

Authority Of Prosecutor Offices To Protect Children From Violence And Impact Of The Digital World On Children

Head of Department, Law Enforcement Academy
Associate Professor D.S. Dovudova, Ph.D., (DSc).



ABSTRACT

In the article, legislation aimed at ensuring and protecting the rights, freedoms and legitimate interests of children, measures aimed at ensuring the rule of law on the part of the prosecutor's office, juvenile delinquency, analysis, factors, the harmful effects of the digital world on children, protecting children from information harmful to their health, legal fundamentals, analysis, problems, preventive measures in this regard.

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Reforms aimed at guaranteeing children's rights, measures to protect them from violence, and creation of legal frameworks are being implemented step by step in our country .

The Law of the Republic of Uzbekistan “On Guarantees of the Rights of the Child” ¹, “On Protection of Children from All Forms of Violence”, and ²“On Protection of Children from Information Harmful to Their Health” ³regulate relations in the field of protecting children from information harmful to their health.

¹Look at: Electronic resource [O'RQ-139 number 07.01.2008. Children's rights guarantees Law on \(lex.uz\)](https://lex.uz/uz/docs/7219502)

²Law of the Republic of Uzbekistan on the Protection of Children from All Forms of Violence

Look at: Electronic source <https://lex.uz/uz/docs/7219502>

³Law of the Republic of Uzbekistan on the Protection of Children from Information Harmful to Their Health

Look at: Electronic source <https://lex.uz/uz/docs/3333797>

In particular, the newly adopted Law "On the Protection of Children from All Forms of Violence" regulates the concepts, forms, basic principles of violence against children, the rights of victims of violence, regulation of this area, the main directions of state policy, entities implementing activities, their powers, measures, types of individual measures, grounds for application, procedure, and a number of other issues.

Article 12 of this law defines the powers of the prosecutor's office, according to which:

- participates in the development and implementation of state programs, regional programs and projects of normative legal documents in the field of protection of children from all forms of violence;
- monitors the implementation of legislation on the protection of children from all forms of violence;
- takes measures to protect the rights, freedoms and legal interests of victims of violence ;
- develops proposals for improving the legislation on the protection of children from all forms of violence;
- cooperation with state bodies, citizens' self-government bodies, non-governmental non-profit organizations and other civil society institutions that carry out or participate in activities related to the protection of children from all forms of violence is established.

This is another legal instrument to protect children from all forms of violence, thereby protecting the rights, freedoms and legitimate interests of victims of violence and exercising control over the implementation of related legislation.

The prosecutor's office has been ensuring the rule of law by exercising control over the implementation of legislation on the provision and protection of the rights, freedoms and legal interests of minors in the exercise of their powers.

48 million people will be in the republic to ensure the implementation of legislation on minors. More than 17 thousand prosecutorial control documents were applied to more than a thousand violations of the law, and the rights of about 48,111 persons, including 820 minors, were restored⁴. These statistics show how much positive work has been done. At the same time, the prosecutor's offices, in addition to conducting inspections, are also considering practical measures in cooperation with the relevant competent authorities.

the positive aspects, these indicators also have a negative aspect: they indicate that the relevant ministries, organizations, institutions, and other departments are still not fully implementing the legislation on minors, and that there are gaps and problems.

It is no exaggeration to say that one of the most important and painful issues is the lack of control, delinquency and crime among minors, and the negative impact of the digital world is increasing.

The analysis shows that the crimes committed by categories of persons of general secondary, secondary specialized, and professional education vary from year to year. When analyzing each of them, the share of schoolchildren is in the first place compared to the remaining categories, amounting to 73 percent. This shows the highest share compared to the remaining categories of minors. This indicator is increasing from year to year. In the next place is the share of students of vocational educational institutions in committing crimes, which is up to 14 percent. In third place are minors who do not study or work anywhere, they make up 2 percent, and minors who have previously been convicted and have repeatedly committed crimes make up 5 percent.

