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**Ensuring legal and policy implementation: The role of the Children's  
Ombudsman**

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Most existing democratic countries have adopted the institution of the Ombudsman due to the objective need to protect human and civil rights and freedoms in the conditions of a modern state that extends legal regulation to all spheres of society, which strengthens the role and importance of the executive power and public administration in public life. Establishment of the institution of ombudsman allows, on the one hand, to mitigate the consequences of the strengthening of executive power for citizens, to act as an additional means of protection of their rights, which is devoid of shortcomings inherent in judicial means, and, on the other hand, to strengthen parliamentary control over the administrative system as a whole. The unique combination of legal features of the institution makes the individual benefit of the complainant available to a wide range of persons who are not directly the subjects of the complaint.

A core responsibility of the children's ombudsman is ensuring that children's rights, as outlined in national and international frameworks, are effectively implemented and enforced by governmental and non-governmental institutions. This involves more than just overseeing compliance; the ombudsman plays an active role in advocating for systemic changes to close gaps in child protection, guiding how laws and policies are interpreted and applied, and holding authorities accountable for failures to protect children's rights.

The children's ombudsman monitors government bodies, local authorities, and service providers (such as schools, hospitals, and child welfare institutions) to ensure that they are adhering to laws related to children's rights. This includes

scrutinizing legislation to assess whether it is aligned with international treaties like the UN Convention on the Rights of the Child (CRC) and whether domestic policies meet those standards<sup>1</sup>.

For instance, an ombudsman might review how laws on child labor, education, juvenile justice, or child protection services are applied in practice. If there are discrepancies or failures in implementation, the ombudsman can initiate reviews, request data from public authorities, and call for corrective action<sup>2</sup>.

Beyond monitoring legal compliance, the ombudsman also evaluates whether public policies—such as those on health care, education, social services, or juvenile justice—are effectively serving the best interests of children<sup>3</sup>. This evaluation includes assessing whether policies are inclusive, whether they adequately serve vulnerable populations (like children with disabilities, migrant children, or children in institutional care), and whether adequate resources are allocated to implement these policies.

For example, the ombudsman may assess whether social services for children at risk of abuse or neglect are sufficiently resourced or whether schools are adequately equipped to accommodate children with special educational needs. Where shortcomings are identified, the ombudsman can advocate for changes in funding or the creation of new services.

The ombudsman plays a proactive role in identifying gaps in national legislation that may leave children unprotected or under-protected. These gaps can arise from outdated laws that no longer reflect current social realities or international obligations, or from new challenges such as digital safety or child trafficking, which may not yet be adequately addressed by existing legal frameworks.

In such cases, the children's ombudsman can recommend legislative reforms, propose new laws, or collaborate with lawmakers to draft regulations that strengthen child protection. For example, if existing laws don't adequately address

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<sup>1</sup> UN Convention on the Rights of the Child, Article 4

<sup>2</sup> UNICEF, "The Role of Ombudspersons in Protecting Child Rights"

<sup>3</sup> Save the Children, "Advocating for Children's Rights: The Role of the Children's Ombudsman."

online exploitation or cyberbullying, the ombudsman can push for new measures to protect children in the digital sphere<sup>4</sup>.

The ombudsman also seeks to influence how courts and law enforcement agencies interpret and apply laws concerning children's rights. In some cases, national legal systems may not yet fully reflect the principles enshrined in the CRC, such as the principle that the best interests of the child should always be a primary consideration.

Through legal advocacy, the ombudsman can work to ensure that judicial decisions are child-friendly and uphold children's rights. This could involve providing legal opinions, submitting amicus curiae briefs in key court cases, or offering guidance on how children's rights should be interpreted in specific cases, such as custody disputes, child abuse trials, or cases involving juvenile offenders.

One of the most powerful tools at the children's ombudsman's disposal is the ability to hold institutions accountable when they fail to implement children's rights effectively. This accountability function can involve making public statements, issuing reports, or even naming and shaming agencies or authorities that neglect their obligations toward children.

The ombudsman can conduct investigations into specific incidents—such as cases of child neglect, abuse in institutional care, or failure of social services to act in situations of domestic violence—and publish findings that highlight systemic failings. These reports often serve as catalysts for reform, prompting both legislative and administrative changes.

Children's rights often require coordinated action across various sectors—such as health, education, social services, and justice—which can lead to fragmentation or gaps in protection if these sectors do not work effectively together. The ombudsman plays an essential role in advocating for better inter-agency cooperation and helping to create more integrated approaches to child protection.

For instance, the ombudsman might facilitate the establishment of inter-

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<sup>4</sup> CRIN, "Legislative Advocacy for Children in the Digital Age."  
[www.tadqiqotlar.uz](http://www.tadqiqotlar.uz)

departmental task forces that address cross-cutting issues like child trafficking or child poverty. They may also advocate for centralized child protection databases that allow different agencies to share information and track cases more efficiently, ensuring that no child falls through the cracks.

Many countries are bound by international human rights treaties, such as the UN Convention on the Rights of the Child (CRC) or regional treaties, that set out obligations for the protection of children's rights. The children's ombudsman monitors how well the country adheres to these international commitments and works to ensure that domestic policies and practices are in line with global standards.<sup>5</sup>

This might involve submitting reports to international bodies, such as the UN Committee on the Rights of the Child, which reviews countries' compliance with the CRC. The ombudsman can highlight areas where the government is falling short of its international obligations and propose strategies to bring the country into compliance.

The children's ombudsman's role in ensuring the implementation of legal and policy frameworks for the protection of children's rights is multi-faceted and crucial for advancing child protection. By holding authorities accountable, evaluating public policies, addressing legislative gaps, and advocating for judicial reforms, the ombudsman ensures that children's rights are not just written on paper but are actively realized in the lives of all children. This ensures that the most vulnerable members of society are protected and have the opportunity to thrive in an environment that prioritizes their well-being and development.

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<sup>5</sup> UN Committee on the Rights of the Child, "International Monitoring of Child Rights Compliance."

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