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Saltanat Cholponbaevna Kydyralieva
International University of Kyrgyzstan
Applicant
Kyrgyz Republic, Bishkek

PROTECTING CHILDREN FROM ABUSE

Abstract: This scientific article is the author of the problem of cruelty with children. The types of cruel treatment and their consequences for children are considered. The role of physicians who first discovered the problem of traumatizing children as a field not only medical, but also as a legal, sociological one is shown. The role of government agencies is important in the prevention of domestic violence and child abuse.

Key words: legal mechanism; child; cruel treatment; protection of the rights; psychological abuse; physical violence; child rights; Convention on the Rights of the Child.

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Introduction

In addition to the existence of universal documents, time and the continuing deterioration of the situation of children required the world community to adopt a special international document that would not just declare the rights of children, but on the basis of legal norms, measures to protect these rights were fixed. Despite the productivity and multidimensional nature of normative activity in the field of child rights protection, its disadvantage was the dispersion of legal material under various conventions, which made it difficult to implement the rights of the child [1]. It was necessary to develop a single international legal document that would summarize all the previous experience of rulemaking and embody new approaches concerning the concept of the rights of the child and methods of their protection.

The need to create an international instrument for the protection of children's rights is due to the fact that the UN Charter and the main universal human rights conventions, along with the general criteria by which discrimination is prohibited, do not specifically specify age. Children are numerous and one of the most socially and politically vulnerable groups of the population.

An important step towards the formation of the institution of international legal protection of the

rights of the child was the initiative of Poland to give the rights of children the force of international law. In 1979, the UN Commission on Human Rights approved an open-ended working group to create a draft UN Convention on the Rights of the Child based on the provisions of the 1959 Declaration on the Rights of the Child.

The relevance of the problem of child abuse in modern Kyrgyzstan has increased significantly in the last decade. In the conditions of the modern economic and social situation, the frequency of cases of child abuse reaches a prevalence characteristic not of "exclusive" crimes, but of a certain social phenomenon. The growth of child abuse in the family reveals a connection with the general tendency of society to increase the quota of violence as such - an increase in crimes against the person, personal freedom, delinquency, suicides, accidents, as well as military conflicts.

During the Soviet period, the topic of violence against the individual was tacitly prohibited. Violence was considered only in class and interstate relations. In Soviet society, the presence of violence in education was not positioned as a violation of individual rights. It was only in the 90s that we recognized that children are subjected to physical, mental, sexual and psychological violence.

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Prevention of child abuse as one of the areas of work with him is, in our opinion, the main task, which is addressed by the professional efforts of interested specialists in various fields, both practitioners and theorists. Unlike practitioners, scientists are engaged in the theoretical study of various aspects of the phenomenon: identifying its essence, features of manifestation, characteristics, dynamics, causes and other issues, without which, of course, it becomes impossible to carry out subsequent work. From our point of view, both theorists and practitioners should bear the same responsibility in the process of working on this issue.

The study of the phenomenon of family violence and child abuse until the 90s of the XX century was practically not carried out in domestic legal and sociological science, which was due to a whole complex of reasons, among which the main ones are the following: ignoring the fact of the existence of such a social problem in a young, "prosperous" socialist state, and as a result, studies of violence as a phenomenon characterizing modern society were prohibited or limited.

The basic provisions of the Convention on the Rights of the Child stipulate that States ensure the protection of children from physical or psychological harm and from ill-treatment, including sexual abuse or exploitation. Considering it its duty to make the lives of children free from cruelty and fear, the international community pays special attention to the issue of preventing cruel and irresponsible treatment of children, which is reflected in numerous international legal documents. The right of a child to be protected from "all forms of physical or psychological violence, insult or abuse, neglect or negligent treatment, abuse or exploitation, including sexual abuse" is understood in international law as absolute, belonging to him from birth, which States must protect by taking "all necessary legislative, administrative and other measures" (Article 4 of the Convention "On the Rights of the Child") [2].

Protection from abuse is an absolutely necessary requirement to create "prosperous conditions that would allow the child to develop physically, mentally, morally, spiritually and socially," that is, to transform the child into a full-fledged member of society and prevent social losses associated with deviant behavior. In addition, one of the most difficult obstacles in actualizing the problem of child abuse and working with it is the lack of objective information about the prevalence and reasons for the use of inhumane methods of parenting in the family.

Child abuse is defined as "any intentional actions and omissions of parents, educators or other persons on whom the child is dependent, damaging his physical or mental health, disrupting the development of the child's personality, his mental development or socialization" [3].

