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SELECTED ISSUES IN IMPLEMENTING INTERNATIONAL STANDARDS FOR THE PREVENTION OF VIOLENCE AGAINST CHILDREN IN NATIONAL LEGISLATION AND THE WORK OF PROSECUTION AUTHORITIES

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Abstract

This paper analyses international standards for protecting children from violence and the experience of prosecution authorities in developed countries such as Iceland, England and Wales, and Sweden. Drawing on official data from the Children's Ombudsman and UNICEF, it examines the possibilities for incorporating this experience into national legislation and prosecutorial practice and puts forward a number of proposals and observations.

Keywords: Law, convention, children, violence, prosecutor, prosecution authorities, international standards, Barnahus, child-friendly justice, special representative.

Introduction

A number of international legal norms and standards have been developed to protect children from violence. Their principal foundation is the 1989 United Nations Convention on the Rights of the Child. Article 19 requires States to protect children from all forms of violence, Article 34 requires protection from sexual exploitation and sexual abuse, and Article 39 requires measures to promote the physical and psychological recovery of child victims. Article 8 of the Optional



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Protocol on the sale of children, child prostitution and child pornography establishes the requirement to protect the rights and interests of child victims at all stages of the criminal justice process. These general obligations were subsequently translated into practical standards for criminal justice authorities. They include the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime, adopted by United Nations Economic and Social Council resolution 2005/20 of 22 July 2005, and the Model Strategies adopted by the United Nations General Assembly in 2014. The Model Strategies set out practical measures for prosecution authorities and other criminal justice agencies to develop specialised personnel, establish inter-agency cooperation and prevent the secondary victimisation of child victims¹.

In Uzbekistan, universally recognised norms of international law and standards of this kind are also being consistently incorporated into national legislation. The Law of the Republic of Uzbekistan of 14 November 2024, “On the Protection of Children from All Forms of Violence”, prohibits all forms of violence and provides for special protective measures for child victims and witnesses in criminal proceedings. The Decree of the President of the Republic of Uzbekistan of 24 December 2025, “On Approval of the Strategy for the Protection of Children from All Forms of Violence for 2026–2030”, provides for mandatory video recording of a child victim’s initial testimony, the mandatory participation of a representative of the guardianship and trusteeship authority in proceedings where violence is committed by the child’s legal representatives, and consideration of accession to the Lanzarote Convention. The Decree of the President of the Republic of Uzbekistan of 3 March 2026, “On Additional

¹ United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice (UN General Assembly resolution 69/194, 18 December 2014). – Vienna: UNODC, 2015. – URL: https://www.unodc.org/documents/justice-and-prison-reform/14-08451_Strategy_eBook.pdf



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Organisational and Legal Measures to Strengthen the Protection of the Rights of Women and Children and Prevent Harassment and Violence against Them”, approved proposals to transfer responsibility for preliminary investigations into sexual offences against children to prosecution authorities from 1 November 2026. Prosecution authorities are thus becoming a central component in the practical implementation of international standards in Uzbekistan.

Nevertheless, analyses indicate that 62 per cent of children aged 1–14 in Uzbekistan are subjected to violent disciplinary practices. This calls for further improvements in the work of prosecution authorities in this field and for important measures to prevent violence against children at an early stage.

The experience of prosecution authorities in European countries deserves particular attention. Iceland’s experience is regarded as especially effective and advanced. Europe’s first Barnahus (“Children’s House”) centre opened there in 1998. Police, prosecution authorities, healthcare services, social services and child protection agencies work together in the same building. All interviews and examinations involving the child take place in an environment furnished to resemble an ordinary home, rather than an institutional or court setting. In 2015, the Council of Europe’s Lanzarote Committee recognised this model as a good practice. The model was subsequently introduced in Scandinavian countries, as well as in Slovenia and Spain². Its significance for prosecution authorities is that the prosecutor participates from the very beginning of the evidence-gathering process, rather than becoming involved only afterwards. A specially trained professional interviews the child once, and the interview is video-recorded. The prosecutor, investigator and defence counsel observe the interview from an

² Telling the Barnahús story: helping child victims of sexual abuse overcome trauma // Council of Europe.
– URL: <https://www.coe.int/en/web/coe-story/-/telling-the-barnah%C3%BAs-story-helping-child-victims-of-sexual-abuse-overcome-trauma>



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adjoining room and put their questions through the professional. As a result, the child is not required to recount their experiences repeatedly to different agencies. In Finland, the operation of Barnahus units was improved through a joint European Union and Council of Europe project for 2021–2024. The project established cooperation among judges, prosecutors, police, social workers and healthcare professionals, with the National Prosecution Authority serving as one of the principal partners³. This experience shows that Barnahus is more than a social service. It is an integral part of criminal proceedings and cannot achieve its full effectiveness without the involvement of prosecution authorities and courts. A distinctive feature of Sweden’s approach is the introduction of the institution of a “special representative for children”. According to M. Forsman’s analysis, this representative is appointed when an offence against a child is suspected and the child’s legal representative is themselves a suspect or is unable to protect the child’s interests. The special representative consents to investigative measures, ensures that interviews are conducted in a child-friendly manner and safeguards the child’s best interests⁴. This institution closely resembles the provision on the mandatory participation of a representative of the guardianship and trusteeship authority in the Presidential Decree of 24 December 2025 referred to above. Its distinctive feature is that the representative is an independent lawyer who directly protects the child’s procedural rights rather than acting on behalf of an administrative authority.

