state ecological expertise. Protected areas shall be taken into account while developing plans and programs, land improvement schemes and district lay-out, and other plans pertaining to protection and use of natural resources.

Article 13. Formation, reorganization and termination of protected areas

Protected areas are formed through a decision of Cabinet of Ministers of the Republic of Uzbekistan and local bodies of state authority based on the order stipulated by the legislation. Reorganization of protected areas is made if a change in their category is required. In doing so, a transfer of a protected natural territory from a stricter regime category to a softer regime category is allowed in exceptional cases only.

Termination of protected areas is done after expiry of their term, or loss of value and uniqueness of their natural objects and complexes as a result of natural disasters and/or human-made activities.

Article 14. State Cadastre of protected areas

The state cadastre of protected areas includes information on categories and types of such territories, their geographical situation, quantitative and qualitative characteristics, ecological, economic, scientific, educational and other values, the land owners, land users and tenants and proprietors of land areas.

The state cadastre of protected areas is maintained with the purposes of ensuring their regime, doing scientific research, account for such territories while planning development and location of industrial objects.

The state cadastre of protected areas is maintained by the State committee of the Republic of Uzbekistan for nature protection jointly with the Academy of sciences of the Republic of Uzbekistan, at the expense of funds from the state budget of the Republic of Uzbekistan, in the order determined by the legislation.

Information from the state cadastre of protected areas is provided to state bodies, legal and physical persons based on the established procedure.

Article 15. Passport of protected natural territory

State bodies, legal and physical persons managing protected areas shall make a passport for each territory containing information describing the territory, its regime and management. The procedure for completing the passport of protected natural territory is established by the Cabinet of Ministers of the Republic of Uzbekistan.

Article 16. Management Plans of protected areas

Plans of management for protected areas represent a complex of organizational, nature protection, technical and other measures for protection and use of natural objects and complexes. Management plans of protected areas are approved by state bodies, legal and physical persons, in whose purview the protected areas have been placed. Drafts of management plans of protected areas are subject to state ecological expertise.

The order for the development of management plans for protected areas is established by the State committee of the Republic of Uzbekistan for nature protection.

Article 17. Organization of protection in natural territories

Protection of state reserves, complex preserves, natural parks and state biosphere reserves is carried out by the protection workers and regulated by statutes for the protected areas. The protection workers are included in the staff of state reserves, complex preserves, natural parks, state biosphere reserves, and are entitled to all rights and privileges as state inspectors for nature protection.

Protection in state preserves and natural nurseries is carried out by legal persons on whose land areas they are located. Protection of state monuments of nature is carried out by legal and physical persons, on whose land they are located.

Should state preserves and state monuments of nature be located on land areas which have not been given to legal and/or physical persons, their protection is assigned to local bodies of state authority and specially authorized state bodies.

Protection measures in water protection zones, coastal strips and formation zones of superficial and underground waters is implemented by bodies of agricultural and water management, and legal and physical persons, on whose land they are located. Zones of sanitary protection of water objects are protected by law-enforcement bodies. Protection of resorts and recreational zones is provided by local bodies of state authority.

Territories for management of certain natural resources are protected by forest guards and ranger service of hunting entities. Protection of fishery zones is provided by legal and physical persons engaged in fisheries, and bodies for nature protection. Protection of private preserves and natural nurseries is provided by legal and physical persons who manage them.

Security (protected) zones are protected by state bodies, legal and physical persons, to whom protection of state reserves, preserves and state monuments of nature is assigned.

III. STATE RESERVES

Article 18. Creation of state reserves

State reserves are the protected areas of nation-wide importance with a strict regime of protection of natural objects and complexes intended for preservation and research of typical ecological systems, genetic fund of plants and animals.

State reserves are created in the form of state nature protection and research establishment through a decision of the Cabinet of Ministers of the Republic of Uzbekistan upon proposal of a specially authorized state body. State reserves operate on the basis of a Statute, approved by the Cabinet of Ministers of the Republic of Uzbekistan.

