

Ensuring children's rights in Uzbekistan

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***Abstract:** This article is devoted to the formation of state policy in the field of protection of children's rights in the Republic of Uzbekistan and deals with international legal instruments of guaranteeing the protection of the rights of children in the country.*

Rights of the child - it is the human rights of minors (under the Convention on the Rights of the Child, are persons who have not attained the age of eighteen). At the international and national level, there are many special acts on the Rights of the Child. The main act on the rights of the child at the international level is the Convention on the Rights of the Child (New York, 20 November 1989)

The UN Convention on the Rights of the Child - the international legal document that defines the rights of children to education, rest and leisure, to enjoy the benefits of culture and the provision of other services to the children of the UN Member States. Convention on Rights of the Child is the first and major

international legal instrument in which children's rights were considered at the level of international law. The document consists of 54 articles detailing the individual rights of young people between the ages of birth to 18 years to fully develop their capabilities in an environment free from hunger and poverty, cruelty, exploitation and other forms of abuse. Convention on Rights of the Child ratified by all UN member countries except the USA and Somalia.

The main objective of the Convention is to maximize the protection of the rights of the child. Its provisions are, in fact, be reduced to four basic requirements that should ensure the rights of the child. It's survival, development, protection and promotion of children's rights, active

participation in society. All these areas have a specific content.

Accession of the Republic of Uzbekistan in 1992, the UN Convention on the Rights of the Child contributed to the formation of state policy in the field of protection of children's rights, which is consistently implemented the activities of state bodies and public authorities on the ground to establish an effective mechanism of legal regulation of relations arising in connection with the implementation and protection of children's rights. In this regard, the priority direction of state policy in Uzbekistan is to create the necessary legal and organizational conditions and guarantees for the respect and protection of children's rights.

While ensuring the rights of children of Uzbekistan is guided and other major UN international treaties, such as:

- International Covenant on Civil and Political Rights,
- International Covenant on Economic, Social and Cultural Rights,
- Convention on the Elimination of All Forms of Discrimination Against Women,
- Convention on the Elimination of All Forms of Racial Discrimination,
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

By joining the UN six major international instruments, Uzbekistan has assumed international obligations to ensure the protection of children's rights in accordance with the

generally recognized principles and norms of international law.

In 2008, the Uzbek parliament ratified the following international instruments affecting the rights of children and:

- ILO Convention concerning Minimum Age for Admission to Employment (April 4, 2008.);
- ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (April 8, 2008.);
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the punishment for it, supplementing the UN Convention against Transnational Organized Crime (8 July 2008);
- Optional Protocol to the Convention on the Rights of the Child, concerning the sale of children, child prostitution and child pornography (11 December 2008).;
- Optional Protocol to the Convention on the Rights of the Child concerning the involvement of children in armed conflict (12 December 2008).

The Republic of Uzbekistan - a young independent state, 40% of which are children under 18 years of age, and 64% - young people under 30 years [1]. In this regard, priority of the state policy in the sphere of human rights and freedoms is to create the best and most favorable conditions for physical, intellectual and spiritual development of children and youth, as well as the full support

of large families, orphans and children deprived of a family environment.

The Constitution is a document in this regard, having supreme legal force. In accordance with this state shall safeguard the rights and freedoms embodied in the Constitution and legislation. In particular, the young citizens of the Republic of Uzbekistan shall enjoy all the socio-economic, political and personal rights and freedoms.

Article 45 of the Constitution of the Republic of Uzbekistan states that the rights of minors protected by the state. Article 64 of our principal Act states that parents have a duty to educate and maintain their children up to the age of majority, the state and society shall support, care and education of orphans deprived of parental care, stimulate charitable activities carried out on behalf of children.

Article 65 enshrined the equality of children before the law, regardless of origin and marital status of parents, the protection of mothers and children by the state. [2]

The Constitution of the Republic of Uzbekistan defines the fundamental principles for the protection of children's rights, which include:

- The priority of the universally recognized principles and norms of international law, while protecting the rights and freedoms of the child;
- Ensuring the safety and protection of children's rights by the State;

- Custody of the state and society of orphans and children deprived of parental care;

- Non-discrimination of children in relation to their origin and the civic status of their parents;

- Encourage charitable activities for children;

- The duty of parents to support and educate their children.

