HSR (LONDON),
HOUGHTON STREET REVIEW JOURNAL
ISSN: 2058-5519|Impact factor-15.9
http://houghtonstreetreview.com/index.php/hsr

# ANALYSIS OF THE LEGAL AND REGULATORY FRAMEWORK FOR WORKING WITH MINORS IN THE REPUBLIC OF UZBEKISTAN

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doi:https://doi.org/10.5281/zenodo.23910765

**Abstract:** This article examines the legal and regulatory framework governing work with minors in the Republic of Uzbekistan, the mechanisms for safeguarding children's rights, and the challenges encountered in the practical implementation of relevant legislation. It reviews the Constitution of the Republic of Uzbekistan, the Law on Guarantees of the Rights of the Child, the Law on the Prevention of Neglect and Juvenile Delinquency, the Law on Protecting Children from All Forms of Violence, the Family Code, the Labour Code, and relevant international instruments. Based on a systematic and legal analysis, the article explores the importance of inter-agency cooperation, early identification of risks, individual case management, confidentiality, and the principle of the best interests of the child. It argues that the mere existence of legal provisions is insufficient to ensure effective child protection; rather, these provisions must be implemented through coordinated, child-centred services. The article also proposes measures to improve professional training, clarify referral procedures, and establish regular outcome assessments. The study is based on an analysis of legislation and practical approaches and does not present findings from an original empirical survey.

**Keywords:** Minors, children's rights, legal and regulatory framework, social protection, legal safeguards, prevention, protection from violence, guardianship and trusteeship, inter-agency cooperation, case management.

# O'ZBEKISTON RESPUBLIKASIDA VOYAGA YETMAGANLAR BILAN ISHLASHNING NORMATIV-HUQUQIY ASOSLARI TAHLILI

**Annotatsiya:** Maqolada O'zbekiston Respublikasida voyaga yetmaganlar bilan ishlashning normativ-huquqiy asoslari, bolalar huquqlarini kafolatlash mexanizmlari va amaliyotda uchraydigan muammolar tahlil qilinadi. Tadqiqotda Konstitutsiya, "Bola huquqlarining kafolatlari to'g'risida"gi Qonun, "Voyaga yetmaganlar o'rtasida nazoratsizlik va huquqbuzarliklarning profilaktikasi to'g'risida"gi Qonun, "Bolalarni zo'ravonlikning barcha shakllaridan himoya qilish to'g'risida"gi Qonun, Oila kodeksi, Mehnat kodeksi hamda xalqaro hujjatlarning o'rni ko'rib chiqiladi. Tizimli va huquqiy tahlil asosida bolani himoya qilishda idoralararo hamkorlik, xavfni erta aniqlash, individual holatni boshqarish, maxfiylik va bolaning eng ustun manfaatlarini ta'minlash masalalari yoritiladi. Maqolada huquqiy normalar mavjudligining o'zi yetarli emasligi, ularni amaliyotda muvofiqlashtirilgan, bola manfaatiga yo'naltirilgan xizmatlar orqali ro'yobga chiqarish zarurligi asoslanadi. Shuningdek, mutaxassislar malakasini oshirish, yo'naltirish tartiblarini aniqlashtirish va natijalarni muntazam baholash bo'yicha takliflar beriladi. Maqola normativ hujjatlar va ilmiy-amaliy yondashuvlar tahliliga asoslangan bo'lib, mustaqil empirik so'rov natijalarini taqdim etmaydi.

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HOUGHTON STREET REVIEW JOURNAL
ISSN: 2058-5519|Impact factor-15.9
http://houghtonstreetreview.com/index.php/hsr

**Kalit so‘zlar:** Voyaga yetmaganlar, bola huquqlari, normativ-huquqiy asoslar, ijtimoiy himoya, huquqiy kafolatlar, profilaktika, zo‘ravonlikdan himoya, vasiylik va homiylik, idoralararo hamkorlik, case management.