Article 19. Regime of state reserves

On the territory of state reserves any activity is prohibited, except for research activity and monitoring of natural environment. In state reserves, realization of fire-prevention measures is allowed.

On the territory of state reserves and their security zones it is prohibited to release new species and subspecies of live organisms with the purpose of their acclimatization.

On the territory of state reserves, presence of citizens who are others than workers of state reserves or managing state bodies, is allowed with permission of such bodies or administration of state reserve only.

Article 20. Research activity in the state reserves

Scientific research in state reserves shall be carried out by regular science officers. On a contractual basis, other scientific organizations and experts can be involved.

In state reserves, a scientific council shall be created. Conduct of natural environment monitoring is obligatory in state reserves. Results of research activity in state reserves obtained at the expense of funds of the State budget of the Republic of Uzbekistan and funds of nature protection, are the property of the state. The property right to the results of research activity received at the expense of means of legal and physical persons is established in a contract between state reserves and specified persons. State reserves use results of research activity free of charge.

Scientific information on condition of natural objects and complexes of state reserves is subject to publication. State reserves can have their own printed editions.

Scientific collections of state reserves are subject to storage during unlimited period of time.

Coordination of scientific research in state reserves is done by the Academy of sciences of the Republic of Uzbekistan.

IV. COMPLEX PRESERVES

Article 21. Formation of complex preserves

Complex preserves are the protected areas intended for preservation in a natural condition of natural objects and complexes with particular ecological value.

Complex preserves are created in the form of a state nature protective establishment by a decision of the Cabinet of Ministers of the Republic of Uzbekistan upon proposal of a specially authorized state body. Complex preserves operate on the basis of a Statute approved with the Cabinet of Ministers of the Republic of Uzbekistan.

Article 22. Regime of complex preserves

On the territory of complex preserves any activity is prohibited except for research, recreational activity, monitoring of environment and haymaking and cattle grazing, collection of wild plants for nutritional purposes, wild medicinal and technical material for own needs of the staff of the complex preserves and citizens living in their security zones.

V. NATURAL PARKS

Article 23. Creation of natural parks

Natural parks are the protected areas intended for preservation and use of natural objects and complexes with a particular ecological, cultural and aesthetic value for nature protective, recreational, scientific and cultural purposes.

Natural parks are subdivided into national natural parks and natural parks of local value, which are created in the form of state nature protective establishments by decisions accordingly of the Cabinet of Ministers of the Republic of Uzbekistan or local bodies of state authority upon motions of specially authorized state bodies. Natural parks operate on the basis of their Statute approved by appropriate state bodies.

Article 24. Territories of natural parks

Territories of natural parks are located on the land issued to natural parks for usage, and on land areas of other legal and physical persons within natural parks. In the course of creation of natural parks zoning of their territory is done.

On the territory of natural parks, protected reserve zones, recreational economic and other use zones are established. Provided that conditions are available for improving health of people, resort zones with a regime stipulated for resort natural territories may be established in natural parks.

Changes in size and borders of zones of natural parks are made by state bodies managing appropriate areas, based on a conclusion of the state ecological expertise.

Article 25. Regime of natural parks

On the territory of natural parks, a differentiated regime is established based on zoning.

In strict reserve zones of the natural parks the regime stipulated for state reserves is established.

Recreational zones of natural parks, based on condition of natural objects and complexes, can be subdivided into sites with various regimes.

In zones of economic and other use in national parks, residence of people, activities of legal and physical persons, not harming natural objects and complexes is allowed. The regime of each zone is determined by statutes on natural parks.

On territories of natural parks, it is prohibited to:

- cut wood and bush plants (except for regulatory cuts and sanitary cuts);
- carry out actions changing hydrological and hydro-geological regime;
- carry out actions causing erosion of soil, degradation of the vegetative and animal world;
- conduct road and communication engineering works which are not related to activities of natural parks;
- do storage and dumping of wastes, discharge of waste water;

- introduce new species and subspecies of live organisms with the purpose of their acclimatization.

