



LEGISLATIVE STANDARDS GOVERNING THE CAUSES, CONSEQUENCES AND PENALTIES OF SEXUAL VIOLENCE AGAINST CHILDREN

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ABSTRACT

The article describes the theoretical and practical analysis of the situations that cause physical violence against minors (children), its causes, statistical analysis, consequences, and legal norms that provide responsibility for these situations.

KEY WORDS: *sexual violence, pedophilia, sexually transmitted diseases, disabled person.*

INTRODUCTION

Cases of violence against children are condemned and severely punished in countries around the world. In our country, human dignity and dignity are valued as the highest values, and children are honored as the successors of the country's future nation. Any violence committed against children is responsible under applicable law.

On December 9, 1992, the Republic of Uzbekistan ratified the UN Convention on the Rights of the Child. For the first time in the Convention, the child is considered as a person with rights that states that have ratified the Convention are required to "respect and guarantee". This provision shows that the child is a very vulnerable member of society and therefore requires and deserves special protection.

LITERATURE REVIEW

According to the convention, **the Child is considered as an independent person.** The Convention describes the child as a person with specific rights: the right to live (Article 6), to form a family (Article 9), to name and nationality. On education (Article 7), **on protection from violence (Article 19)**, on equality, freedom of thought and expression (Article 13), rest and recreation (Article 31), medical. services and health care (Article 24), state assistance (Articles 18-27), etc.

A Child (Children) is a person (persons) up to eighteen years of age (adult). Large-scale work is being carried out on fundamental improvement of the institutional and legal foundations of reliable protection of children's rights, freedoms and legal interests, state support for minors, children with disabilities and children deprived of parental care, reliable provision of guarantees of children's rights.

No matter how much it is condemned, child abuse, especially sexual abuse, pedophilia, continues to occur. Crimes against the sexual freedom of minors are increasing every year.

In particular, the number of people found guilty of sexual intercourse with a child under the age of 16 was 99 in 2019, 153 in 2020, 216 in 2021, and 238 in 2022. judgments have been issued. According to the information service of the Supreme Court, During the last 6 months of 2023:

- 15 criminals touch the honor of a person under 14 years of age;
- 44 criminals used violence against a person under the age of 14, intimidated or used the victim's weakness to satisfy sexual needs in an unnatural way;
- 163 criminals having sex with a person under 16 years of age;
- 35 criminals were punished for committing lewd and lascivious acts against a person under 16 years of age.

Pedophilia is a psychiatric disorder in which adults or adolescents experience a primary or exclusive sexual attraction to minors. Although puberty usually begins at age 10 or 11 for girls and 11 or 12 for boys, the pedophilia criteria extend the puberty cut-off



point to age 13. To be called a "pedophile" (pedophile), a person must be at least 16 years old and at least five years older than a minor.

The global prevalence of child sexual abuse is 19.7% for women and 7.9% for men. Most sex offenders know their victims; about 30% are relatives of the child, often siblings, fathers, uncles, or cousins; about 60% other acquaintances, such as "friends" of the family, babysitters, or neighbors; in approximately 10 percent of child sexual abuse cases, strangers are the perpetrators. Most sexual abuse of children is perpetrated by men; studies of female rapists show that women commit 14% to 40% of crimes against boys and 6% of crimes against girls.

DISCUSSION AND RESULT

Various diseases can be observed in sexually abused children, for example, injuries of body parts and internal organs of various severity during physical abuse, broken bones. Sexually transmitted diseases can occur with sexual violence: infectious and inflammatory diseases of the genitals, syphilis, gonorrhoea, AIDS, acute and chronic infections of the urinary tract, trauma, bleeding from the genitals and rectum, rupture of the rectum and vagina.

Child abuse often occurs in the family or close to the minor. Parents, step-parents, close relatives, close friends or their guardians are often responsible for the misbehavior committed by a minor.

Legislation adopted in recent years has made it possible to widely cover the previously "closed" topic of violence. Decision No. PD-4296 dated April 22, 2019 of the President of the Republic of Uzbekistan "On additional measures to further strengthen the guarantees of children's rights", Decision No. PD-4342 of May 29, 2019 "On radical improvement of the activities of specialized educational institutions" Decree No. PD-4736 of May 29, 2020 "On additional measures to improve the system of child rights protection" Decree No. PD-6275 of August 9, 2021 "On additional measures to further improve the system of guaranteeing children's rights" acceptance confirms our opinion.

Violation of privacy through sexual violence is punishable under Article 118 (indecent assault) and Article 119 (abnormal satisfaction of sexual desire using force). Committing such crimes against a child is considered an aggravating circumstance, and a heavier punishment is imposed for them.