Official information from the Children’s Ombudsman also confirms the need to introduce foreign practices. According to the report submitted to the Senate on

³ Ensuring child-friendly justice through the effective operation of the Barnahus-units in Finland // Council of Europe, Children’s Rights. – URL: <https://www.coe.int/en/web/children/finland-barnahus>

⁴ Forsman M. The Swedish “Special Representatives for Children” and Their Role in Barnahus // Collaborating Against Child Abuse: Exploring the Nordic Barnahus Model / Eds. S. Johansson, K. Stefansen, E. Bakkeiteig, A. Kaldal. – Cham: Palgrave Macmillan, 2017. – P. 227–248.



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the activities of the Commissioner for Children's Rights in 2025, 20 decisions refusing to initiate criminal proceedings were overturned and referred for additional examination. Fifteen teachers were held accountable for subjecting children to corporal punishment, and a further six for harsh treatment. Measures were also taken against two law enforcement officers for violating children's rights⁵. These figures show that violence occurs not only within families but also in institutions where children should be protected. They also indicate that some cases are being unjustifiably discontinued at the initial stage.

One recent case illustrates this conclusion even more clearly. On 22 September 2026, the Children's Ombudsman reported that a formal submission had been made to the Ministry of Preschool and School Education concerning an incident of sexual violence against a child at a preschool institution in Namangan Region. The submission called for a critical review of the findings of the internal inquiry, accountability for officials responsible for shortcomings, elimination of the causes that enabled such incidents, and stronger measures to ensure children's safety in all preschool institutions across the country⁶. Such cases demonstrate, first, that screening staff during recruitment and conducting regular oversight are necessary to prevent violence in institutions. Second, in cases involving a preschool-aged child victim, obtaining testimony in a legally sound manner without harming the child's psychological well-being requires the specialised skills envisaged by the Barnahus model. In precisely this category of cases, the

⁵ Nineteen criminal cases and 26 administrative cases initiated concerning incidents of violence against children [Report to the Senate on the activities of the Commissioner for Children's Rights in 2025] // Uzbekistan National News Agency (UzA). – 19 May 2026. – URL: https://uza.uz/ru/posts/bolalarganisbatan-sodir-etilgan-zoravonlik-holatlari-yuzasidan-19-zhinoyat-hamda-26-mamuriy-ish-qozgatildi_859681

⁶ Official Telegram channel of the Commissioner for Children's Rights (Children's Ombudsman). – 22 September 2026. – URL: https://t.me/Bolalar_ombudsmani/4775



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prosecutor's involvement from the outset prevents the loss of evidence and the secondary victimisation of the child.

The research and analysis of this topic provide a basis for the following proposals and observations.

First, the Barnahus model should be introduced with the mandatory participation of prosecution authorities. To this end, it would be appropriate initially to establish a pilot "Children's House" centre in one region, based at an "Inson" social services centre. A prosecutor, investigator, forensic medical expert, psychologist and social worker would work together at the centre. Corresponding amendments to the current Criminal Procedure Code should provide for the admissibility as evidence of a video-recorded interview with a child victim conducted by a specially trained professional, and allow repeated questioning and confrontations only in exceptional circumstances. This amendment would be consistent with European Union directives and the standards of the Lanzarote Convention. It would also create a legal basis for Uzbekistan's accession to that Convention.

Second, the Prosecutor General should adopt special guidelines on the prosecution of cases involving violence against children. Drawing on the experience of England and Wales, these guidelines should establish that the prosecutor's attention must focus on the reliability of the prosecution case rather than on the victim's personal characteristics. The guidelines should also set out a list of the main issues arising in such cases and methods for addressing them, and provide for mandatory early consultation between the prosecutor and investigator from the initiation of proceedings. Drawing on Sweden's experience, the guidelines should also require the prosecutor to apply for the appointment of an independent legal representative for a child where the child's legal representative



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is a suspect. This representative could be provided through the state-funded legal aid system.

In conclusion, Uzbekistan has established a legal framework for protecting children from violence that is consistent with international standards. UNICEF's findings and the practice of the Children's Ombudsman indicate that the principal task now is to implement these norms in practice. The experience of Iceland, Finland, England and Wales, and Sweden demonstrates that prosecution authorities play a decisive role in addressing this task. In our view, their role should extend beyond oversight: prosecutors should participate directly throughout the process of working with child victims and serve as a safeguard for the fair administration of justice.