Any violence or unhealthy environmental exposure to children will inevitably have negative consequences. Student delinquency is a complex phenomenon involving the sum of many interrelated factors. When considering the root causes, special attention should be paid to the role of *the family, society, state, criminal entities and the digital world*. Including

- *Family factors include* unhealthy families, lack of parental control, family violence;
- Influence of peers *on social factors*, socio-economic inequality, presence of alcohol and drugs;
- *State and institutional factors include* deficiencies in the education system, ineffective juvenile justice, lack of funding for prevention programs;
- *Individual factors include* psychological problems, low self-esteem and self-identity problems, failure of academic education;
- *Technological factors include* the negative impact of social networks and Internet addiction.

⁴ Prosecutor General's Office data as of October 2024

An effective fight against student delinquency requires a comprehensive approach that includes preventive measures, early intervention and rehabilitation programs.

Of course, 1) preventive measures include educational programs, family work, community initiatives, and school safety; 2) early intervention includes individual monitoring, conflict mediation, rehabilitation programs, psychological support, and reintegration into the educational environment; 3) interagency cooperation with non-governmental organizations; 4) comprehensive measures should be implemented, such as monitoring online platforms and social networks when using technologies.

Technological factors, i.e. the negative impact of the digital world on a child's life, is a topical issue that needs special consideration.

Today, protecting children from information that is harmful to their health is a key direction of state policy. The Law of the Republic of Uzbekistan "On the Protection of Children from Information That is Harmful to Their Health" and the Law "On the Protection of Children from All Forms of Violence" are the legal framework aimed at protecting children from information that is harmful to their health and is aimed at violence.

In particular, according to Article 3 of the Law "On the Protection of Children from All Forms of Violence", violence against children is defined as any intentional act (inaction) that violates the life, health, sexual integrity, honor, dignity and other rights and freedoms of a child protected by law, causes or is likely to cause physical or mental suffering, and violates their basic needs, including those committed using telecommunications networks and the Internet.

Physical abuse, sexual abuse, emotional abuse, neglect, exploitation and bullying are all forms of violence against children. All forms of violence against children are prohibited and punishable by law ⁵.

In addition, the Law "On Protection of Children from Information Harmful to Their Health" stipulates that information harmful to children includes information products that are prohibited from being distributed among children, as well as information products whose distribution is limited among children of certain age groups ⁶. It lists information products that are prohibited for distribution among children and information products that are restricted for distribution among children of certain age groups. Although the legal framework is in place, there are still measures that need to be implemented in this regard.

The fundamental influence of the Internet on children is considered one of the global problems not only within our country, but also in the world. According to the World Health Organization, one in 10 European teenagers ⁷has been found to have a digital addiction.

The participation of minors in virtual life will continue to grow in the future. New technologies and progressive opportunities ensure the emergence of active use. Similarly, the negative online influences on the worldview of minors are increasing, and as a result of these influences, cases of violence, suicide, involvement in drug trafficking, obscene acts, etc. are increasing, which leads to many psychological, physical, social, economic and other problems for minors. Because children, due to their inexperience and lack of knowledge of what actions are illegal, do not understand the security of information and its essence, unlike adults.

At the same time, children's unknowingly posting personal information on social networks, communicating with strangers over the Internet, and getting to know them are also factors that contribute to the occurrence of crimes.

Therefore, the Cyberspace Administration of China (SAS) ⁸has taken measures to limit the time children under 18 spend online on mobile devices. These measures are aimed at "creating a safe and healthy internet environment for minors".

In 2023, France banned children from accessing the Internet without parental consent. In order to protect minors from harmful information, Germany has introduced an artificial intelligence access system, restricting the age limit for the use of social networks (2022). Similarly, Austria has restrictions in this regard.

