

**TOGETHER FOR A CHILDHOOD FREE FROM VIOLENCE: LEGAL AND
SOCIO-PEDAGOGICAL MECHANISMS FOR PROVIDING THE BEST
INTERESTS OF THE CHILD**

Yuldasheva Dilrabo Valijonovna

Judge of the Chust Inter District Court for Civil Cases

Abstract

Analyzes the issues of protecting children from all forms of violence, creating a safe childhood environment, and ensuring the best interests of the child from a legal and socio-pedagogical point of view. The main goal of the study is to identify the theoretical foundations and practical mechanisms for the formation of a violence-free childhood based on the Constitution of the Republic of Uzbekistan, the Family Code, and international legal instruments on the rights of the child.

Uses the methods of normative and legal analysis, systematic approach, comparative legal analysis and scientific generalization. The protection of the child from physical, psychological and sexual violence, discrimination, humiliation, neglect and other harmful relationships is based on his constitutional rights and a necessary condition for his healthy development. The importance of cooperation between the family, educational institutions, state bodies and civil society institutions is also highlighted. As a result of the study, proposals are developed aimed at determining the best interests of the child, early identification of risk factors, supporting affected children and strengthening interdepartmental cooperation

Keywords: Childhood without violence, best interests of the child, children's rights, Constitution of the Republic of Uzbekistan, Family Code, child protection, family violence, socio-pedagogical prevention, safe environment, interagency cooperation.

Introduction

Childhood is a crucial stage in a person's physical, mental, intellectual and social development. During this period, it is important for a child to live in a safe environment, be raised with love and care, express his/her opinion freely, and have his/her honor and dignity respected for his/her future personal development. Therefore, protecting children from all forms of violence is one of the priority tasks not only of the family, but also of the state, educational institutions and society as a whole.

The concept of a childhood free from violence is not limited to the absence of physical violence against a child. It also encompasses an environment that is protected from psychological pressure, humiliation, intimidation, sexual abuse, neglect, exploitation and other relationships that are harmful to the child's development. Such an approach requires recognizing the child as a person with independent rights and legitimate interests, rather than as an object under the absolute control of adults.

Article 78 of the Constitution of the Republic of Uzbekistan establishes the obligation of the state to ensure and protect the rights, freedoms and legitimate interests of the child, to create

the best conditions for his full physical, mental and cultural development. This constitutional provision constitutes the legal basis of the child protection policy .[1] In family relations, the child's rights to live in a family, to be raised, to enjoy the care of his parents and to have his human dignity respected are of particular importance. Article 65 of the Family Code of the Republic of Uzbekistan defines these rights and strengthens the legal status of the child in family relations .[2] International standards on the rights of the child also require that the best interests of the child be taken into account as a primary criterion in making all decisions concerning the child. Article 3 of the United Nations Convention on the Rights of the Child enshrines this principle, and Article 19 enshrines the obligation to protect children from all forms of physical and mental violence .[3] Accordingly, the main scientific problem of the article is to determine the connection between legal guarantees for the protection of children from violence and mechanisms for their effective implementation in everyday family, educational and social environments.

Was organized on the basis of a normative-legal analysis and a systematic approach. Its methodological basis is formed by national legislative norms, international child rights standards, and institutional approaches aimed at preventing violence.

First, through a normative and legal analysis, the provisions of the Constitution of the Republic of Uzbekistan on children's rights, the norms of the Family Code regulating relations between parents and children, and the relevant provisions of the Law "On Guarantees of the Rights of the Child" are studied.

Secondly, using comparative legal analysis, national legal guarantees are compared with the principles of the best interests of the child and protection from violence as set out in the UN Convention on the Rights of the Child.

Third, within the framework of a systemic approach, the roles of the family, educational institutions, social services, law enforcement agencies, and civil society institutions in child protection are considered as interrelated mechanisms.

Fourth, using the scientific generalization method, proposals will be developed aimed at preventing violence, early identification of risk situations, providing assistance to child victims , and preventing re-violence.

An important methodological limitation of the study is that this article is based on a normative-legal and theoretical analysis. No specific empirical survey, interview, or statistical data collection was provided. Therefore, the proposals presented in it should be interpreted not as empirically proven results, but as well-founded directions for further practical and scientific research.

The best interests of the child are one of the central principles of the modern child rights system. This principle means that when making decisions concerning the child , the rights, safety, development and individual needs of the child are given priority over the convenience of adults, the administrative interests of the institution or traditional views . The Law of the Republic of Uzbekistan "On Guarantees of the Rights of the Child" provides a legal definition of the concept of "best interests of the child". According to the amendment made by the Law No. O'RQ-1156 of July 1, 2026, the issue of the child's own participation and consideration of his or her opinion in determining and protecting these interests is also covered .[4] This

situation strengthens the approach that abandons making decisions concerning the child based solely on the subjective views of adults and takes into account the opinion and individual characteristics of the child.

