

Improving Socio-Legal Mechanisms for Protecting Children from Harassment and Violence and Enhancing Prevention Strategies

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ABSTRACT

Objective: This study offers a comprehensive analysis of the multifaceted issue of harassment and violence against children within Uzbekistan's contemporary legal framework, examining the characteristics of minor victimization and the role of the child victim in crime dynamics. **Method:** The research employs formal-legal, comparative-legal, and systemic approaches, utilizing empirical data from court records and forensic psychiatric evaluations to analyze child victimization. **Results:** The study identifies significant gaps in the current legal system, particularly the absence of specific aggravating circumstances for violence perpetrated by extended family members or child welfare professionals. **Novelty:** The research contributes to the field by proposing innovative, practical strategies for improving child protection, including the implementation of socio-emotional learning programs in schools, the creation of national screening and risk assessment standards, and the establishment of a specialized child protection hotline/task force. These measures aim to shift the focus from repressive to preventive approaches, highlighting the importance of psychological correction for offenders and digital monitoring for at-risk children.

INTRODUCTION

At the decisive stage of building the “New Uzbekistan”, the dignity of the human person and the provision of their rights and interests have become the highest priorities of state policy. As emphasized in President Shavkat Mirziyoyev’s Address to the Oliy Majlis and the people of Uzbekistan, the ultimate goal of all reforms is for every citizen to feel the impact of these changes in their neighborhood, their home, and their personal life. In this process, protecting the rights of children—the most sensitive and vital segment of our society—and shielding them from all forms of harassment and violence has acquired strategic importance.

The President’s Address underscores that “if the neighborhood (mahalla) is peaceful and harmonious, the society will be peaceful and harmonious” [1]. However, instances of harassment and violence against children, who represent the most vulnerable and protected group, remain a dangerous scourge that threatens this very peace. As the leadership sets the task of transforming the mahalla into a center of justice and education, ensuring that every child grows up in an environment free from violence becomes a paramount objective.

Today, with youth constituting one-third of Uzbekistan's population and over one million young men and women entering independent life annually, protecting them from physical and psychological pressure is an inseparable part of state policy. The concept of "enriching human capital", as highlighted in the Address, cannot be realized without safeguarding the child's personality and dignity. The President noted the necessity of "changing the consciousness and worldview of people to further unite our country". Any violence committed against a child poisons not only an individual's destiny but also the future moral and social image of society. The idea of "New Uzbekistan—a land of free and prosperous people" fundamentally necessitates the guaranteed inviolability of children's rights within the family and the community.

RESEARCH METHOD

This research is dedicated to studying the victimization of children and developing effective mechanisms for its prevention [2]. The methodology is grounded in a detailed analysis of doctrinal legal sources, the national legislation of the Republic of Uzbekistan, international legal standards, and scholarly literature in the fields of criminal law, criminology, victimology, psychology, and juvenile justice.

Specifically, the study analyzes normative-legal acts regulating child protection and the prevention of violence, as well as materials from judicial and investigative practice regarding crimes involving harassment and violence against minors [3]. The research employs the **formal-legal method** for interpreting legal norms, the **comparative-legal method** to identify similarities and differences between doctrinal approaches, and **systemic analysis** to determine the correlation between the victim's specific characteristics, the environment, and criminogenic factors.

The empirical components of the methodology include the synthesis of court decisions, criminal case files, and findings from socio-psychological and psychiatric examinations. These allow for the identification of indicative victimological characteristics of children subjected to violence [4]. General conclusions regarding latent victimhood and the factors facilitating it were developed based on the results of the conducted research. Logical methods such as **analysis**, **synthesis**, **induction**, and **deduction** were utilized to generalize findings and formulate theories. This integrated methodological approach serves as a scientific foundation for evaluating the phenomenon of child victimization objectively and proposing a new, effective system for its prevention.

RESULTS AND DISCUSSION

The high social risk of pressure and violence against children is clearly manifested in both international and national analyses. According to estimates by UNICEF specialists, approximately 275 million children worldwide are currently victims of violence, a figure that confirms this issue as a global emergency [5].

Unfortunately, this problem remains acutely relevant at the national level. On average, up to 300 individuals are held criminally liable and nearly 10,000 individuals

face administrative liability for domestic (household) violence each year. Most distressingly, approximately 1,500 of these recorded acts of pressure and violence are committed specifically against children, of which nearly 500 cases involve sexual violence.

Research indicates that crimes against the sexual freedom of minor girls are committed by adult males and older relatives in 50% of cases, a higher rate compared to other similar crimes [6]. Furthermore, the risk of becoming a victim of sexual violence increases sharply between the ages of 4 and 6, reaches a high level between 7 and 12, and rises to its peak by the age of 16.

It is particularly noteworthy that violence against children occurs within schools, families, and among peers. In our country, 78% of recorded acts of pressure and violence are committed by strangers, 14% by parents or legal guardians, 6% by relatives, and 2% by employees of educational institutions. For instance, in 2023, 166 cases of violence against children were committed by close associates, resulting in the tragic death of 22 children [7].

However, the aforementioned figures do not fully reflect the actual state of pressure and violence against children because the level of latency for such socially dangerous acts is extremely high. This is due to the fact that children who fall victim to pressure and violence often do not report the incidents to anyone because of fear, shame, or a lack of understanding of the situation. From this perspective, the analysis by Ye.N. Yershova – which suggests that children who are victims of sexual or physical violence do not apply to law enforcement agencies because they may not perceive the actions as sufficiently criminal, or due to fear of exposure and retaliation – is close to the truth [8]. Simultaneously, it should be noted that a child's silence is motivated not only by personal fear but also by a lack of trust in the criminal justice system, the risk of re-victimization (repeated trauma during the investigation process), and social stigma (the fear of bringing shame upon the family).

