



## THE EFFECTIVENESS OF COMBATING DOMESTIC AND FAMILY VIOLENCE

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**Abstract:** This article analyzes global trends in the development of legislation against domestic violence, highlighting the introduction of specific criminal offenses for this phenomenon into criminal legislation, an integrated model of civil and criminal cases, as well as the importance of state social policy and financing systems.

**Keywords:** domestic violence, corpus delicti, integration of laws, comparative analysis.

Domestic violence is a social problem in which one family member harms another; it is widespread in society, yet often remains hidden. It manifests in physical, psychological, economic, and sexual forms and occurs primarily among family members.

This situation not only negatively affects the victim's health and mental state but also poses a threat to the stability of society as a whole.

For our nation, the family is considered sacred. Our women and girls, in particular, spare no effort for the sake of family peace and their children's well-being. At the same time, the fact that they sometimes face violence and oppression within their own families is a serious concern for society.

According to research, 60–70% of women who experience domestic violence do not report it to law enforcement agencies. This situation often causes the violence to remain hidden, deepening its negative consequences.

Family (domestic) violence is aggressive behavior in the form of physical, psychological, sexual, or economic pressure exerted on a person by a close relative or someone living in the same household.

Combating domestic violence is the duty not only of the state but of the entire society. Every individual must create an atmosphere of affection, respect, and tolerance within their family and completely forbid violence. A healthy family is the foundation of a healthy society.

The Republic of Uzbekistan has adopted the Law "On Guarantees of Equal Rights and Opportunities for Women and Men", as well as the Law "On Protecting Women from Harassment and Violence". These documents establish legal guarantees against domestic violence. Furthermore, the Administrative and Criminal Codes provide for liability for such acts.

Article 126<sup>1</sup> of the Criminal Code of the Republic of Uzbekistan establishes criminal liability for family (domestic) violence. This includes acts committed against a spouse, an ex-spouse, a person cohabiting in a single household, or a person with whom one has a common child. Such acts are defined as: obstructing the exercise of their rights to property, education, health, and/or employment; intentionally damaging their property and personal belongings; and humiliating their honor and dignity in a way that leads to a deterioration of their health, intimidating them, or isolating them from close relatives, when these actions are committed after an administrative penalty has already been applied for them. Furthermore, in the absence of other elements of a crime, criminal liability is also established for the beating of a person and

for the intentional infliction of minor bodily harm that does not lead to a short-term deterioration of health or a brief loss of work capacity, when these actions are committed after an administrative penalty has already been applied for the same acts. Liability is also established for the intentional infliction of minor, moderate, or severe bodily harm.

Article 59<sup>2</sup> of the Code of Administrative Responsibility of the Republic of Uzbekistan establishes liability for family (domestic) violence, according to which administrative liability is established for obstructing the exercise of the right to property, education, healthcare, and (or) labor, intentional damage to property and personal belongings, as well as insulting the honor and dignity of these persons, intimidating them, separating them from close relatives, beating them, or intentional infliction of minor bodily harm to these persons that did not result in a short-term deterioration of health or a short-term loss of work capacity, committed against a spouse, former spouse, a person living together on the basis of a single household, or a person with a common child.

Courts consider such criminal cases and cases related to administrative offenses and ensure the inevitability of punishment.

Domestic violence destroys the atmosphere in the family. Children suffer psychological trauma. This leads to an increase in social problems within society. Therefore, preventing this problem is an important task for the state and society. To prevent domestic violence, it is necessary to increase legal knowledge, educate the population, and establish psychological and legal consultation services. The fight against domestic violence is our common duty. Because a healthy and peaceful family is the foundation of a healthy society.

Additionally, Article 583 of the Criminal Procedure Code has been supplemented with a second part stating that "an application for reconciliation in cases related to family (domestic) violence may be filed at any stage of the trial, but before the court retires to a separate room (consultation room)".

In the explanatory dictionary of the Uzbek language, the word "violence" is defined as a behavior characteristic of violent people; violence, the use of force. The concept of "violence" also includes a crime that is extremely dangerous for people and society. For example, killing a person, stealing someone else's property, using violence against someone, insulting a person's honor and dignity, etc., are considered grave sins. Our sacred religion also strictly adheres to the principles of "do not kill a person" and "do not commit violence".

What types of violence do children usually face the most? Physical abuse: This includes the use of physical force that causes harm or injury, such as hitting, kicking, or shaking.

**Emotional violence: includes behaviors that undermine a child's self-esteem and personal development. This often takes the form of constant criticism, humiliation, or degradation.**

**Neglect: means the failure to provide for a child's basic needs, including food, shelter, healthcare, education, and emotional support.**

**Online violence: Today, children around the world are also experiencing violence online. It is becoming increasingly common for perpetrators to engage with them virtually, obtain their personal photos and information, and use these to intimidate them.**

**In the first 9 months of 2023, 1,240 cases of violence against children were registered in Uzbekistan. As a result of this violence, 22 children died. Additionally, of**

the 1,240 cases of violence against minors registered, 417 were cases of sexual violence. These figures demonstrate the need to increase the number and qualifications of specialists who assess the psychological state of children in kindergartens, schools, and other institutions.

It is necessary to develop children's skills to report abuse, whether by family members or in other situations, through non-verbal cues or gestures.

Forming an effective legal protection system against domestic violence requires not only adopting laws but also changing the legal culture surrounding their application. Although Uzbekistan has taken important steps to align its legislation with international standards, in practice, the legal awareness of the population and certain traditional approaches in judicial practice are hindering reforms.

In Uzbekistan, the national legislative system is also developing in accordance with modern international requirements. The Law "On the Protection of Women from Harassment and Violence," adopted in 2019, the "Protection Order" institution, mechanisms for providing socio-psychological assistance to those in need, and the preventive structures of internal affairs bodies have created the legal foundation in this area. Reforms in the national system are being complemented by the introduction of international standards and the strengthening of cooperation between state bodies, NGOs, and civil society institutions. At the same time, it is crucial to further improve current legislation, particularly by strengthening norms that legally define all forms of violence-psychological, economic, sexual, and social oppression-with clarity, and by reinforcing the system of mechanisms for protection orders. In general, the national and international legal framework for combating domestic violence indicates that this issue is not just a matter of legal measures but a complex problem closely intertwined with human rights, gender equality, social stability, and state security. Therefore, creating an effective system in this area relies on the seamless cooperation between state policy, public awareness, the activities of law enforcement agencies, and social services. The consistent development of legal mechanisms based on national and international experience will serve to form a stable, effective, and humane legal environment in the fight against domestic violence.

As a result of the conducted analysis, the following main conclusions and proposals can be put forward:

**first**, the fight against domestic violence is a positive obligation of the state to ensure human rights. It is necessary to ensure the fulfillment of this obligation by strengthening the enforcement of the protection order mechanism through technological measures and improving methods for identifying psychological violence.

**secondly**, the institution of reconciliation in criminal cases may pose a threat to the legal protection of a woman as a result of its application in cases of domestic violence without taking into account the actual inequality of the victim.

**thirdly**, the specific proposals submitted to address this problem will serve to deepen the courts' approach to the reconciliation process, recognize domestic violence as an aggravating circumstance, and thereby significantly strengthen the legal protection system.

**fourth**, the introduction of a mandatory psychological interview to ensure the victim's genuine voluntary decision when canceling a protection order will lead to the strengthening of control mechanisms.

**In short**, children trust us as adults, they expect us to protect them and create conditions for them to grow up as harmoniously developed individuals, they need us, and they cannot live without our participation. Let's help them become happy and loved children, not destroying their childhood dreams.

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