The following criteria are important in putting the principle of the best interests of the child into practice:

1. Safety criterion. The child must be protected from physical, psychological and sexual violence.
2. Developmental criteria. Conditions must be created for the child to receive education, maintain health, socialize, and develop his abilities.
3. The criterion of dignity. In the process of upbringing, humiliation, intimidation, and attitudes that degrade human dignity must not be allowed.
4. Participation criteria. The child's views should be heard and taken into account in making relevant decisions, in accordance with their age and maturity.

health, family circumstances, developmental characteristics and needs of each child must be taken into account.

These criteria allow the best interests of the child to be transformed from an abstract legal phrase into a concrete decision-making criterion.

Article 3 of the UN Convention on the Rights of the Child states that the best interests of the child shall be a primary consideration in the actions of public and private social welfare institutions, courts of law, administrative bodies and legislative bodies. [3] This provision requires that in making decisions concerning children, the best interests of the child must be assessed and that the child's safety and development must be given priority. However, the best interests of the child must not be equated with the subjective judgment of a parent or a public authority. These interests must be determined on the basis of the child's rights, real needs, safety and views.

The Constitution of the Republic of Uzbekistan constitutes the supreme legal basis for the protection of childhood. Article 78 of the Constitution obliges the state to ensure and protect the rights, freedoms and legitimate interests of the child, to create the best conditions for his full development. [1] This norm links the protection of children with state policy and institutional obligations, not only within the scope of the personal responsibility of parents. Therefore, in order to prevent violence against children, in addition to the existence of legal norms, effective mechanisms for their implementation are also necessary. Article 26 of the Constitution establishes the inviolability of human honor and dignity, as well as the inviolability of human dignity and the inviolability of human dignity. [1] This constitutional guarantee constitutes the basis for the requirement to respect human dignity in relations with children. Thus, the interrelated interpretation of Articles 26 and 78 of the Constitution indicates two important areas of child protection: the first is respect for human dignity, and the second is the creation of the necessary conditions for the rights and full development of the child.

The family is the main environment in which the child's initial socialization and personal development take place. Therefore, the legal regulation of family relations is of great importance in ensuring the child's safety. Article 65 of the Family Code of the Republic of

Uzbekistan enshrines the right of the child to live and be raised in a family. This article establishes the right of the child to know his parents, to enjoy their care and to live with them, but excludes cases where these rights contradict the best interests of the child. The child also has the right to have his interests ensured, to develop in all aspects and to have his human dignity respected .[2] The content of this norm, while recognizing that the family is a natural and important environment for the child's development, implies that family relations should not contradict the child's safety and rights. It follows that the best interests of the child should be ensured not by giving absolute priority to the rights of the parents, but on the basis of a balance between the responsibilities of the parents, the rights of the child and the obligations of the state to protect them. If there is violence, systematic abuse or serious threats to the health and development of the child in the family, it is not correct to consider the matter as a purely internal family matter. In such situations, the protection, social assistance and appropriate legal measures provided for by law must be applied, taking into account the safety and best interests of the child.

The Constitution of the Republic of Uzbekistan, the Family Code, and the Law "On Guarantees of the Rights of the Child" constitute an interrelated legal framework for the protection of children. The UN Convention on the Rights of the Child sets international standards in this area.

Article 19 of the Convention requires States to take all appropriate legislative, administrative, social and educational measures to protect the child from physical or mental violence, maltreatment, neglect, exploitation and sexual abuse, whether by parents, legal guardians or other persons responsible for the care of the child.[3] These standards require a system that goes beyond the detection and punishment of violence after it has occurred, but also includes prevention, risk assessment, support for the child victim and follow-up.

The protection of children from violence cannot be fully ensured by legal norms alone. Legal guarantees must be combined with the culture of upbringing in the family, safety in educational institutions, the quality of social services , and the attitude of society to violence. First of all, it is necessary to develop a culture of family upbringing. It is advisable to expand educational programs for parents aimed at positive upbringing, non-violent conflict resolution, understanding the age characteristics of the child and understanding his emotional needs. In this case, upbringing should be based on respect for the child's personal integrity and dignity, along with the establishment of discipline .

Secondly, it is important to create a safe environment in educational institutions. Preschools, schools and other educational institutions should have internal procedures in place to prevent peer violence, bullying, discrimination and intimidation. Children should know how to seek help, and their complaints should be treated with confidentiality, safety and the best interests of the child in mind.

Third, a system for early identification of risk factors should be developed. Sudden changes in a child's behavior, unreasonable fears, frequent injuries, social withdrawal, or a sharp decline in education may in some cases be signs of a risk of abuse . However, such signs do not in themselves prove that abuse has occurred ; they should be carefully assessed by professionals, and the child's safety should be prioritized.