In natural parks other kinds of activity able to cause harm to natural objects and complexes can be limited or prohibited;

In cases when the construction of roads, other communications and structures is necessary for operations of natural parks, it is obligatory to implement a complex of protective measures and restoration of impacted lands.

VI. STATE MONUMENTS OF NATURE

Article 26. Types of state monuments of nature

State monuments of nature are represented by protected areas with unique and irreplaceable natural objects, valuable in the ecological, scientific, cultural and aesthetic sense. State monuments of nature are subdivided into the following types:

- Hydrological (marsh, lake, river and other), intended for preservation of natural objects;
- botanical, intended for preservation of certain plants;
- geo-morphological, intended for preservation of certain forms of landscape created by nature;
- paleontological, intended for preservation of mineral objects;
- geological and mineralogical, intended for preservation of geological and mineralogical formations.

Article 27. Declaration of natural objects as state monuments of nature

Natural objects are declared as state monuments of nature through decisions of local bodies of state authority upon motions of authorized state bodies, and upon proposals of legal or physical persons. Declaration of natural objects as state monuments of nature is allowed without withdrawal of the land on which they are located.

Article 28. Regime of state monuments of nature

On the territory of state monuments of nature any activity threatening their safety is prohibited. The obligations on maintenance of the regime of state monuments of nature are assigned to legal and physical persons, on whose land sites they are located.

State monuments of nature used for religious purposes can be given in use or rent to religious organizations or physical persons on condition that works for their improvement and preservation will be done.

VII. TERRITORIES FOR PRESERVATION, REPRODUCTION AND RESTORATION OF CERTAIN NATURAL OBJECTS AND COMPLEXES

Article 29. Types of territories for preservation, reproduction and restoration of certain natural objects and complexes

The territories for preservation, reproduction and restoration of certain natural objects and complexes are created as preserves, natural nurseries and fishery zones.

Article 30. Preserves

Preserves are the protected areas intended for preservation, reproduction and restoration of certain natural objects and complexes.

Preserves can be of the following types:

- Biological (botanical, zoological) ones, intended for preservation, reproduction and restoration of valuable, rare and endangered species of plants and animals, ways of migration of live organisms;
- Paleontological intended for preservation of certain mineral objects and their complexes;
- Hydrological (marshes, lakes, rivers), intended for preservation of valuable water objects;
- Geological and mineralogical, intended for preservation of rare geological and mineralogical formations.

Preserves can be of nation-wide or local importance.

Article 31. Creation of preserves

Preserves of nation-wide importance are formed by a decision of the Cabinet of Ministers of the Republic of Uzbekistan upon a motion of a specially authorized state body, or upon a petition of legal or physical persons.

Preserves of local importance are formed by decisions of local bodies of state authority upon a motion of the specially authorized state body, or under a petition of the legal or physical persons.

Preserves are formed without a term of operation (unlimited) or for a term of at least ten years.

Preserves can be state-run or private, with formation or without formation of the legal person. For creation of a private zakaznik and state zakaznik with formation of the legal person, land areas and certain natural objects are allocated based on established procedure.

Article 32. Regime of preserves

On the territory of preserves, except for complex preserves, any activity is permanently or temporarily limited or ceased which may cause harm to certain natural objects and complexes.

The territories, on which state preserves without formation of the legal person are located, are not withdrawn from economic use of land owners, land users and tenants and proprietors of the land. Legal and physical persons, on whose land and (or) water areas such preserves are formed, are obliged to observe the established regime of the zakaznik.

The features of the regime in a zakaznik are determined by a statute approved by state bodies, legal and physical persons, in whose purview the zakaznik has been placed.

Article 33. Natural nurseries

Natural nurseries are the protected areas intended for preservation, reproduction and restoration of certain species of plants and animals by creation of necessary conditions for them.

Natural nurseries are formed by decisions of local bodies of state authority upon proposals of legal or physical persons.