Uzbekistan acceded to the UN Convention on the Rights of the Child, strictly fulfills all its requirements. To date, the country formed the legislative base of more than 100 legal documents that provide multi-level protection of the rights and freedoms of the child.[3] In order to implement the provisions of the Convention, to improve the legal framework in this field adopted such Laws of the Republic of Uzbekistan as "On guarantees of child rights", "On Combating Human Trafficking", "On guardianship and custody", "On Social Security of Disabled People in the Republic of Uzbekistan", "On Prevention of Child Neglect and Juvenile Delinquency", "On Limiting Distribution and Consumption of Alcohol and Tobacco Products" and others.

In accordance with the Law "On prevention of child neglect and juvenile delinquency" established centers of social and legal aid to minors, which provide non-stop reception and temporary maintenance of children aged from 3 to 18 years old in need of assistance.

Humane treatment of convicted minors is carried out within

the framework of the adoption of the annual resolutions of the Senate of Oliy Majlis of the amnesty, which provide for a mandatory item for exemption from punishment of persons who at the time of commission of the offense was 18 years old.

Uzbekistan has a successfully functioning system for monitoring the observance of the rights of children, which is carried out by the Institute for Monitoring of Current Legislation under the President of the Republic of Uzbekistan and the Research Center for Democratization and Liberalization of Judicial Legislation and ensure the independence of the courts under the Supreme Court of the Republic of Uzbekistan. In addition, the Ministries of Internal Affairs and Justice, the Prosecutor General's Office are special human rights unit, whose functions also include the issues of children's rights in light of the implementation of national legislation, conventions and other instruments.

Uzbekistan has established a mechanism for dealing with juveniles in conflict with the law. Criminal, criminal procedure, penal law contains detailed provisions concerning the administration of juvenile justice which complies with the Convention. In order to prevent child neglect, homelessness and crime prevention since 2000, functioning commission on juvenile affairs. Chairman of the Republican commission on juvenile cases is the Attorney General of the Republic of

Uzbekistan. More than 246 commissions operate in Uzbekistan, which are created at the local city authorities, regions [4]. The main tasks of the Commission are:

a) Implementation of measures to protect and restore the rights and legitimate interests of minors, identify and eliminate the causes and conditions that contribute to neglect, homelessness, delinquency and antisocial acts of minors;

b) To coordinate the activities of state bodies, local authorities and NGOs in the prevention of child neglect and juvenile delinquency and protecting their rights and legitimate interests.

Commission have fairly broad powers:

a) receive from state bodies, enterprises, institutions and organizations the information necessary for the work of the commission;

b) to hear at the meetings of the Commission posts the heads of relevant bodies of enterprises, institutions and organizations on issues related to the conditions of detention and education of children and adolescents;

c) make personal reception of minors, parents, consider their complaints and applications, to meet their personal affairs. [5]

Efforts to ensure the rights of the child are carried out by the Government of the design and implementation of programs supported by the UN Children's Fund (UNICEF) in Uzbekistan.

In order to enhance the efficiency of the upbringing of spiritual and physical development of young people, full of social adaptation of children with physical disabilities, children from socially vulnerable

Children. The Center, together with the relevant ministries and departments, is studying the problem of vulnerable groups of children; develops and implements recommendations for reintegration of these children into society; It is working with staff to introduce new technologies to work with children without parental care; as well as the promotion of the concept of caring for these children in the consciousness of the population.

In Uzbekistan, the laws of all children are guaranteed free and compulsory education for 12 years. The high level of access to secondary and specialized secondary and vocational education is also provided through the creation of conditions for different ethnic groups to study in their native language.

- Uzbekistan has made great strides in the area of child protection, - says international expert on children's rights, a member of the Child Rights Committee of the United Nations Ms. Renate Winter [6]. - Among them - the achievements in the development of juvenile justice. Uzbekistan has created special structures to assist children - "helpline", social adaptation centers in secondary schools entered the post of school psychologist. This is an

families and children deprived of parental care in 2004. The Uzbek government has created The Republican Center for Social Adaptation of

example of the impact of public and civil efforts to achieve the Millennium Development Goals relating to the protection of the rights and interests of children.

Footnotes:

1. Initial reports of States parties due in 2011, Uzbekistan, CRC / C / OPSC / UZB / 1, 25 January 2012
2. The Constitution of the Republic of Uzbekistan. G. 1992
3. Initial reports of States parties due in 2011, Uzbekistan, CRC / C / OPSC / UZB / 1, 25 January 2012
4. CRC - Uzbekistan - CRC / C / 104 / Add.6 (2005)
5. Resolution of the Cabinet of Ministers № 360 dated September 21, 2000 "On improvement of activity of commissions for minors." This resolution approved the Regulations on the juvenile commissions.
6. http://nhrc.uz/ru/news/center_news/745/