Fourth, interagency cooperation should be strengthened. It is necessary to clearly define the procedures for exchanging information and coordinating assistance between educational institutions, health organizations, social services and law enforcement agencies within the framework of their legal powers. This should protect the child's personal information and prevent him from having to repeatedly recount his experiences.

Fifth, a comprehensive system of support for child victims should be developed. Such assistance may include, as appropriate, medical examination , psychological counseling, social support, legal advice, and measures to ensure a safe environment. The assistance process must take into account the child's views, age, individual needs , and best interests.

Only when these areas are harmonized can a coherent system be formed aimed at preventing violence, early identification of existing risks , and mitigating its consequences.

and practical basis for improving national protection mechanisms .

The INSPIRE concept, promoted by the World Health Organization, UNICEF, and other international organizations, brings together seven strategies to reduce violence against children. They include implementing and enforcing legislation, changing social norms and values, creating safe environments, supporting parents and caregivers, strengthening economic resilience, developing response and support services, and building education and life skills .[5]

An important aspect of this approach is that it considers violence not only as an individual behavior, but as a complex problem related to family, social, economic and institutional factors. In the conditions of Uzbekistan, the use of these strategies may be appropriate in the following areas: - expanding programs for positive parenting and non-violent conflict resolution for parents ; - strengthening mechanisms for preventing bullying and intimidation of children in schools and preschool educational organizations;

- identifying families at high risk of violence and providing them with social assistance;

- develop reliable channels of appeal for children and their legal representatives;

- Assess the quality and continuity of services provided to affected children. At the same time, it is important to test the effectiveness of international strategies in the light of local needs, legal norms and practical possibilities, rather than automatically adopting them in adapting them to national conditions.

The studied legal norms and international approaches show that the protection of children from violence should be implemented at three interrelated levels.

The first level is normative guarantees. The Constitution, the Family Code , and legislation on the rights of the child define the legal status of the child, the criteria for protection, and the obligations of relevant entities.

The second level is institutional implementation. The practical effectiveness of legal norms depends on the competence, cooperation, resources and responsibility of the bodies, specialists and services that implement them.

The third level is socio-cultural prevention. Reducing the acceptance of physical punishment or humiliation of children as a means of discipline in society, promoting positive parenting, and respecting the child's opinion serve to prevent violence.

Weakness at any of these levels can reduce the overall effectiveness of the protection system. For example, the presence of legal guarantees in the legislation does not automatically ensure that the child feels safe in real life. Similarly, social awareness cannot replace mechanisms for responding to cases of violence in a timely manner and providing appropriate assistance to the child victim. From this point of view, the principle of the best interests of the child should be considered as a common criterion that unites legal, institutional and social measures.

The following proposals are put forward within the framework of the study:

1. Develop criteria for assessing the best interests of the child. It is proposed to develop practical assessment criteria to take into account the child's safety, physical and mental condition, developmental needs, family circumstances and views when making decisions concerning the child.
2. Improve protocols for preventing violence in educational institutions. It is advisable to clearly define procedures in each educational institution for receiving complaints, assessing the risk, directing to appropriate services, maintaining confidentiality , and monitoring the results.
3. Develop positive parenting programs for parents. It is recommended to introduce regular programs aimed at increasing parents' knowledge of non-violent parenting, emotional communication, conflict management , and understanding the child's age characteristics.
4. Strengthening mechanisms for interdepartmental cooperation. When signs of violence against a child are detected, it is necessary to establish a sequence of actions between competent organizations, the legal basis for information exchange , and the boundaries of responsibility.
5. Assess the effectiveness of the protection system. It is proposed to develop a monitoring system based on indicators such as response time to appeals, referral to support services, risk of repeated violence and the safety of children. The indicators should be maintained without disclosing children's personal data and while protecting their rights and interests.
6. Expand empirical research. In the future, it is recommended to conduct anonymous surveys, interviews and case studies with parents, educators, psychologists and child protection specialists. This will allow us to test the effectiveness of the proposals and identify mechanisms that are appropriate for national conditions.

These proposals aim to link existing legal guarantees with practice, consistently apply the best interests of the child in decision-making, and develop a system for preventing violence.

Requires approaching the issue of child protection not only from the point of view of responding after the commission of a crime, but also from the point of view of creating a safe environment, preventing violence and ensuring the comprehensive development of the child. Articles 26 and 78 of the Constitution of the Republic of Uzbekistan create an important constitutional basis for protecting the dignity, rights and full development of the child. Article 65 of the Family Code, while strengthening the right of the child to live and be raised in a family, excludes situations where this right is contrary to the best interests of the child. The concept of the best interests of the child, expressed in the Law "On Guarantees of the Rights of the Child", enriches this legal system by taking into account the individual needs, safety, development and opinion of the child. The UN Convention on the Rights of the Child, in turn,

links the protection of children from all forms of violence with the legal and institutional obligations of the state.

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