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# The development of legal policies for the prevention of crimes that infringe on women's rights and freedoms and their current status

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**Abstract:** This article describes the legal and regulatory instruments adopted in Uzbekistan for the protection of women's rights and freedoms and the prevention of various infringements on them, as well as the amendments and additions made to legislation on the basis of those instruments. Attention is paid to the positive results of the legal acts adopted by Uzbekistan on the protection of women subjected to violence and various forms of harassment and their practical significance in the future. The article also presents the legal policy pursued by foreign countries in this area, as well as the opinions of some scientists aimed at preventing violence and harassment against women.

**Keywords:** Prevention, violence and harassment, rehabilitation, prevention, protection order, women's rights and freedoms, victim.

**Introduction:** The objective of this paper is to provide a comprehensive overview of the existing legislative framework aimed at preventing offenses in this particular domain. To a certain extent, the legislation in this area has been systematized. This has also served to effectively regulate the legal regulation of crimes of harassment and violence [1].

According to the Decree of the President of the Republic of Uzbekistan "On measures to improve the system of social rehabilitation and adaptation, as well as prevention of family and domestic violence" dated 02.07.2018, No. PP-3827[2], the Center for Rehabilitation and Adaptation of Victims of Violence

and Suicide Prevention was established for the first time in the country. This center offers a variety of services, including emergency medical, mental health, social work, legal assistance, and educational support, to individuals facing challenging social circumstances. These services are provided anonymously and are intended to address a wide range of needs, such as family issues and marital violence. The center plays a crucial role in addressing conflict, domestic violence, and increasing suicidal behavior, thereby contributing to the well-being of the community.

Presidential Decision No. PP-5116 of 19.05.2021[3] "On additional measures for the rehabilitation of women victims of violence" established the Republican Center for the Rehabilitation and Adaptation of Women and its territorial branches under the Ministry for the Support of Mahalla and the Family on the basis of the Republican Center for the Rehabilitation and Adaptation of Victims of Violence and Suicide Prevention. The primary objectives of the Center were delineated as follows: first, the provision of emergency medical, psychological, social, pedagogical, legal, and other assistance in an anonymous capacity to women who have endured harassment and violence, as well as those who have made attempts on their lives or are susceptible to committing suicide; second, the facilitation of the rights of women in challenging social circumstances, including those grappling with family issues and domestic violence; third, the provision of close assistance to the operations of state bodies and civil society institutions; and fourth, the provision of assistance to women's organizations and civil society institutions.

On January 4, 2020, the Cabinet of Ministers issued Cabinet of Ministers Decision No. 3, which established a procedure for the issuance of protection orders by the internal affairs agencies for women who have suffered harassment or violence. The decision also stipulates the issuance of copies of protection orders for individuals who have committed or are inclined to commit harassment or violence.

According to the provisions outlined in the Ordinance, the prevention inspector is obligated to undertake the following actions within a 24-hour period: A thorough examination of appeals and applications submitted by duty units of internal affairs bodies. Conducting interviews with the victim and perpetrators of violence, along with other relevant individuals, to ascertain the circumstances and motivations behind any acts of harassment or violence.

A comprehensive assessment of the victim's and perpetrator's lifestyle, including an analysis of their social environment and potential risk factors. The

implementation of measures aimed at social rehabilitation and adaptation for both victims and perpetrators of violence, with the objective of preventing reoccurrence and promoting peaceful coexistence.

The following three points demonstrate the significance of the decrees as a legal basis for activities in this area. Firstly, the measures established in the decrees are aimed at preventing the occurrence of offenses related to harassment and violence. Secondly, the decrees are intended to eliminate the causes, conditions, and factors that lead to the commission of offenses related to domestic violence. Thirdly, the decrees aim to effectively organize the prevention of harassment and violence, improve cooperation in this area, and encourage public organizations and citizens to link the prevention of harassment and violence with the prevention of domestic violence.