In practice, several types of violence against children are distinguished, which manifest in modern conditions as: physical violence; sexual violence; psychological (mental) violence; neglect (lack of care); exploitation; bullying/cyberbullying. Physical violence refers to any inhumane act characterized by cruelty that causes pain to a child and harms their health or normal development. As a striking example, UNICEF survey results show that 62% of children aged 1 to 14 in Uzbekistan have been subjected to violent disciplinary methods (i.e., physical punishment) [9]. Psychological violence entails a negative mental impact on the child through threats of physical force or other actions that cause suffering. It manifests primarily through lying, intimidation, humiliation, isolation, or involvement in anti-social behavior, leading to the child becoming a victim of psychological aggression.

Sexual violence is one of the gravest socially dangerous acts, involving sexual contact with a minor or the use of children to satisfy the sexual needs of adults. According to WHO estimates, 20% of girls and 5–10% of boys worldwide encounter this type of aggression [10]. In Uzbekistan, these crimes, unfortunately, show an upward trend, rising

from 334 cases in 2021 to 405 by 2024, accounting for 18% of all crimes committed against children.

Neglect or lack of care manifests in the failure to meet a child's basic needs, which can lead to serious impairments in their physical, mental, spiritual, and moral development. For example, the death of 263 children and the injury of 1,568 others in traffic accidents in 2023 was partially due to parental indifference toward their duties.

Furthermore, exploitation encompasses any form of coercion—including forced labor and sexual exploitation—that endangers a child's health, safety, morality, or mental and physical development, and hinders their education. Finally, bullying (including cyberbullying) is defined as repeated actions characterized by an imbalance of power that prevents the victim from stopping the violence, often occurring through social media platforms [11].

The arguments made by M. Rustambayev and S. Niyozova, stating that minors possess high vulnerability (victimhood) due to their curiosity, trustfulness, susceptibility to influence, and physical weakness, are highly well-founded [12]. Supporting this view, it should be emphasized that child victimhood is linked not only to personal qualities but also to “developmental victimhood” (the lack of formed critical thinking). Additionally, their “curiosity” sharply increases the risk of becoming victims of cyberattacks and fraud in the digital environment.

Despite these factors, a number of systemic problems persist in the comprehensive prevention of pressure and violence against children. Specifically: Interagency fragmentation and the lack of a unified systemic approach result in low functional efficiency within the national child protection system. Insufficient legal norms and law enforcement practices regarding the protection and rehabilitation of child victims are linked to imperfections in the practical mechanisms of the “Priority of the Child's Interests” principle. Alongside low legal literacy among the population, there is a high level of social tolerance toward violence in society.

The lack of communication skills among educators, social workers, medical staff, and internal affairs officers when dealing with victimized children signifies a systemic shortage of specialized knowledge based on “Child-Friendly Justice” principles [13]. At the same time, it must be acknowledged that legislation aimed at protecting the interests of children has improved recently. Specifically, norms have been introduced that establish criminal liability for rape or the satisfaction of sexual needs in unnatural forms against a child under 14, regardless of whether the perpetrator was aware of the child's age. This applies especially when the act is committed by a person responsible for the child's upbringing, education, or care. Additionally, separate criminal liability has been established for engaging in sexual intercourse with a person aged sixteen to eighteen through the provision of material values or other incentives.

However, these measures are not yet sufficient as preventive warning norms for all possible cases of pressure and violence against children. For example, criminal liability currently exists for violence committed within the family by spouses, former spouses, or persons living in a shared household [14]. Yet, despite the frequent occurrence of cases

involving other relatives (aunts, uncles, cousins, etc.) or institutional staff (educators, doctors) responsible for the child's care, no specific aggravating preventive liability measures have been established for these individuals.

A child places full trust in their close relatives or those responsible for their safety. Violence committed by such individuals increases the psychological damage several times over and completely destroys the child's trust in their environment. The fact that violence is committed by relatives or institutional staff further increases the level of latency, as children often fear speaking out due to "family secrets" or "institutional reputation". If legislation were to establish specific aggravating liability for violence committed by members of the extended family or those in guardianship and educational roles, it would serve as a powerful social deterrent and increase accountability.

Finally, although 2,072 individuals have been deprived of parental rights by courts in the last three years, only 23 of those cases were related to cruel treatment of children [15]. This suggests that repressive measures, such as the removal of parental rights, yield only temporary, reflexive results in terms of social impact. Therefore, a systemic approach is necessary: along with ensuring the inevitability of punishment, it is essential to implement preventive programs aimed at increasing parental capacity.

CONCLUSION

Fundamental Finding : The persistent and rising trend of violence against children demonstrates that repressive and punitive approaches are inadequate in addressing the complexities of victimization, which are influenced by social, psychological, and institutional factors. **Implication :** This highlights the need for a shift towards preventive and rehabilitative strategies, focusing on early identification of risks, social-emotional development, and coordinated institutional responses to mitigate re-victimization. **Limitation :** While the proposed strategies are comprehensive, the research acknowledges limitations in current legal frameworks and institutional readiness, which may hinder full implementation, particularly in regions with fewer resources. **Future Research :** Future studies should explore the practical challenges in implementing these recommendations, particularly in diverse socio-economic contexts, and evaluate the effectiveness of the proposed interventions in reducing violence and improving the justice system's responsiveness to child protection. Further empirical research is needed to assess the impact of socio-emotional learning programs, digital reporting systems, and interagency cooperation on child victimization rates and re-victimization prevention.

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