## АНАЛИЗ НОРМАТИВНО-ПРАВОВЫХ ОСНОВ РАБОТЫ С НЕСОВЕРШЕННОЛЕТНИМИ В РЕСПУБЛИКЕ УЗБЕКИСТАН

**Аннотация:** В статье анализируются нормативно-правовые основы работы с несовершеннолетними в Республике Узбекистан, механизмы гарантирования прав детей и проблемы практической реализации законодательства. Рассматриваются Конституция, Закон «О гарантиях прав ребёнка», Закон «О профилактике безнадзорности и правонарушений среди несовершеннолетних», Закон «О защите детей от всех форм насилия», Семейный и Трудовой кодексы, а также международные документы. На основе системного и правового анализа раскрываются значение межведомственного взаимодействия, раннего выявления рисков, ведения индивидуального случая, конфиденциальности и приоритета наилучших интересов ребёнка. Обосновывается, что наличие правовых норм само по себе не гарантирует эффективную защиту: необходимы согласованные услуги, ориентированные на потребности и безопасность ребёнка. Предлагаются меры по повышению квалификации специалистов, уточнению механизмов направления в службы и регулярной оценке результатов. Статья представляет аналитический обзор нормативных актов и практических подходов и не содержит результатов самостоятельного эмпирического опроса.

**Ключевые слова:** Несовершеннолетние, права ребёнка, нормативно-правовая база, социальная защита, правовые гарантии, профилактика, защита от насилия, опека и попечительство, межведомственное взаимодействие, ведение случая.

**Introduction.** Protecting the rights and interests of minors is one of the key priorities of a state governed by the rule of law and pursuing socially oriented policies. During childhood, individuals undergo physical, psychological, intellectual, and social development. Consequently, the conditions established by the state, family, and society have a direct impact on children’s future opportunities. Working with minors does not merely involve addressing children who have committed offences. It also encompasses access to education and healthcare, the family environment, social assistance, protection from violence, legal counselling, rehabilitation, and social inclusion.

Under the legislation of Uzbekistan, a child is generally defined as a person who has not reached the age of eighteen. The Law on Guarantees of the Rights of the Child regulates relations concerning the protection of children’s rights and freedoms and establishes relevant protection mechanisms [2]. At the same time, legal provisions concerning children’s rights are closely interconnected with constitutional principles, family and labour legislation, legislation on education and healthcare, and regulations governing prevention and protection from violence.

In recent years, the adoption of a separate law on protecting children from all forms of violence has represented an important development in the legal regulation of child protection. Law No. ZRU-996, dated 14 November 2024, entered into force on 15 May 2025 and addresses such forms of violence and abuse against children as physical, psychological, and sexual violence, neglect, exploitation, and harassment [3]. This approach demonstrates the need to protect children not only

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HOUGHTON STREET REVIEW JOURNAL
ISSN: 2058-5519|Impact factor-15.9
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from unlawful conduct but also from various risks that threaten their lives, health, dignity, and development.

The relevance of this subject lies not in the number of legislative and regulatory acts adopted, but in the challenge of coordinating their practical implementation. Although different organisations operate within their respective areas of authority, gaps may arise in information sharing concerning children at risk, referrals to appropriate services, subsequent case monitoring, and the clear allocation of responsibilities. Therefore, a legal analysis should go beyond listing relevant provisions and examine their interrelationships and practical implementation.

The aim of this article is to conduct a systematic analysis of the principal legislative and regulatory acts governing work with minors in the Republic of Uzbekistan, elucidate their significance for social work practice, and develop proposals for improving legal and organisational mechanisms.

The objectives of the study are to classify the principal legislative and regulatory acts; analyse the fundamental legal safeguards for children; examine the responsibilities of public authorities and social services; identify practical challenges; and propose areas for improvement.

**Research methodology.** The study employed formal legal analysis, a systems approach, content analysis of documents, and comparative-conceptual methods. The formal legal method was used to identify the rights, obligations, and powers established by legislative and regulatory acts. The systems approach examined children's rights not within the framework of a single law, but in terms of the interaction among constitutional, civil, family, labour, education, social protection, and prevention-related provisions.

The principal sources analysed in the study included the Constitution of the Republic of Uzbekistan; Law No. ZRU-139 of 7 January 2008, On Guarantees of the Rights of the Child; Law No. ZRU-263 of 29 September 2010, On the Prevention of Neglect and Juvenile Delinquency; Law No. ZRU-996 of 14 November 2024, On Protecting Children from All Forms of Violence; the Family Code; the Labour Code; and the United Nations Convention on the Rights of the Child [1–7]. The current versions of these legal instruments and their entry-into-force status should be verified through LexUZ before they are applied.