Civil society institutions, particularly citizens' self-governance bodies, also play an instrumental role in preventing crimes that infringe upon women's rights and freedoms. Specifically, Act No. ZRU-561 of 02.09.2019, which pertains to the protection of women against oppression and violence, delineates the following responsibilities of citizens' self-governance bodies:

Participation in the development and implementation of programs at the state, territorial, and other levels focused on the protection of women from oppression and violence.

The provision of assistance to state bodies in the implementation of measures designed to protect women from harassment and violence constitutes a key element of the initiative.

The implementation of legislation intended to protect women from harassment and violence is subject to the exercise of public control.

The purpose of this study is to formulate proposals for enhancing legislation that aims to safeguard women from harassment and violence, as well as to refine law enforcement practices in this domain.

Collaboration with the relevant authorized bodies and organizations involved in the protection of women against harassment and violence is imperative.

Concurrently, "self-governing bodies of citizens implement measures aimed at safeguarding the rights, liberties, and legitimate interests of women, augmenting their role in public life, shaping the spiritual and moral atmosphere in the family, and educating the younger generation" [5].

"The state's closest ally in the fight against oppression and violence against women is also the mahallas. It is

imperative that no family be excluded from the purview of the mahalla chairman, women's affairs specialists, prevention inspectors, and mahalla activists engaged in their activities within the mahalla. Harassment and violence within familial structures are frequently concealed (latent) and, at first glance, may appear to be within acceptable parameters. Consequently, victims of such maltreatment may exercise discretion to maintain the secrecy of these circumstances, motivated by a desire to preserve the family's reputation and, in some instances, a tacit acceptance of the violence. The imminent threat of harassment and violence is a salient concern in this matter, as inaction will inevitably result in adverse consequences that have persisted for an extended duration. The repercussions of this phenomenon extend beyond the individual, impacting the social fabric of the community.

In this regard, G.A. Ravshanova identifies six directions that are deemed advisable for self-governing bodies of citizens to implement in their activities to prevent harassment and violence, and to promote the creation of a healthy spiritual climate in families.

First, it is necessary to establish effective mechanisms for identifying families that are in a state of dysfunction and are, as a result, at risk of social exclusion. In addition, optimal methods of organizing preventive work with families at risk of conflict must be implemented.

Secondly, effective social interaction with relevant organizations is necessary for the identification of individuals who are at risk of becoming victims of victimization due to their social status, physiological condition, behavior, or way of life. The implementation of victimization prevention measures for these individuals is crucial.

Thirdly, it is imperative to implement measures aimed at the identification and eradication of the conditions that led to an individual becoming a victim of an offense, in addition to the underlying causes that facilitated the commission of the offense.

Fourthly, it is imperative for each mahalla to undertake high-level explanatory and propaganda initiatives concerning the legal framework and the measures implemented in our nation to combat harassment and violence. These initiatives must be disseminated to ensure that every family is cognizant of these measures.

Fifthly, it is imperative to cultivate an environment that fosters the development and dissemination of knowledge and skills among women, empowering them to effectively address and combat harassment and violence.

Sixth, for the effective implementation of educational and preventive measures in this process, it is advisable to ensure active social cooperation and effective public control of the existing standing commissions: the Commission for Strengthening Family Values; the Commission for Work with Women; the Commission for Social Support and Public Control, sectors, government agencies, and other civil society institutions"[7].

A comprehensive approach to addressing this issue involves the systematic organization of explanatory and educational work with families residing in mahallas, the development of legal culture, and spiritual-educational activities. Moreover, the active involvement of each family member in these processes is crucial for ensuring effective outcomes in the prevention of offenses against women within the family unit.

