



Strengthening the Legal Status of the Ombudsman for Children is a Key Factor in Promoting the Principle in the Best Interests of the Children

Doniyor Turaev, Deputy Director of the Legislation and Parliamentary Research Institute under the Oliy Majlis of the Republic of Uzbekistan

Currently, systematic work is under way in Uzbekistan to implement the provisions of the Convention on the Rights of the Children, the legal and institutional framework for protecting the rights and interests of children is improving.

As the international experience shows, today, more than twenty countries have a specialized and independent institution – the Ombudsman for Children. The first office of Ombudsman for Children was established in Norway in 1981. By the beginning of the 21st century, many countries had significantly intensified their work to protect the rights of the children and create some special authorized institutions in this area, and this was due to the need to better ensure the implementation of obligations under the Convention on the Rights of the Children.

In particular, the need to implement the principle of the best interest of the children and the need for effective control over the execution of laws adopted to implement the provisions of the Convention, have forced the member states to create a specialized ombudsman office. The current international practice shows that the establishment of the specialized and independent Ombudsmen for Children in the countries is the most effective mechanism for protecting the interests of children, and the UN Committee on the Rights of the Children actively encourages the States to take measures on creating such institutions.

Uzbekistan also pays special attention to the implementation of the recommendations of the United Nations human rights mechanisms, including the recommendations of the UN Committee on the Rights of the Children. Comprehensive measures have been taken to develop a national child protection system and establish an Ombudsman for Children.

In particular, in accordance with the Presidential Resolution of 22 April 2019 *on Additional Measures to Further Strengthen the Guarantees of the Rights of the Children*, the position of the Children's Commissioner was established. By the Presidential Decree of 22 June 2020, the National Strategy of the Republic of Uzbekistan on Human Rights was approved, which set forth the effective implementation of the principle of the best interests of the children in practice and legislation of the state as one of the priorities in child protection.

To further strengthen the legal framework for the activities of the Commissioner of the Oliy Majlis for the Rights of the Children (Ombudsman for Children), the State

Program “Year of Supporting Youth and Strengthening Public Health” for 2021 and the Presidential Decree of 9 August 2021 *On Measures to Further Improve the System of Ensuring Guarantees of the Rights of the Children* provide for the development of a draft law ‘On Ombudsman for Children’.

In particular, the draft law establishes the following:

- the legal status, functions of the Ombudsman for Children, guarantees of his/her activities.
- the powers of the Ombudsman for Children, including the implementation of his/her powers autonomously and independently of the state bodies and their officials, as well as his/her accountability in his/her activities to the Chambers of the Oliy Majlis.
- election of the Ombudsman for Children by the Legislative Chamber and the Senate of the Oliy Majlis for a period of five years.
- introduction of a candidate for the position of Ombudsman for Children for consideration by the Chambers of the Oliy Majlis by the President of the Republic of Uzbekistan.

Also, the draft law includes other important provisions based on international standards and best foreign practices. At this stage a draft law has been prepared and has been submitted for public consultation.

We hope that the adoption of this law will not only strengthen the national child protection system but will also serve as a basis to create an independent and effective parliamentary institution in the country, designed to promote the principle of the best interests of the children and contribute to the formation of a high culture of respect for the dignity and rights of the children.