

## **SOCIAL PROTECTION OF SOCIALLY ORPHANED CHILDREN LEGAL BASIS**

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**Annotation.** In this article, the author explains the concept of social orphanhood, what legal measures should be taken to protect socially orphaned children in society, and the role of guardianship and trusteeship in the protection of social orphans and the system of social and legal protection.

**Keywords:** Social orphan, orphan, adoption, guardianship and trusteeship, Patronage, Foster

**Introduction:** The problem of children left without parental care remains a topical issue not only from a socio-political and scientific point of view, but also from a humanitarian, emotional, religious point of view.

**Социальная защита социально-сирот дети правовая основа**

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**Аннотация:** В данной статье автор разъясняет понятие социального сиротства, какие правовые меры должны быть приняты для защиты социально осиротевших детей в обществе, а также роль опеки и попечительства в защите социальных сирот и системе социально-правовой защиты.

**Ключевые слова:** социальная сирота, сирота, усыновление, опека и попечительство, патронат, патронат.

**Введение:** Проблема детей, оставшихся без попечения родителей, остается актуальным вопросом не только с общественно-политической и научной точек зрения, но и с гуманитарной, эмоциональной, религиозной.

A child who loses his parents is a tragedy. The need to have parents is one of the strongest needs of a child. Orphans automatically acquire the status of "orphans", which has a negative effect on their psyche. According to Article 3 of the Law of the Republic of Uzbekistan "On guarantees of the rights of the child", the concept of "orphan" is defined. According to the law, a child whose father or mother has died or who has been declared dead by a court decision is called an orphan. [1] The concepts of "orphan" and "social orphan" are different. [2]

There are problems in society. One of these problems is that orphanhood has been an important element of civilization since the beginning of humanity and society. World wars, epidemics, poverty, and other causes have led to the death of parents. As a result, the children became orphans. Helping children, including protecting children left without parental care for a variety of reasons, is a priority of the state's social policy.

Social orphanhood occurs when there are biological parents who are not involved in the upbringing of the child for various reasons. The problem of social orphanhood is a problem specific to most developed and developing countries. Educators and psychologists who study children's problems have found that separation from loved ones from the earliest stages of life determines the child's future.

So, for children left without parental care, their parents:

- dead;
- deprived of parental rights;
- lost - incapable of treatment;
- serving a sentence in a penal colony;
- arrested on charges of committing a crime;
- refusing to bring up a child;

-temporary healing, including children placed in social facilities but not taken away.

The Universal Declaration of Human Rights and the Convention on the Rights of the Child state that "... all human beings are born free and equal in dignity and rights." Every child has the right to live and be raised in a family, to know his or her parents, to enjoy their care and to live with them. This right is guaranteed to the child to grow up harmoniously, to have a healthy body and mind, to be in the care of parents who can not be exchanged for anything, to enjoy their love, to interact with the outside world. Communication through their parents, who are the closest people, allows them to understand, comprehend and draw conclusions about the events around them, to protect themselves from the aggression and threat of others. The United Nations Universal Declaration of Human Rights declares that children have the right to special care and assistance. It is known that more than 40% of the population of Uzbekistan are children under 18 years old. That is why the policy of ensuring the rights of the child is a priority. Along with 189 countries, Uzbekistan has signed the Millennium Development Goals Declaration for a Beneficial World for Children. In response to these documents, the Uzbek government has set itself the task of further improving the conditions of children and tightening control over the process of achieving the set goals.

There is no such thing as "at risk of parental neglect" in Uzbek law. The law introduces the concept of "children in need of social assistance", which is regulated by the 2008 Law on Guarantees of the Rights of the Child. The purpose of the law is to regulate relations in the field of guarantees of the rights of the child.

**Material va methods.** There are the following areas of activity to prevent the proliferation of social orphans: correcting the characteristics of the personal development of the orphan; formation of a system of relations with children and adults on the basis of equality, taking into account the views and positions of the other person; creating the conditions for a conscious attitude to the discipline and the formation of alternative selection skills in decision-making and action; the changing nature of educational work, its; ability to form personal responsibility and be

proactive in activities; expanding the living space of an independently adopted orphan. [3]

A global study of official data by UNICEF shows that the number of children living in institutions in Eastern Europe and Central Asia remains high - 666 per 100,000 children. That's five times the world average - 120 out of 100,000 children.