Emotional violence as a kind of psychological violence is also determined by the impact on the child's psyche in order to humiliate his importance in his own eyes and in the eyes of others, the constant screaming of the child, mockery of his actions, ridiculing the child, the use of offensive nicknames, cynical attitude to the feelings of the child, hindering the communication of the child with another parent, the use of punishments degrading human dignity [4].

Psychological or emotional violence should also include violence used in front of a child to another person, an animal. This is expressed in the humiliation of a mother, sister, brother, etc. Psychological violence can do more harm than physical. Somatic disorders, neuroses can lead to the commission of an offense or suicide of a minor as a sign of protest.

Cruelty to children became the subject of attention from legal, sociological, psychological science in the early 60s of the XX century. A.V. Ochirova in his study notes that an American doctor, pediatric radiologist, professor at the University of Colorado S.G. Kemp and co-authors published an article in which he described the so-called "battered child syndrome" (Child battered syndrome) [5]. In the research of the scientist, the symptom complex of this syndrome was observed mainly in preschool children and included such physical injuries as bruises, bruises, open wounds, bone fractures, concussions and brain hematomas. The etiology of these injuries was unknown up to this point and was not widely discussed in society. American doctors directly linked the causes of injuries with inhumane ways of upbringing in the family. S.G. Kemp and his colleagues pointed to the fact that it is the doctor who is able to see the true causes of the injuries and injuries received by the child, and do everything to protect the child from possible violence in the future. He believed that "bones are able to tell the whole story to an informed doctor, which the child cannot tell because he is too small and intimidated" [6].

The study of the "battered child syndrome" and the publication of its results by Dr. Kemp's research group contributed to the problem of child abuse going beyond medicine and required public intervention. So, it was the doctors who for the first time spoke widely and openly about this problem, they drew attention to it not only from the scientific community, but also from the entire world community.

Almost all US states have adopted legal laws providing for criminal liability of parents, guardians or guardians for child abuse. In addition, they obliged medical and social workers, teachers, and other people working with children to report possible (suspicious) and discovered facts of parental cruelty against children.

Singling out child abuse in the family as an independent and significant problem is only the first step aimed at resolving it and minimizing the consequences.

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However, modern legal reality forces us to recognize that international legal regulations in our state actually remain declarative, since the existing level of protection of children from abuse clearly does not meet international standards. According to the Prosecutor General's Office of the Kyrgyz Republic, 2,462 crimes were committed against minors in 2019, including 184 grave and 36 especially grave [7].

Kyrgyzstan has faced an increase in child suicides, most of which are related to family conflicts and distress, fear of violence from adults, tactless behavior of individual teachers, conflicts with teachers, classmates, friends, callousness and indifference of others [8]. These data cause serious concern, since the abuse of children determines a whole range of extremely adverse consequences for their physical and mental health, moral, spiritual and social development, which violates their socialization, generates neglect and juvenile delinquency.

Against this background, it becomes obvious that at present various forms of child abuse, in terms of their scale and depth of consequences, pose a serious threat to the foundations of national security of any State.

The legislation of the Kyrgyz Republic provides for the protection of children from almost all types of ill-treatment. The work of social services engaged in the protection of children's rights should be aimed at identifying cases of child abuse, determining its type and taking measures established in regulations against aggressors, it is also necessary to take emergency measures for the rehabilitation and adaptation of a child who has experienced such treatment.

For the successful prevention and prevention of crimes committed against children, it is necessary:

To carry out explanatory work in all educational, educational institutions, together with inspectors for juvenile affairs of the Department of Internal Affairs and guardianship and guardianship authorities, informing children about where and to whom to turn for help in case of abuse, why one should not be shy about it, why parents and other persons should not be allowed to abuse children and what measures can be taken against parents and other persons [9].

Create helplines where children could call at any time of the day and get the necessary help from specialists.

Internal affairs bodies, and in particular inspectors for minors and district inspectors, guardianship and guardianship authorities, should regularly check dysfunctional families where violence may occur, and identify such facts of violence. When such facts are revealed, in cases of an immediate threat to the life and health of children, temporarily take them away from their parents and guardians [10]. To explain to parents who have a negative impact on children the consequences of non-fulfillment or improper fulfillment of their parenting duties, ill-treatment of them, it is necessary to focus attention on possible administrative and criminal liability.

In educational institutions, teachers themselves should conduct conversations about child abuse and, if any facts of violence against children are identified, immediately report them to the relevant authorities.

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