The natural nurseries can be state-run or private, with formation or without formation of a legal person.

For creation of private natural nurseries and state-run natural nurseries with formation of legal person, land areas and certain natural objects are provided based on established procedure. On the territory of a natural nursery any activity threatening preservation, reproduction and restoration of plants and animals for which the nursery is intended, is prohibited.

Article 34. Fishery zones

Fishery zones are the protected areas including water objects or their parts used for preservation, reproduction and restoration of rare and endangered species of fishes and others water organisms and for economic fishery needs.

Fishery zones are formed by a decision of the Cabinet of Ministers of the Republic of Uzbekistan upon a motion of bodies for nature protection, agricultural and water management. In fishery zones any activity causing a threat to preservation, reproduction and restoration of fish and other water organisms is prohibited.

VIII. PROTECTED LANDSCAPES

Article 35. Types of protected landscapes

The resort-like natural territories, recreation zones, water protective zones, coastal strips, zones of sanitary protection for water objects, zones of formation of superficial and underground water are defined as protected landscapes.

Article 36. Resort-like natural territories

Resort-like natural territories are the protected areas having medical and health improving properties, or mineral sources, deposits of therapeutic muds; favorable climatic and other conditions.

The resort-like natural territories can be of nation-wide or local importance. The resort-like natural territories of nation-wide importance are formed by the decision of the Cabinet of Ministers of the Republic of Uzbekistan upon joint proposal of the Council of Federation of Trade Unions of Uzbekistan and Ministry of Public Health of the Republic of Uzbekistan.

The resort-like natural territories of local importance are formed by decisions of local bodies of state authority upon joint proposal of the Council of Federation of Trade Unions of Uzbekistan and Ministry of public health services of the Republic of Uzbekistan.

Article 37. Regime of resort-like natural territories

Resort-like natural territories are subdivided into three zones.

The first zone includes territories with healing springs and deposits of therapeutic muds. In this zone, any activity is prohibited, except for construction of structures necessary for improvement of the healing spring and therapeutic muds clinics.

The second zone includes territories of sanatoriums, boarding houses and resorts. In this zone any activity is prohibited, except for those necessary for organization of treatment and rest, and stay of people, except for temporary stay of medical and service personnel.

The third zone includes territories, adjacent to sanatoriums, boarding houses and resorts. In this zone, limited economic activity, not impacting healing springs, deposits of therapeutic muds and not worsening conditions for rest and treatment is allowed.

Within the limits of resort-like natural territories it is prohibited to implement:

- production of minerals, except for mineral water and therapeutic muds;
- activities of enterprises of chemical, cellulose and iron and steel industry;
- cutting of woods and bushes (except for regulatory cuts and sanitary cabins);
- application of pesticides;
- arrangement of animal burial fields;
- installation of pesticide and mineral fertilizers storages;
- storage and burial of wastes;
- change in the hydrological regime of district.

Article 38. Recreational zones

Recreational zones are the protected areas with geographical and climatic conditions that are suitable for organization of tourism and mass rest of people.

Recreational zones are formed through decisions of local bodies of state authority upon joint motion of the Council of Federation of trade unions of Uzbekistan and Ministry of public health of the Republic of Uzbekistan.

Article 39. Regime of recreational zones

Recreational zones, based on the condition of natural objects and complexes can be subdivided into areas with various regimes. In recreational zones, it is prohibited to conduct:

- activities of enterprises of chemical, cellulose & paper and iron & steel industries;
- cutting of woods and bushes (except for regulatory and sanitary cuts);
- application of pesticides;

- arrangement of animal burial fields;
- storage and burial of wastes;
- change in hydrological regime of the district.

Article 40. Water protection zones, coastal strips, zones of sanitary protection of water objects and formation of superficial and underground water

Water protection zones are the protected areas, adjacent to the courses of rivers, lakes, reservoirs, channels, collectors and other water objects. These zones are formed with the purposes of preventing pollution, contamination, exhaustion and silting of water objects by products of soil erosion, and for maintenance of a favorable water regime.