The study did not involve the independent collection of empirical survey data, interviews, or regional statistics. Accordingly, its findings do not constitute statistically substantiated conclusions regarding the practical effectiveness of legislation; rather, they represent a conceptual analysis of the content of legal instruments from the perspective of social work. This limitation should be taken into account when interpreting the conclusions.

The analysis used the following principles as evaluative criteria: the best interests of the child, non-discrimination, respect for the child's views, safety, confidentiality, and the provision of assistance tailored to individual needs. These principles make it possible to assess the relationship between legal provisions and the practical delivery of services.

**Analysis and results**

**1. The legal system governing the rights of minors**

The legal and regulatory framework for working with minors consists of a multilevel system. The Constitution occupies the highest level, followed by special legislation on children's rights, codes, and other laws. These are supplemented by resolutions, regulations, and other instruments that establish procedures for implementing the laws. These legal instruments should complement one another and

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ISSN: 2058-5519|Impact factor-15.9
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remain mutually consistent. In practice, professionals should not rely on a single law alone but should identify the relevant set of legal provisions according to the specific circumstances of each case.

The Law on Guarantees of the Rights of the Child defines a child as a person under the age of eighteen and establishes the foundations for protecting children's rights, safeguarding their legitimate interests, and regulating the activities of relevant authorised entities [2]. The Law also provides for judicial protection of children and the right to challenge unlawful decisions or omissions by public authorities and other organisations. These provisions recognise children not merely as recipients of assistance but as rights-holders in their own capacity.

An important feature of the legal system is the combined application of general safeguards and specific protective measures. For example, the right to education constitutes a general legal guarantee, whereas the risk of school absenteeism, violence, or inadequate family care may require additional social and legal interventions. Therefore, the system for working with minors should encompass prevention, protection, recovery, and social reintegration.

**2. The law on guarantees of the rights of the child**

Adopted in 2008, the Law on Guarantees of the Rights of the Child is one of the principal specialised legislative instruments aimed at safeguarding children's rights [2]. Its significance lies in recognising that the protection of children's rights is not solely a matter of parental responsibility but also a systematic obligation involving the state, local self-government bodies, and relevant organisations.

Within the framework of this Law, particular importance is attached to children's right to protection, mechanisms for safeguarding their legitimate interests, and the role of guardianship and trusteeship institutions. Children must not be left without protection when their rights are violated by their parents or legal representatives. Where necessary, competent entities, including guardianship and trusteeship authorities, the prosecutor's office, and the courts, may intervene within the scope of their legally established powers.

In social work practice, this Law helps define three key functions. First, it supports the identification of children's needs and rights. Second, it provides a basis for activating appropriate protection mechanisms in response to violations of those rights. Third, it facilitates referrals connecting children and their families with the services they require. In this process, a social worker does not assume the powers of a court or law enforcement agency but instead assesses needs, coordinates support, and refers cases to the relevant authorities within the limits of their professional competence.

**3. Prevention of neglect and juvenile delinquency**

Law No. ZRU-263 of 29 September 2010 regulates relations in the field of preventing neglect and juvenile delinquency [4]. Its scope is not limited to responding after an offence has been committed; it also encompasses the early identification of risk factors and preventive measures. Cooperation among families, educational institutions, mahallas (local community self-government bodies), and authorised public authorities plays an important role in preventive work.

It would be incorrect to interpret prevention solely in terms of surveillance or disciplinary measures. From a social work perspective, prevention also involves examining the circumstances that influence a child's behaviour, identifying educational difficulties, assessing family conflicts, organising constructive leisure activities, and strengthening positive social relationships. Even when a

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ISSN: 2058-5519|Impact factor-15.9
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child has committed an offence, their age, developmental level, family circumstances, and opportunities for rehabilitation should be taken into account.

A key practical challenge in implementing the Law is avoiding the stigmatisation of children at risk. Family difficulties, school absenteeism, or changes in behaviour do not automatically indicate that a child will engage in delinquent conduct. Such indicators may instead signal the need for careful assessment and appropriate support by professionals. Preventive interventions should promote children's social inclusion and facilitate their access to education, psychological counselling, and social assistance.

**4. Protecting children from all forms of violence**

Law No. ZRU-996, On Protecting Children from All Forms of Violence, adopted on 14 November 2024, establishes a distinct legal framework for child protection. The Law entered into force on 15 May 2025 [3]. It covers physical, sexual, and psychological violence, neglect, exploitation, and harassment, including bullying.