Guardianship Orphans and children deprived of parental care under the age of fourteen, as well as citizens who have been declared incompetent by a court, shall be provided with support, upbringing and education, their property and personal legal form of placement in order to protect non-property rights and legitimate interests.

Sponsorship provides for the maintenance, upbringing and education of orphans and children deprived of parental care between the ages of fourteen and eighteen, as well as citizens with disabilities who have been treated by a court. , is a legal form of placement in order to protect their property and personal non-property rights and legitimate interests.

Guardianship and trusteeship authorities are obliged to take part not only in the cases initiated by them, but also in the proceedings initiated by others, to participate in court proceedings to protect the rights and interests of children and to give an opinion.

Results and discussion. Guardianship and trusteeship authorities monitor the compliance of parents with their responsibilities for the upbringing of their minor children and assist them in exercising their parental rights. Where necessary, minors are assisted in defending their rights and responsibilities.

The most pressing issue right now is the quality of the work of the guardianship and trusteeship authorities. Employee behavior is often formal, but decision-making is largely uncontrolled, and there are no uniform criteria, uniform approaches, or uniform law enforcement practices for guardianship and trusteeship authorities. The government should emphasize the need to reform the guardianship and trusteeship bodies, which are among the main public bodies responsible for

monitoring and controlling the welfare of children left without parental care. The reform of the guardianship and trusteeship system will be facilitated by the development of new laws and amendments to existing legislation.

Uzbekistan will adopt a program of measures to deinstitutionalize orphanages (orphanages) in 2019-2023. This is envisaged by the Decree of President Shavkat Mirziyoyev of 11 February 2019 on strengthening the social protection of orphans and children left without parental care. [5]

The decree calls for the widespread introduction of family and other alternative forms of placement of children, in particular, the adoption of children for foster care, as well as additional measures to create favorable conditions for the preparation of children for independent living.

From March 1, 2019, the amount of benefits paid to each child under sponsorship (sponsorship) increased by 1.33 times and amounted to 820 thousand soums, which was then noted to be not lower than the inflation rate.

According to the decree, guardianship and trusteeship bodies, orphanages, children's towns, orphanages and other educational institutions for orphans and children left without parental care are involved in the placement of orphans and children left without parental care. exempted from paying state duties and fees for paperwork.

In addition, a video conference chaired by President Shavkat Mirziyoyev on July 28, 2021 on expanding state support for children with disabilities, children deprived of parental care and orphans and improving social benefits. 'passed.

As noted at the meeting, today 17% of foster children are orphans, and the remaining 83% are children abandoned by their parents or close relatives. By providing financial support to such families, most children can be returned to their families.

From September 1 this year, the amount of benefits will be determined based on the number of children in the family, with the age of children from 14 to 18 years, and the payment period will be extended from 6 to 12 months. In addition, the children of families included in the "iron book", children who have lost their

breadwinners and children with disabilities, were given 500 thousand soums to go to school, which strengthened the hope and confidence in the future of thousands of hearts.

Suggestions and recommendations:

- Support for families caring for people in need of guardianship and trusteeship;
- Implementation of international cooperation in the field of guardianship and trusteeship;
- Finding alternative forms of social protection for children left without parental care and their widespread application in practice;
- Carrying out preventive measures with families in difficult situations, parents who intend to abandon their children;
- Strengthening cooperation between governmental and non-governmental organizations for the social protection of children left without parental care;
- Carrying out work on the organization of the system of foster care in the Republic of Uzbekistan, with the definition of the tasks of the "Social Worker";
- Organization of special training courses for those who want to adopt children left without parental care;
- Creating jobs in the neighborhoods of "Social Worker" and thereby conducting social work with families in difficult situations.

In short, to ensure that children in need of social protection, including children left without parental care, social orphans, take full responsibility for society in order to grow and prosper. Ensuring that the child is provided with the necessary protection and support in order to grow up in a state of family care, happiness, love and understanding, so that the child's personality is healthy and well-rounded. , the child must be fully prepared for an independent life in society and brought up in the spirit of peace, dignity, patience, freedom, equality and solidarity.

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