⁵Law of the Republic of Uzbekistan "On the Protection of Children from All Forms of Violence". Lex. uz. <https://lex.uz/docs/7219502>

⁶Law "On protection of children from information harmful to their health" <http://lex.uz/uz/docs/3333797>

⁷<https://kun.uz/kr/news/2024/10/05/jsst-bolalaring-mobil-telefonlardan-foydalanishini-tekeshlashga-kaqirdi>

⁸China's Global Times.

WHO warns that games and social media are increasingly having a negative impact on children's mental health, and that age restrictions, price controls, and no-phone zones are needed (WHO 05.10.24)⁹

According to statistical data, crimes committed using information technologies in the republic amounted to 1,525 in 2022, 8,529 in 2023, a 5-fold increase in 2023 compared to 2022. These included suicide, use of suicide as a means of suicide, preparation, import, distribution, advertising, and demonstration of pornographic products, preparation, import, distribution, advertising, and demonstration of products promoting violence or cruelty, assault on the President of the Republic of Uzbekistan, slander, insult, fraud, theft, mass disorder, preparation, storage, distribution, or demonstration of materials that threaten public safety and public order, organization and conduct of gambling and other games based on risk, and others. The analysis shows that the number and types of crimes committed using information technologies are increasing significantly every year. This is clearly affecting the minds and psychology of minors who do not yet have sufficient experience.

The saddest thing is that there are cases where this type of crime is also committed by schoolchildren. In particular, in 10 months of 2024, minors and youth aged 14-13 (theft), 15-17 (suicide, fraud, theft, preparation, storage, distribution or display of materials that threaten public safety and public order, violation of legislation in the field of crypto-asset circulation), 18-30 (suicide, manufacture, import, distribution, advertising, display of pornographic products, slander, insult, assault on the President of the Republic of Uzbekistan, robbery by embezzlement or embezzlement, fraud, theft, illegal activities to attract funds and (or) other property, preparation, storage, distribution or display of materials that threaten public safety and public order, organization and conduct of gambling and other games based on risk, Crimes such as violation of the legislation in the field of crypto-assets circulation have been committed.

This shows that the flow of dangerous information in the Internet and mass media is having a devastating effect on minors and teenagers.

Or in 2024 2387 crimes were committed by minors in 10 months . Unhealthy informational games, information, and video are the cause of committing other crimes by minors.

For example, The city court in criminal cases of 2024 convicted minors K.G. (name changed), V.I., and minors A.U., born in 2012, of violating their honor and satisfying their sexual needs in an unnatural way and killing them. The minor defendants committed a crime stipulated in Article 97, Part 2, Subparagraphs “v, z, o”, Article 118, Part 4 and Article 119, Part 4 of the Criminal Code of the Kyrgyz Republic. A sentence was imposed. In the defendants' testimony ... "he said that he was playing the games " Contra" and "Geta", and A.U. asked him about the place where the hero of the game "Geta" had sexual intercourse with women ...". It seems that the flow of unhealthy information in the form of games has a psychological impact on growing up minors, ultimately leading to very serious crimes. It is possible that they have watched various videos on the Internet, films with such harmful information ¹⁰.

Criminal and administrative liability is established for each illegal act. However, we must protect our children from the dangerous flow of information that justifies cruelty, instills aggression, forms immoral behavior and attitudes against family values, devalues human life, has a suicidal depressive character, encourages drug addiction, hedonism (the pursuit of well-being is the highest human goal), satanism, extremism, and neo-Nazism. These situations require a serious approach and measures.

Based on the authority vested in prosecutorial bodies, and taking into account the need to educate and train children to prevent negative violence in the digital world and prevent the digital world from controlling them, the following proposal is made.

Accordingly, the introduction of lessons in this regard in general secondary schools should explain to children the correct use of information, the concepts of dangerous and safe information, the fact that dangerous information can be fraud, bullying, violence, or attempts to join certain groups, the procedure for posting personal information, the procedure for communicating with strangers via the Internet and illegal actions,

⁹<https://kun.uz/kr/news/2024/10/05/jsst-bolalaring-mobil-telefonlardan-foydalanishini-tekeshlashga-kaqirdi>

¹⁰Judicial investigation practice 2024

how to respond in cases of such situations, and who to contact. This is of great importance in protecting our children from informational violence.