The practical significance of this Law lies in recognising that a child's safety cannot be defined solely by the absence of physical injury. Psychological pressure, threats, humiliation, the deliberate deprivation of essential needs, and online harassment can also harm a child's well-being. Accordingly, professionals working in schools, healthcare, social services, and other relevant fields must be able to recognise signs of violence, take children's accounts seriously, and report suspected cases in accordance with established procedures.

When a social worker identifies a possible case of violence, the first priority should be to assess the child's immediate safety, conduct the conversation in a safe environment, and avoid blaming the child. Repeated or unnecessary questioning, or requiring a child to recount their experience to numerous individuals, may cause additional psychological harm. Therefore, coordinated referrals between services, the exchange of information on a need-to-know basis, and the provision of appropriate rehabilitation support for affected children are essential.

**5. The family code, parental responsibility, guardianship, and trusteeship**

The Family Code regulates relations between parents and children, parental rights and responsibilities, the upbringing of children within the family, maintenance obligations, guardianship, and trusteeship [5]. Although parents are responsible for their children's health, development, upbringing, and education, these responsibilities do not authorise violence against children or the restriction of their rights. Parental rights must be exercised with due regard to the child's legitimate interests.

Guardianship and trusteeship mechanisms are particularly important for children who have lost parental care or cannot receive adequate care within their families. Under the Law on Guarantees of the Rights of the Child, guardianship generally applies to children under the age of fourteen, whereas trusteeship applies to children aged fourteen to eighteen [2]. These mechanisms are intended to safeguard children's maintenance, upbringing, education, and legitimate interests.

When assessing family circumstances, a social worker should not regard removing a child from the family as the first or automatic solution. Where no circumstances compromising the child's safety exist, supporting the family, strengthening parenting skills, referring family members to social assistance, and helping resolve conflicts may create conditions that allow the child to remain with their family. However, where violence or a serious risk is present, the child's safety takes priority, and the competent authorities must intervene in accordance with established procedures.

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ISSN: 2058-5519|Impact factor-15.9
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**6. Legal safeguards in education and employment**

The right of minors to education is an essential component of their development and social protection. Disruption to education may adversely affect children's future career opportunities, social relationships, and preparation for independent living. Therefore, when educational institutions identify persistent changes in attendance, risks of school dropout, discrimination, or bullying, they should cooperate with the relevant support services.

Labour legislation establishes specific safeguards and restrictions concerning the employment of minors. The Labour Code regulates matters such as the minimum age for employment, working hours, working conditions, and restrictions on hazardous work that may endanger health [6]. When minors are employed, it is essential to ensure that their education, health, and development are not adversely affected. Each case involving child labour should be assessed with reference to the current version of the Labour Code and other applicable legal instruments.

In social work practice, safeguards relating to education and employment are closely interconnected. If a child is being withdrawn from education and compelled to work because of the family's financial difficulties, the response should not be limited to measures against the employer; the family's social needs must also be assessed. The intervention should simultaneously address the child's return to education, the family's access to lawful social assistance, and the child's safe development.

**7. International legal instruments and their relationship with national legislation**

The United Nations Convention on the Rights of the Child is a key international instrument encompassing children's civil, political, economic, social, and cultural rights [7]. The Convention promotes the principles of the best interests of the child, non-discrimination, the child's right to life and development, and respect for the child's views. These principles are methodologically significant for interpreting national legislation and organising the delivery of social services.

When assessing the relationship between national legislation and international standards, it is necessary to distinguish between the formal inclusion of legal provisions in legislation and their actual implementation in practice. For example, although children have the right to express their views, this principle may not be fully realised if age-appropriate language is not used during practical consultations or if decisions are made exclusively by adults. Therefore, professionals must understand how to listen to children's views and involve them appropriately in decision-making processes.

International standards should not be treated as general slogans that replace national legislation. Rather, they should serve as criteria for assessing the quality of applicable laws and services. To determine which legal provisions apply in a particular case, the relevant ratified international treaty, national legislation, and applicable procedural requirements must be considered together.

**8. Practical challenges and assessment of the regulatory framework**

The breadth of the legal and regulatory framework provides a necessary foundation for child protection; however, its effectiveness depends on several practical conditions. The first challenge is the possibility that inter-agency cooperation may not be consistently established across all relevant institutions. If an educational institution identifies a risk but lacks clear guidance on which service to contact, within what timeframe, and with what information, the likelihood of delays in providing assistance may increase.

