

STATE, PRESCHOOL EDUCATIONAL ORGANIZATION AND PARENTS' OBLIGATIONS TOWARDS THE CHILD

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Abstract: This article presents ideas about the activities and rights of the child in the family, society and preschool educational institutions. It also theoretically analyzes the obligations of parents, preschool educational institutions and the State towards the child.

Keywords: Child rights, Convention, Beijing Rules, Riyadh Program

Uzbekistan, as a full-fledged subject of the international community, has recognized and is implementing the Universal Declaration of Human Rights, the Convention on the Rights of the Child and other universally recognized international treaties in order to protect the rights of children, a segment of society in need of social and legal protection.

On January 7, 2008, the Law of the Republic of Uzbekistan “On Guarantees of the Rights of the Child” was adopted. This law aims to protect the child’s right to life, the right to individuality and its preservation, the right to freedom and personal integrity, and, in general, to ensure the protection of the interests of children related to their life, free growth and maturity.

As is known, the legal relations between parents and children are regulated by Section IV of the Family Code of the Republic of Uzbekistan, which includes Chapters XI-XIII. Chapter XIII of this Code regulates the property rights and obligations between parents and children.

The specific features of parental rights and obligations are as follows:

Firstly, parents have equal rights and obligations in relation to their children. The equality of parental rights and obligations is implemented equally, regardless of whether the child was born during marriage or out of wedlock, or whether the spouses live separately, or regardless of their material obligations in the family.

Secondly, it is established that parents have a superior right to raise their children over all persons.

Thirdly, parental rights cannot be exercised in a manner contrary to the interests of children. When exercising parental rights, parents must comply with the rights and obligations established in the Family Code of the Republic of Uzbekistan and other legislation, international treaties and conventions.

There is no doubt that protecting and ensuring the rights of the child is one of the urgent tasks. Therefore, the forms of exercising the rights and obligations of parents are specified in the Family Code of the Republic of Uzbekistan and the Convention on the Rights of the Child. Article 11 of the Law of the Republic of Uzbekistan "On Guarantees of the Rights of the Child" states that the protection of the rights, freedoms and legitimate interests of the child shall be ensured by his parents or substitutes.

Article 26 of the Universal Declaration of Human Rights also states that parents have a privileged right to choose the type of education for their children. In order to ensure the effective implementation of the rights of mothers and children to social and economic protection in the Convention "On Human Rights and Fundamental Freedoms" of the Commonwealth of Independent States, the Contracting Parties shall take all necessary and necessary measures in this direction. measures, including the organization and provision of relevant structures or services. According to it, no one can be denied the right to education. That the Contracting Party shall respect the right of parents to ensure that their children receive an education in accordance with their own beliefs and national traditions, in the exercise of any responsibility it undertakes in the field of education and training. reflected.

Children need comprehensive care and protection, as well as legal protection, due to their young age, the development of receptiveness, and the fact that they are not yet ready for independent life. The child has the right to education. This right is defined in Article 41 of the Constitution of the Republic of Uzbekistan, the laws "On Education", "On Preschool Education and Training" and other legal documents.

From the above examples, it can be concluded that the parental responsibility of a parent towards a minor child is regulated not only by family law, but also by international agreements. In the structure of legal relations between parents and children, personal non-property legal relations are distinguished. Child education is one of the main objects of personal legal relations of parents.

Indeed, according to the Family Code of the Republic of Uzbekistan, it is stated that parental rights cannot be exercised contrary to the interests of children. If the parents live separately, the children's place of residence should be determined by agreement of the parents, if there is no agreement, the court will decide taking into account the opinion of the child. The rights and obligations of parents and children are based on democratic principles established in all developed countries. The rights and obligations of parents regarding the education of children are important. The obligation to educate children until they reach adulthood is defined in Article 64 of the Constitution of the Republic of Uzbekistan. Raising a child is considered the personal right of parents, and they are equally responsible for exercising their rights and fulfilling the obligations assigned to them in the child's development.

According to paragraph 1 of Article 18 of the UN Convention on the Rights of the Child, this obligation is common and binding for parents, regardless of where they are. Accordingly, parents are

responsible for the upbringing and future of their minor children, and must take care of their health, morals, physical and mental development.

Parents may be held liable under family law, civil law, administrative law and criminal law if they exercise their parental rights contrary to the interests of the child. Family law liability entails consequences such as deprivation or restriction of parental rights.

In addition, our country relies on the norms enshrined in the international covenants "On Civil and Political Rights" and "On Economic, Social and Cultural Rights" in ensuring the rights of the child. At the same time, the UN Standard Minimum Rules for the Administration of Justice for Juveniles (Beijing Rules), the UN Framework Principles for the Prevention of Juvenile Delinquency (Riyadh Framework Principles) and other recommendatory documents play an important role in improving national legislation on children's rights in the field of justice.