Coastal strips are the protected areas within a water protection zone of a strict regime. Zones of sanitary protection of water objects are the protected areas with strict regime adjacent to water objects used for drinking, domestic and curative needs.

Zones of formation of superficial and underground water are the protected areas in river valleys, debris cones, sub-mountain loops.

Water protection zones, coastal strips, zones of sanitary protection of water objects and zones of formation of superficial and underground water are established by decisions of the Cabinet of Ministers of the Republic of Uzbekistan and local bodies of state authority upon a motion accordingly of bodies for nature protection, agricultural and water management, sanitary inspection, and geological organizations.

Article 41. Regime of water protection zones, coastal strips, zones of sanitary protection of water objects and zones of formation of superficial and underground water

Within borders of water protection zones, limited economic activity is allowed. It is prohibited to:

- cut woods and bushes (except for regulatory and sanitary cuts);
- application of pesticides;
- installation of pesticide and mineral fertilizers storages;
- Building of animal burial places;
- Dump and storage of wastes; building of sewerage facilities or collectors of waste water;
- Building of cattle-breeding and poultry breeding complexes, and use of liquid manure for irrigation;
- parking, filling fuel, car wash and repairs;
- building of storehouses of petroleum; washing of flax, ambary, skins.

In coastal strips, except for restrictions and interdictions stipulated in the first part of the present article, it is prohibited to:

- apply mineral and organic fertilizers;
- graze cattle;

- implement any types of construction, except for construction of water
- management objects;
- building of boat moorages outside established places.

The zones of sanitary protection of water objects are subdivided into belts(zones) of protection with different mode. Changes in river course, production of minerals and other activities impacting conditions of water objects, are allowed only with a permission of bodies for nature protection, agricultural and water management, and geological organizations.

While implementing economic land improvement and lay-out of territories of human settlements, changes in borders of water protection zones, coastal strips and zones of sanitary protection of water objects should be coordinated with bodies for nature protection, agricultural and water management and sanitary inspection.

The regime of water protection zones and coastal strips is also applied to zones of formation of superficial and underground water. The order and conditions for protection and use of water protection zones, coastal strips, zones of sanitary protection of water objects and zones of formation of superficial and underground water are established by the Cabinet of Ministers of the Republic of Uzbekistan.

IX. TERRITORIES FOR MANAGEMENT OF CERTAIN NATURAL RESOURCES

Article 42. Types of territories for management of certain natural resources

Territories for management of certain natural resources include lands of forest fund serving anti-erosion purposes, urban forests, forests around green zones of cities, other human settlements and industrial centers, especially valuable forests, nuts procurement zones, fruit plants, forests with scientific or historical significance and land areas of hunting farms intended for rational use of vegetation and fauna.

Article 43. Regime of territories for management of certain natural resources

On territories for management of certain natural resources it is prohibited to introduce new species and subspecies of living organisms with the purpose of their acclimatization and other activity which can cause harm to the flora and fauna.

On territories for management of certain natural resources, use of flora and fauna is allowed in the order established by the legislation.

X. FINAL PROVISIONS

Article 44. State Biosphere Reserves

With the purpose of steady economic and social development of territories state biosphere reserves can be formed as protected areas intended for preservation of biological diversity, rational use of natural objects and complexes. State biosphere reserves can be included in the international network of biosphere reserves and participate in global monitoring of natural environment.

State biosphere reserves are formed by a decision of the Cabinet of Ministers of the Republic of Uzbekistan.

The territories of state biosphere reserves are allocated on land areas provided to the state biosphere reserves for use, as well as on land plots within the limits of borders of a state biosphere reserve, belonging to other legal and physical persons.

On the territory of a state biosphere reserve, the following zones are allocated:

- Strict reserve zone intended for preservation in natural condition of natural objects and complexes, with a regime stipulated for state reserves;
- Buffer zone intended for preservation, reproduction and restoration of natural objects and complexes, in which any activity making a negative impact on the strict reserve zone is prohibited;
- transitive zone intended for realization of economic and other activities, not affecting natural objects and complexes of the state biosphere reserve.