The Criminal Code has a separate chapter (Chapter 5) dedicated to crimes against the family, youth and morals, which includes evasion of financial support for minors or persons incapable of work (Article 122), child substitution (Article 124), adoption secrecy disclosure (Article 125), engaging a minor in anti-social behavior (Article 127), having sex with a person under 16 years of age (Article 128), committing indecent acts against a person under 16 years of age (Article 129), preparation or distribution of pornographic material (Article 130), keeping a brothel or conniving (Article 131).

The right of the child to be protected from sexual violence is guaranteed by the provision of appropriate liability for the violation of this right in the criminal legislation of the Republic of Uzbekistan. Articles 118-121 of the Criminal Code of the Republic of Uzbekistan provide for liability for defamation and a number of other crimes against sexual freedom. In the Criminal Code of the Republic of Uzbekistan, having sex with a person under the age of 16 (Article 128), committing indecent acts against a person under the age of 16 (Article 129), preparing and distributing pornographic materials (Article 130), keeping a brothel or being a joint (Article 131) provides for liability.

In order to take drastic measures and ensure the inevitability of punishment for those who have committed such a crime in our country, the President of the Republic of Uzbekistan Shavkat Mirziyoyev signed the law on improving the system of reliable protection of the rights, freedoms and legal interests of women and children. measures were strengthened.

The new law provides for the inevitability of liability and provides that the act of a person who commits sexual violence against a person under the age of 14, 16 or 18, whether he is aware of the victim's age or not, will be assessed based on the actual age of the victim and a proportionally severe punishment will be determined.

With the new law, the level of social danger of sexual crimes has been increased by one level, previously minor crimes have been included in the category of serious crimes, and serious crimes have been included in the category of extremely serious crimes.

Crimes committed against children's sexual freedom have been equated with crimes against peace and human security, and humanitarian acts such as early parole or commutation of punishment to those who committed them will not be applied.



This law establishes an effective system of protection of children's rights, freedoms and legal interests from oppression and violence, as well as implementation of significant work in the field of state support for children with disabilities and children deprived of parental care, at the same time, women and the issues of mutual coordination and implementation of the legislative documents related to the protection of children's rights, freedoms and legal interests were defined.

Also, ensuring the guarantees of children's rights and freedoms is reflected in a number of normative legal documents adopted by our government.

Children's rights in Uzbekistan are regulated by the following legal documents:

- Constitution of the Republic of Uzbekistan;
- Family Code of the Republic of Uzbekistan;
- Law of the Republic of Uzbekistan "On Guarantees of Children's Rights";
- Law of the Republic of Uzbekistan "On Guardianship and Sponsorship";
- Law of the Republic of Uzbekistan "On State Policy Regarding Youth";
- Law of the Republic of Uzbekistan "On Education";
- Decision PD-4296 dated April 22, 2019 of the President of the Republic of Uzbekistan "On additional measures to further strengthen the guarantees of children's rights" and others.

The Law of the Republic of Uzbekistan "*On Guarantees of Children's Rights*" provides guarantees *of the child's freedom and privacy, guarantees of the child's rights to protection, guarantees of the child's right to be protected from illegal transfer, guarantees of the child's right to express his opinion*. One of the directions of the state policy for the protection of children's rights is to ensure the rights, freedoms and legal interests of the child; protection of the child's life and health; not to allow the child to be discriminated against; protection of the child's honor and dignity.

These regulatory legal documents are used in our country to ensure the use of fundamental rights and freedoms of children, to protect them from various forms of violence, and to apply strict punishment measures to persons who commit any violence against minors (children). In most cases, as a result of minors' (children's) improper use of Internet social networks, interest in various prohibited programs, virtual communication with various unknown persons, making acquaintances and providing them with their personal information, personal photos, they become "prey" of malicious individuals in cyberspace. It's no secret that it remains. In this case, minors (children) become victims of online violence, child pornography and other such virtual violence.

In many developed countries of the world, restrictions have been set for children's use of the Internet or telephone. We can cite developed countries such as the USA, Russia, China, and Germany as examples. These qualifications have certain restrictions on internet and smartphone usage for minors, and this works automatically. For example, in China, children cannot use the Internet or smartphones for more than 2 hours, and those under the age of 18 are prohibited from using the mobile Internet between 10:00 p.m. and 06:00 a.m. Excludes educational programs, personal security services, emergency calls, and certified mental and physical development programs. Similar restrictions have been imposed in Russia and Germany.

CONCLUSION

Along with the countries of the developed world, certain restrictions on the use of internet networks and smartphones by minors (children) have been established in our country, automatic programs such as "control", "parental control" have been developed and implemented in their use of smartphones and (or) internet networks. It would be expedient if a legal norm was developed to regulate it.

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