

LEGAL ISSUES OF GUARANTEEING THE RIGHTS OF THE CHILD

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ANNOTATION

The article examines the issue of children's rights in the legislation of the Republic of Uzbekistan, the improvement of children's rights in the period of judicial reform, the criminal aspects of its protection.

Keywords: children's rights, building a strong civil society, The Convention on the Rights of the Child.

INTRODUCTION

It is known that a large-scale work is being carried out in our country to support motherhood and childhood, to create conditions for the spiritual and physical development of children, as well as to ensure compliance with the UN Convention on the Rights of the Child.

At the same time, there is a growing need to radically improve the institutional and legal framework for the protection of the rights and legitimate interests of children and their development into a harmoniously developed generation.

It should be noted that democratic legal children's rights, have chosen the path of building a strong civil society in our country the issue of protection of the rights and freedoms enshrined in national legislation. The large-scale work carried out in the field of ensuring the rule of law, raising the legal culture of the population, protection of the rights and interests of the younger generation serves this noble goal. The training of physical, mental and spiritual upbringing of the younger generation for the development of the conditions for the creation of a strong social policy in the country is one of the unique features and the period from the birth of the child, under the age of 30, its comprehensive support Supports to help find a worthy place in life, integrated and continuous system designed to 'work against it.

The legal basis for the protection of the rights of the child in the Republic of Uzbekistan is first of all reflected in Article 64 of the Constitution, which states that "Parents are obliged to feed and bring up their children until they reach adulthood. The state and society provide for the care, upbringing and education of orphans and children deprived of parental care, and encourage charitable activities dedicated to children." Article 65 of the Constitution states that "children are equal before the law, regardless of their parents' ancestry and marital status. Motherhood and childhood are protected by the state.

Band education go together to protect the rights of minors and the Convention on the Rights of the Child', 'Rights of the Child guarantees exist on additional measures to reinforce the 'On 'T fuse to guarantee the rights of the child', 'Parameters' laws and other documents included dalilidir.

As you know, on November 20, 1989 by the UN General Assembly, the Convention on the Rights of the Child adopted, Republic of Uzbekistan ratified the Convention on 9 December 1992.

Convention consists of 54 articles, the main directions of the rights of the child, the family, in this regard, the responsibility of the parents, the child's knowledge, thought, conscience and freedom of expression, freedom of religion enshrined in important aspects, such as the protection of children.

In particular, Article 2 of the Convention states that states must respect and ensure all the rights provided for every child, without discrimination, regardless of his or her ethnic or social origin, property status, or the child's health.

The Convention on the Rights of the Child on issues related to the lives of children, the right to participate actively in the decision-making process and their views on the need to take into account the comments.

Since the agreement has been ratified by the state at the Bo Commons education and upbringing of opening to the policy of a derogatory important international legal document fully complied with all the major articles of imports.

January 7, 2008, the draft law on guarantees of the rights of the child in the country to work, walk shores comprehensive care for children, maternal and child health, healthy generation, directed once again one of the most important legislative acts, P, Chapter 31 consists of matter. Article 4 of the law defines the directions of state policy on protection of the rights of the child, ensuring the rights, freedoms and legitimate interests of the child, protection of life and health of the child, prevention of discrimination, protection of the honor and dignity of the child, patriotism, citizenship, tolerance, fostering a sense of peace, supporting children's initiatives, and so on.

Article 8 of the law sets out the guarantees of the child's right to life, stating, "The right to life is an inalienable right of every child. Assassination of a child is the most serious crime." In fact, R espublikasi Part 2 of Article 97 of the Criminal Code, known to be 'weak point' c 'ill person for premeditated murder under aggravating circumstances, in Article 99, the birth of a baby during childbirth or the mother is still murder of criminal responsibility marked. It should be noted that the current Criminal Code of the Republic of Uzbekistan provides for the commission of a crime against a child as an aggravating circumstance. However, the jurisprudence is still debated in the legal literature as to who is meant by "young child". While some jurists refer to 10 years of age as a young child, some authors refer to those under 12 years of age, while others refer to those under 14 years of age as young children. Similarly, MH Rustambaeu emphasizes that children and adolescents under the age of fourteen should be considered as young children. The commission of a crime against a minor is an aggravating circumstance under Article 56 (b) of the General Part of the Criminal Code.

It is well known that juveniles are persons under the age of 18 under this law, and the commission of a crime against them has always been an aggravating circumstance. Qualification of a crime in many articles of the Special Part of the Criminal Code of the Republic of Uzbekistan, including Article 113, Part 3, Subparagraph "b", Article 131, Part 2, Subparagraph "a", Article 135, Part 2, Subparagraph "c", etc. is a sign. However, the commission of a crime against a minor is only an aggravating circumstance and needs to be taken into account in sentencing. In our view, it would be expedient if the articles of the Special Part of the Criminal Code also provide for the commission of a crime "in relation to a minor" as a necessary sign of the qualification of the crime. Because if we mean a minor as a person under the age of 14, it is more accurate to mean a person between the ages of 14 and 18 as a minor. From this point of view, it would be expedient to commit a crime against a young child, with special legal consequences. After all, in the case of crimes against persons of this age, they cannot always be considered vulnerable in terms of age, because according to Article 56 of the Criminal Code of the Republic of Uzbekistan, "unless there are grounds to believe that a person under 14 is physically and mentally disabled." b) may not be considered an aggravating circumstance. In this case, it is more accurate to classify the crime as "committing a crime against a young child". In this regard, it is noteworthy that Article 118, Part 4 of the Criminal Code of the Republic of Uzbekistan "separates the responsibility for rape of a person under fourteen years of age, and Article 118, Part 2 - for rape of a person under eighteen years of age."

Article 13 of the law on guarantees of the rights of the child in each family and upbringing of children, their parents, they know the b right to go and live in their care. ' In this regard, the fifth chapter of the Special Part of the current Criminal Code of the Republic of Uzbekistan is entitled "Crimes against the family, youth and morals", which deals with the protection of minors in all respects, including moral, mental and physical, sexual development. refusal to provide for incapacitated persons, exchange of a child for greed or other low intentions, disclosure of the secret of adoption, involvement of a minor in antisocial behavior, sexual intercourse with a person under the age of sixteen or obscene acts against that person and criminal liability for other acts.

Also, at a time when a lot of work is being done to protect and guarantee the rights of the child, in our view, the Criminal Code of the Republic of Uzbekistan provides for direct criminal liability for "child trafficking (trafficking)" in combating human trafficking, which has become one of the current problems. The case of a separate norm is also noteworthy.

According to the above, the Children's Ombudsman Law, which emphasizes the need to take great, this document citizens more attention to children, parents raising children, once again I feel a deep responsibility to the community, child rights restriction to eliminate problems we think that it serves as a basis.

In conclusion beloved Prophet Muhammad Rasulullah sallallahu s Salaam hadith found it necessary to bring blessings, father and child to leave a gift of extraordinary discipline.

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