In particular, the Resolution of the President of the Republic of Uzbekistan "On additional measures to strengthen social protection of orphans and children deprived of parental care" dated February 11, 2019 provides for further reduction of social orphanhood, improvement of mechanisms of state support for orphans and children deprived of parental care, creation of broad opportunities for their accelerated social adaptation, improvement of the functioning of educational institutions, as well as strengthening the role of the family in raising a physically healthy and spiritually mature generation. To this end, the Scientific and Practical Research Center "Oila", together with the Women's Committee of Uzbekistan, the Republican Council for Coordination of the Activities of Citizen Self-Government Bodies, and the Republican Center for Social Adaptation of Children, have submitted to the Cabinet of Ministers by June 1, 2019 a proposal to improve the system for selecting and monitoring guardians and candidates for guardianship, adoptive parents and foster parents of family children's homes, and a number of other measures.

Also, on April 22 of this year, the resolution of the head of our state "On additional measures to further strengthen the guarantees of the rights of the child" was adopted. In accordance with the resolution, the following was determined:

-children left without parental care are given the right to reserve their own living quarters in the municipal and specific-purpose communal housing stock, placed in houses of mercy, living with a guardian or sponsor for the entire period of their stay, until they reach the age of eighteen;

-children are provided with all social services, regardless of their place of residence and citizenship on the register;

-full consideration of direct appeals of children to state bodies is guaranteed, and it is not allowed to ignore such appeals on the grounds that the child does not have full legal capacity;

-A child who has reached the age of 14 has the right to file a lawsuit to collect alimony from both parents at the same time in the amount established by law for his/her maintenance;

-A plaintiff who applies to the courts with an application for the protection of children is exempted from paying state duty and other fees.

In accordance with the resolution, the position of Deputy Ombudsman of the Oliy Majlis for Human Rights (Ombudsman) - Representative for Children's Rights was introduced. Starting from the 2020-2021 academic year, admission quotas based on a state grant of up to one percent of the total number of applicants for higher education institutions will be allocated for true orphans who are graduates of the House of Mercy and the Children's Town.

Today, a lot of practical work is being carried out in our country to protect children socially, economically, legally, and spiritually. An appropriate legal framework has been formed in this regard. In particular, the Constitution of the Republic of Uzbekistan, the Family Code, the Civil Code, the Labor Code, the Criminal Code and a number of other legislative acts have reflected norms on the protection of children's rights.

The Convention on the Rights of the Child is one of the most important documents in the field of human rights. Currently, the protection of children and ensuring the full implementation of their rights have become the obligations of states all over the world. The Convention on the Rights of the Child can serve as a full basis for this.

As is known, the need to create a Convention on the Rights of the Child arose after the adoption of the Declaration on the Rights of the Child in 1959. However, the process of its preparation took a lot of time. In 1979, during the International Year of the Child, a coordinating working group was created to work on the ideas recommended by the governments of different countries of the world, and this working group conducted negotiations for 10 years. Finally, on November 20, 1989, the UN General Assembly adopted the Convention on the Rights of the Child.

Since that date, the protection of children's rights has been guaranteed worldwide, and an international mechanism for its protection has been established. The Convention is, without exaggeration, the first international legal instrument that strengthens the guarantees of the protection of children's rights, and it stipulates that the participating countries must strictly comply with its provisions. The Convention introduces general standards that reflect the cultural, economic, social and political aspects of individual countries. Each country has the right and opportunity to take into account its own national characteristics in the implementation of these standards.

Previously, care for a child was provided only if he needed protection. In connection with the adoption of the Convention, a completely new concept was established. It emphasizes that care and protection are not a matter of privilege, but a right. With the entry into force of the Convention, it became a set of strictly defined basic social and legal criteria, procedures and rules for children.

The Convention for the first time clarified the concept of a child, expanded the scope of the child's rights and freedoms, and provided for the legal protection of children who were victims of cruel torture and armed conflicts, as well as children who violated the law and were incapacitated. It also specifically addresses the issues of protecting children from certain negative phenomena (illegal use of drugs and psychotropic substances, sale of children and their recruitment for illegal purposes). The Convention also recognizes the principle of non-discrimination in protecting the rights of a child or adolescent.

This international document includes Article 54, which deals with the life of a child. Each country that has ratified or acceded to the Convention on the Rights of the Child must review its national legislation in accordance with its provisions.

In conclusion, we can say that since the first years of independence, our country has been developing a system for protecting children's rights.

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