There is no subject taught across grades in general secondary schools that focuses on explaining such information .

In addition, it is necessary to work with parents of minors in this regard, by arming children with phones, tablets and technology, to increase the knowledge and legal level of parents who are dependent on " gadgets " and do not supervise their use. They should be given lectures on information security, their harmful properties for children's health, threats and other similar procedures for the correct use of information resources by children.

Our view is supported by the call by WHO (European Director for Health Systems and Policies, Natasha Accopardy-Muscat) that children "must be literate and skilled to control the digital world and not let the digital world control them ¹¹. "

In addition, content provided to children should be age-appropriate, Internet usage time should be limited, and authentication should be implemented *using a password or fingerprint scan (experience of China, Austria, France, and Germany, WHO recommendation)*.

to implement measures to reduce the negative impact of the spread of information on the Internet that may affect the health and development of minors, to structure the content provided to children according to their age, to limit the time spent on the Internet and to verify it by password or fingerprint scanning, and to conduct monitoring to identify children and young people who are prone to committing crimes across regions .

At the same time, to protect children from gadgets, it is necessary to increase the knowledge and skills of parents by preparing special lectures on the features and consequences of gadgets.

In addition to the above, it is necessary to fight against the practice of foreign experience in the use of technologies by introducing them into the national legislation:

- *online platforms* : creating safe online spaces for young people (European Union Safer Internet Center, 2023); educational applications aimed at developing legal awareness (Ministry of Digital Development of South Korea, 2022);

- *monitoring of social networks* : using artificial intelligence to identify potential threats in social networks (US Cyberbullying Research Center, 2023); digital literacy programs for parents and teachers (Australian Cybersecurity Commissioner, 2022).

In implementing countermeasures, it is necessary to introduce the Japanese "Koban" system in the fight against crime, based on international experience - police booths in districts for rapid response and prevention (Japan National Police Agency, 2023).

Or, there is only one closed special educational institution for juvenile delinquents in the republic, in the Syrdarya region, and it is necessary to establish such an educational institution in neighboring regions and revise the teaching methodology (Russian Ministry of Education, 2023).

Effective implementation of these interventions requires a systematic approach, continuous monitoring and evaluation of results, and flexibility in adapting strategies to changing circumstances and the needs of young people.

In conclusion, as a result of the implementation of the mentioned measures to ensure the implementation of legislation related to children, protection of the child's life and health, creation of conditions for healthy development , support for children's physical, intellectual, spiritual and moral development, formation of legal consciousness and legal culture in children, help children's social skills, reduce offenses among minors;

- the child shall be protected from all forms of exploitation and abuse, including physical, mental, sexual abuse, exploitation, torture or other cruel, inhuman or degrading treatment or punishment, sexual abuse, neglect or negligent treatment, and from all forms of exploitation, including physical, mental, sexual abuse, neglect or negligent treatment;

- for children to acquire knowledge and skills in the correct use of information, the concept of safe and dangerous information, its essence, consequences, how to react to such information, how to apply and other similar issues;

¹¹<https://kun.uz/kr/news/2024/10/05/jsst-bolalaring-mobil-telefonlardan-foydalanishini-tekeshlashga-kaqrdr>

- to prevent online negative influences on children's worldview, violence, threats, unknowing entry into the world of crime, committing crimes, and suicide;
- to protect children from psychological influences;
- to prevent the dissemination of information on the Internet that may affect the health and development of minors;
- to prevent the use of mass media, the distribution of literature and the screening of films that show pornography, cruelty and violence, insult human dignity, have a harmful effect on children and cause crimes;
- conducting monitoring and developing measures aimed at identifying children and young people prone to committing crimes;
- reduction of crimes and offenses committed by minors and young people;
- Reducing the need for parents to provide their children with gadgets and increasing their knowledge and skills in information security.