The second challenge concerns the practical competencies of professionals. In addition to understanding the content of legislation, professionals require training in conducting safe

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ISSN: 2058-5519|Impact factor-15.9
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conversations with children, assessing risks, documenting cases, maintaining confidentiality, referring children to appropriate services, and monitoring outcomes. The third challenge is the tendency to regard the child as the source of the problem. Behavioural difficulties may sometimes be associated with violence, family instability, psychological distress, or educational challenges.

The fourth challenge is the insufficient development of systems for evaluating outcomes. The number of cases in which services have been provided or the number of activities conducted does not, in itself, demonstrate an improvement in the quality of child protection. Other outcomes must also be considered, including child safety, continued participation in education, reduced recurrence of risks, access to services, and the child's own views. When collecting these indicators, it is essential to protect personal data and avoid actions that could harm the child's interests.

The fifth challenge is the frequent amendment of legal instruments and the resulting need for professionals to verify the current versions of applicable regulations. For example, certain departmental regulations may be repealed or replaced by new procedures. Therefore, educational and practical materials should not present outdated documents as current law. Instead, professionals should verify the legal status of relevant instruments through LexUZ and regularly update internal organisational guidelines.

**9. A practical model for social work professionals**

The case management approach can be used to translate legal requirements into everyday practice. This approach encompasses the assessment of a child's and family's needs, the development of an assistance plan, the coordination of services, the monitoring of implementation, and the evaluation of outcomes. It is particularly useful in cases involving several concurrent difficulties, such as disengagement from education, the risk of domestic violence, and the need for social assistance.

At the first stage, a referral is received and the presence of any immediate danger is assessed. At the second stage, a safe and confidential conversation is conducted with the child using age-appropriate language. At the third stage, an individual support plan is developed, taking into account the child's needs and legitimate interests. At the fourth stage, referrals to relevant services and inter-agency coordination are carried out. At the fifth stage, outcomes are monitored and the plan is revised when necessary.

Within this model, social workers must not exceed the limits of their professional authority. Matters requiring legal determinations, investigations, medical diagnoses, or judicial decisions must be addressed by the relevant authorised professionals and institutions. The social worker's role is to identify the child's needs, reduce gaps between services, take the child's views and safety into account, and ensure continuity of support.

**Conclusion and recommendations**

The analysis established that the legal and regulatory framework governing work with minors in the Republic of Uzbekistan comprises constitutional provisions, specialised legislation on children's rights, laws on prevention and protection from violence, the Family Code, the Labour Code, and international instruments. These legal instruments establish the principal areas of regulation concerning children's legal status, protection safeguards, parental responsibility, prevention, guardianship and trusteeship, and the provision of safety.

First, it is recommended that unified, regularly updated practical guidelines based on current legislation be developed for organisations working with minors. Second, clear referral procedures should be established among educational institutions, healthcare providers, social services, mahallas

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ISSN: 2058-5519|Impact factor-15.9
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(local community self-government bodies), and law enforcement agencies. Third, the professional competencies of social workers and other relevant specialists should be continuously strengthened in the areas of children's rights, recognition of signs of violence, risk assessment, confidentiality, and case management.

Fourth, greater emphasis should be placed on ensuring that children's views are heard and considered in decision-making in a manner appropriate to their age and developmental level. Fifth, when violence against a child or a serious risk is identified, the response should not be limited to a general preventive conversation; instead, the protective mechanisms established by law should be activated. Sixth, the effectiveness of services should be assessed not only by the number of activities conducted but also through indicators such as child safety, school attendance, timely access to assistance, and a reduction in recurring risks.

Seventh, safeguards for the protection of personal data should be strengthened, and inter-agency information sharing should take place only on a lawful basis and to the extent necessary. Eighth, empirical research at the regional level, interviews with professionals, and ethically conducted studies of the experiences and perspectives of families who have used relevant services are recommended to examine the practical implementation of legal provisions.

The overall conclusion is that the effectiveness of work with minors depends not merely on the number of laws adopted but also on their consistent implementation, the preparedness of professionals, and the availability of child-centred services. When legal protection, social assistance, education, healthcare, and family support systems operate in a coordinated manner, the prospects for ensuring the effective realisation of children's rights are enhanced.

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