

History of the establishment of the Children's Ombudsman Institution

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The history of the establishment of the institution of the children's ombudsman began in the second half of the 20th century, when the need arose to create a specialized body for the protection of children's rights. This process was driven by international initiatives, especially after the adoption of the UN Convention on the Rights of the Child in 1989. The Convention set the basis for the establishment of national mechanisms such as the Children's Ombudsman, who acts as an independent advocate for children's interests.

Main stages of development:

1. Sweden - Pioneering role (1970s)

Sweden was the first country to lay the foundations for a children's ombudsman. As early as the 1970s, structures responsible for the protection of children's rights emerged there, leading to the official establishment of the first children's ombudsman in 1993. The Swedish model provided for an independent and child-centered ombudsman, which became an example for other countries. The importance of this step was to recognize the need for a separate mechanism to ensure children's rights at the national level¹.

2. United Nations Convention on the Rights of the Child (1989)

The adoption of the UN Convention on the Rights of the Child was an important milestone that encouraged many countries to establish national institutions to protect children's rights. The Convention established a legal

¹ UNICEF. "The Role of Independent Human Rights Institutions for Children."
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framework obliging states to put in place special mechanisms to protect children and monitor the fulfillment of their rights. Article 4 of the Convention explicitly calls on States to take all necessary legislative, administrative and other measures to realize the rights of the child². On the basis of this provision, a number of countries have established children's ombudspersons to oversee the implementation of these international obligations.

3. The spread of the ombudsman institution in Europe (1990s)

In the 1990s, the institution of children's ombudsman started to develop rapidly in Europe. Following Sweden, Norway became one of the first countries to introduce this model in 1981, followed by Finland (2005) and Iceland (1995). International organizations such as the Council of Europe have supported the establishment of such institutions, emphasizing their role in ensuring children's rights. It is important to note that the ombudsman institution, being independent from the executive branch, plays a key role in protecting children's rights from violations by state authorities³.

4. Expansion to other continents (2000s)

In the early 2000s, children's ombudspersons began to emerge in countries outside Europe. National institutions for children's rights began to be established in Latin America, Africa and Asia, although their functions and degree of independence varied. In some Latin American countries, for example, the institution was integrated into national human rights structures, thus promoting regional approaches to child protection⁴. International organizations such as UNICEF have played an important role by providing assistance in developing legal frameworks and guidelines for these institutions.

5. Modern development and standards (2010s onwards)

In the twenty-first century, the institution of children's ombudspersons has been strengthened and expanded in various countries. International standards have

² Конвенция ООН о правах ребенка, Статья 4.

³ Совет Европы. "Children's Rights and the Role of Ombudsman."

⁴ UNICEF Latin America and the Caribbean Regional Office. "The Role of Ombudsman Institutions in the Region."
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been developed for their effective functioning, including independence, accessibility and the ability of children to directly seek protection of their rights. International associations of children's ombudspersons, such as the European Network of Ombudspersons for Children (ENOC), have become important platforms for sharing experiences and coordinating efforts across countries⁵. In today's context, ombudspersons not only play the role of intermediaries between children and state structures, but are also actively involved in creating and monitoring the implementation of national programs for the protection of children's rights.

International organizations such as the UN, UNICEF and the Council of Europe have played a key role in the establishment and spread of the institution of children's ombudsman. These organizations have supported national initiatives, provided technical assistance and organized training for ombudsmen.

They have also contributed to the development of standards for the independence and effectiveness of ombudspersons, ensuring their integration into the international system for the protection of children's rights⁶.

Thus, the children's ombudsman institution has evolved from the first initiatives in Sweden to global recognition as a key mechanism for the protection of children's rights at the international and national levels.

In recent years, countries in Central Asia have made significant strides in advancing the protection of children's rights, often influenced by international treaties and standards, such as the UN Convention on the Rights of the Child (CRC). The establishment of Children's Ombudsman offices in the region is one of the key developments aimed at safeguarding children's rights. While each country has adopted its unique approach, the shared challenges and opportunities across Central Asia offer a broader perspective on the role of the Children's Ombudsman in these nations.

The Children's Ombudsman in Central Asian countries, such as Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan, are responsible for overseeing the

⁵ ENOC. "European Network of Ombudspersons for Children."

⁶ "The Role of UNICEF in Supporting Ombudspersons Worldwide."

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implementation of children's rights as per national laws and international commitments like the CRC⁷. These institutions monitor government policies, public services, and legal frameworks to ensure that they align with the best interests of children. Through periodic reports and assessments, the Ombudsman identifies gaps in the protection of children's rights and offers recommendations for improvement.

In most Central Asian countries, the Ombudsman serves as an independent body to which individuals can report violations of children's rights. This includes cases of abuse, exploitation, and neglect, as well as more systemic issues like discrimination or denial of access to education and healthcare⁸. By conducting investigations, the Ombudsman can hold government bodies accountable and advocate for corrective actions to ensure that children's rights are upheld.

The Ombudsman in Central Asian countries often works closely with governments to advocate for legal and policy reforms that enhance the protection of children's rights⁹. For instance, in Kazakhstan and Uzbekistan, the Ombudsman has been involved in drafting new laws or amendments to existing legislation to better address issues such as child labor, juvenile justice, and access to education for children with disabilities.

In accordance with the decision of the President of the Republic of Uzbekistan dated April 22, 2019 "On additional measures to further strengthen the guarantees of the rights of the child", as a result of the introduction of the position of the deputy human rights representative (ombudsman) of the Oliy Majlis of the Republic of Uzbekistan - the representative for children's rights, the organizational protection of children's rights in our country and institutional foundations were further strengthened. In the decision of the President of the Republic of Uzbekistan dated May 29, 2020 "On additional measures to improve the system of protecting the rights of the child", the main tasks and directions of activity of the representative for children's rights were determined¹⁰.

⁷ UN Convention on the Rights of the Child, ratified by Central Asian countries between 1992 and 1995.

⁸ Children's Ombudsman Offices in Central Asia, Annual Reports (2022).

⁹ Legislative Amendments on Child Protection, Kazakhstan, and Uzbekistan, 2023.

¹⁰ <https://www.ombudsman.uz/oz/managements/bolalar-ombudsmani-2>

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