It is evident that the global health crisis has led to an escalation in the level of awareness concerning domestic violence. On a global scale, the scientific community has engaged in discourse regarding the potential risks associated with the novel coronavirus (SARS-CoV-2), commonly referred to as "covid-19." These discussions have encompassed not only the health implications of the virus but also its potential to escalate domestic violence levels within households, particularly in instances where all family members are present.<sup>^([8])</sup> A. Taub and K. Kaukinen have also stated that "a coronavirus pandemic will have an unprecedented impact on the rates and consequences of crime and violence worldwide." This encompasses the risks and consequences associated with decision-making by women who have experienced partner violence within the domestic environment. The implementation of exposure measures, which include restrictions on movement designed to mitigate the spread of the virus, has the potential to exacerbate domestic violence, leading to more severe and dangerous outcomes.

The preponderance of research indicates that the quarantine imposed during the pandemic resulted in an escalation of domestic violence. This phenomenon is evidenced by the substantial surge in domestic violence cases observed worldwide during the pandemic. S. Akhmedov cites the following reasons: The following factors must be considered when assessing the situation:

- The victim's inability to leave the room where the aggressor is present for a period of 24 hours.
- The victim's inability to notify the relevant organizations and agencies about the state of violence due to constant surveillance by the aggressor.
- The inability of most specialized assistance centers to receive victims due to the presence of the novel

coronavirus.

In certain countries worldwide, the following measures have been implemented to safeguard against the potential for domestic violence to be incited by quarantine measures. In particular, it was reported that domestic violence increased by an average of 35% in France due to the quarantine. In response to the escalating violence, the French government issued a call for women to seek refuge in pharmacies. In an effort to address the pressing issue of violence, a network of twenty counseling centers has been established within grocery stores nationwide. It was stated that victims would be reimbursed for hotel stays. A discrete SMS service had been established to facilitate the transmission of SMS messages by victims.

The government of Italy has implemented a mobile program, entitled "YouPol," which aims to provide assistance to victims. The objective of this program is to provide assistance to victims without the need for a phone call.

The Parliament of Canada has allocated \$200 million to all shelters in the country. The province allocated \$2.7 million to support victims of violence and other crimes during the pandemic.

The UK government has allocated £1.6 billion to those affected and in need. The UK Home Office disseminated a social media campaign on the microblogging platform Twitter, the objective of which was to provide support to victims of violence. The campaign was accompanied by the hashtag #Youarenotalone.

In Spain, the government has initiated a support service for victims via the social networking platform WhatsApp. The Minister of Gender Equality has stated that following the initiation of the service, there has been a 270% increase in the number of appeals.

The Mascarilla-19 initiative was initiated in the Canary Islands. In this scenario, individuals who have been subjected to violence enter a pharmacy and request a "mask-19." Upon hearing the word "mask-19," the pharmacist immediately notifies the police. Subsequently, this practice was implemented in other regions.

It is noteworthy that a comparable initiative has been implemented in our nation as well. The project, entitled "Call Umida," is an adaptation of the social initiative Ask for Angela, which emerged in the United Kingdom in 2016.

The initiative was established and initiated by Child, a sexual harassment activist, in honor of Angela, a 34-year-old acquaintance who was murdered by her spouse in her residence. At that time, flyers were

disseminated in the restrooms of local bars, containing a message addressed to women. The message indicated that in the event that an individual caused them discomfort during a meeting, they were instructed to approach the bartender and request the assistance of "Angela." The phrase functions as a request for assistance. In response to the auditory stimulus, the bartender adheres to established protocol, which dictates that he is authorized to escort the woman to a designated safe room, provide guidance to an emergency exit, or contact the authorities if deemed necessary[11]. In Germany, a project of a similar nature is underway, entitled "Ist Luisa Hier? (Is Luisa here?)" was launched in 2016. In 2020, the Russian release was entitled "Call Galya," and in 2021, the Kyrgyz release was entitled "Call Kantai!"[12].

Given the specificity of criminogenic factors associated with crimes against women, it is imperative to prioritize the development and implementation of comprehensive prevention strategies that focus on enhancing the economic, legal, and social protection of women. Concomitantly, it is imperative that gender issues are accurately comprehended by diverse societal segments to facilitate the realization of human rights.

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