The regime of state biosphere reserves is determined by a Statute, approved by the Cabinet of Ministers of the Republic of Uzbekistan.

Article 45. Interstate protected areas

Interstate protected areas are the protected areas located on territory of two or more states.

Interstate protected areas can be formed on the basis of the international treaties of the Republic of Uzbekistan. The regime of interstate protected areas is determined according to the legislation and international treaties of the Republic of Uzbekistan.

Article 46. Security (protection) zones

Security zones are the territories bordering to state reserves, preserves and state monuments of nature. In security zones, economic and other activity is limited or prohibited with the purpose of the preventing negative impact on neighboring protected areas.

The size of security zones and their regime, as well as limitations on land areas are established simultaneously with formation of protected areas.

A part of the security zone of a state reserve can be allotted for organization of ecological tourism, creation of natural nurseries for breeding of species of rare and endangered plants and animals which are unique for the territory, and other needs of the reserve.

Article 47. Funding of protected areas

State reserves, complex preserves and natural parks are funded from:

- State budget of the Republic of Uzbekistan;
- Funds of nature protection;
- Revenues from research, nature protection, advertisement and promotion and educational activities;

- Revenues collected as compensation for harm inflicted to protected areas;
- Penalties collected for infringement of the regime of protected areas;
- (amounts received from sale of seized hunting tools, and fishery instruments, from sale of illegally procured production);
- Charitable donations from legal and physical persons;
- Other revenues not prohibited by the legislation. Complex preserves and natural parks, in addition to revenues listed in part 1 of the Article, may also earn revenues from issuance of permissions to citizens to access protected areas and use natural resources, as well as incomes from recreational activities, tourism and other activities allowed by legislation.

The funds for organization, protection and use of state preserves, state monuments of nature are allocated by local bodies of state authority, state bodies, in whose purview the specified protected areas have been assigned.

Private preserves and natural nurseries are financed from funds of legal and physical persons they belong to.

Revenues from compensation of harm caused to protected areas, amounts of penalties collected for infringement of the regime of protected areas, collections from permissions to citizens to access protected areas and use natural resources, incomes from recreational activities, tourism and other activity, charitable donations of legal and physical persons are used for preservation, reproduction and restoration of natural objects and complexes.

Article 48. Resolution of disputes

Disputes in the field of organization, protection and use of protected areas are resolved in the order established by the legislation.

Article 49. Responsibility for infringement of the legislation on protected areas

Persons found guilty of infringement of the legislation on protected areas are subject to responsibility established by law.

**President
of the Republic of Uzbekistan**

I. Karimov

Tashkent, December 3, 2004.

**Decision of Oliy Majlis of the Republic of Uzbekistan
On inaction of the Law of Republic of Uzbekistan On protected areas**

Oliy Majlis of the Republic of Uzbekistan

Decides:

1. To enact the Law of the Republic of Uzbekistan "On protected areas " as of the date of publication.

2. The Government of the Republic of Uzbekistan (Sh. Mirziyoev) shall bring their decisions in conformity with the Law of the Republic of Uzbekistan "On protected areas " to ensure reconsideration and cancellation by ministries, state committees and departments of their normative acts contradicting to the aforementioned Law.
3. To make void:
 - The law of the Republic of Uzbekistan dated May 7, 1993 "On specially protected areas " (Bulletin of the Supreme Council of the Republic of Uzbekistan, 1993, № 6, p.255);
 - The decision of the Supreme Council of the Republic of Uzbekistan dated May 7, 1993 "On the order of enacting the Law of the Republic of Uzbekistan "On specially protected areas" (Bulletin of the Supreme Council of the Republic of Uzbekistan, 1993, № 6, p.256).

**Chairman of Oliy Majlis
Of the Republic of Uzbekistan
E. Khalilov
Tashkent, December 3, 2004.**