

ISSUES OF RESPONSIBILITY IN THE INVOLVEMENT OF MINORITIES IN  
FORCED LABOR

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**Annotation:** The article discusses the issues of non-involvement of minors in forced labor, as well as liability. In the modern world, the problem of protecting the labor of minors and involving them in labor activity remains a very urgent issue. It can be said with confidence that in our country, like in other countries, measures are being taken to solve the problem of protecting the labor of minors. The International Labor Organization assists states in this.

**Keywords:** minors, rights of minors, forced labor, ILO, UN, international documents, Labor Code of the Republic of Uzbekistan.

**Introduction.** With the development of society, the attitude towards children has changed for the better. The life of a child has become more valued, as parents and society in general have begun to care for minors and have taken various measures to ensure their protection. For example, in 1875, the Society for the Protection of Minors from Cruel Treatment was founded in New York. In France, Russell's 1889 law "On Minors, Destitute, Abandoned and Inhumanely Treated Children" was passed, according to which "parents may be deprived of parental rights if they mistreat or neglect their minor children" [2].

We can say that the rights of minors are gradually beginning to be officially recognized. For example, in 19th-century Russia, the judicial reform of 1864 strengthened the guarantees of the rights of minors, provided a system for preventing child neglect, and also mitigated the punishments applied to minors, i.e., instead of prison, children were sent to educational and correctional institutions [3]. After the end of World War II, the United Nations was formed, one of whose activities was to address issues related to the rights and well-being of minors.

**Relevance of the topic:** Under the leadership of the UN, a number of important international legal instruments on the rights of minors have been adopted. In 1948, the United Nations adopted the Universal Declaration of Human Rights, which not only regulates human rights, but also ensures the rights and interests of minors, their separate protection [2]. The International Labour Organization (hereinafter referred to as the ILO) accepts that not all child labour constitutes forced labour [4]. If the work in which minors are engaged does not affect their health, development or education, then such work is, on the contrary, considered to be positive. For example, housework, light work after work hours, or during holidays. Such activities, on the contrary, contribute to the development of young children, their acquisition of useful skills and experience, and even their gradual maturation. According to the ILO definition, "child labor" is "work that deprives minors of their childhood, their abilities and their dignity, and that is harmful to their physical and mental development" [4].

Child labor includes work that is mentally, physically, socially, or morally dangerous and harmful to children; interferes with their education, or deprives them of the opportunity to attend school; forces them to leave school early or requires them to combine schooling with excessively long and arduous work outside of school. However, regardless of age, the number of cases of child labor is still not small. We can observe this trend based on statistical data developed by the International Labor Organization in 2022.

**Statistics:** Worldwide, a large number of children are involved in forced labor: 151.6 million children between the ages of 5 and 17. Just under half of them - 72.5 million - are involved in hazardous work that endangers their health, safety or moral development. Furthermore, based on statistical data, it can be seen that the percentage of boys involved in child labor (58 percent) is higher than that of girls (42 percent). In addition, the percentages related to the areas of activity in which minors are involved are also noted. The largest percentage of minors is in agriculture (70.9 percent), followed by the service sector (17.2 percent), and the lowest percentage is in industry (11.9 percent) [5].0

#### DISCUSSION AND RESULTS

Despite the high number of children involved in child labor, it is important to emphasize that child labor decreased significantly by 38 percent between 2006 and 2022. This indicator undoubtedly indicates the correct action of bodies and organizations on the issue of child labor, but the numbers are still high, which encourages the use of more effective measures to solve this problem.

Most countries have adopted legislation based on standards developed by the ILO to prohibit or severely restrict child labor. However, despite these efforts, child labor remains widespread. In our opinion, to solve this problem, along with legislative measures, which are, of course, the most important, it is necessary to attract public attention.

First, society itself must recognize the existence of the problem of child labor, because in most cases, society and individuals perceive child labor as an additional source of income for the family or as income for the child's own personal needs, or as preparation for future adulthood, life, skills and experience. Thus, in order to eliminate this problem, the legal system of all states should be aimed at optimizing the legal regulation of the labor of minors, at creating a mechanism for the introduction of such labor standards. The relevance of the problem we are considering is obvious and, most likely, will remain in the near future. It should also be emphasized that one of the increasingly strong trends in modern society is the use of child labor. All changes in national legislation, international documents, and measures in the field of labor law are aimed at "prohibiting the use of minors in forced labor," but practice shows that the labor of minors has not been completely eliminated. While this is difficult to achieve in modern society, it is made easier for several reasons: first, work is a form of expression of a person's individuality, and second, in many countries, child labor is often an economic necessity [2].

**For example,** the Republic of Uzbekistan ratified the Worst Forms of Child Labor Convention, 1999 (No. 182), on April 8, 2008, and the Young Workers Convention, 1973 (No. 138), on April 4, 2008. These Conventions, the Labor Code of the Republic of Uzbekistan, and the laws and resolutions of our government serve to protect the rights of minors in our country. According to Article 77 of the Labor Code of the Republic of Uzbekistan, a minor, that is, a person who has not reached the age of 18, is allowed to start working from the age of 16. In addition, minors who have reached the age of 15 are also allowed to work. When: – students of general education schools, secondary specialized, vocational schools who have reached the age of 15 with the written consent of one of their parents or one of the persons replacing the parents, that is, a guardian or sponsor; – it is permissible to employ young people in light work that does not harm their health, moral and ethical development, and does not disrupt the educational process, in order to enable them to perform such work in their free time [1].

These rules are also set out in the International Labour Organization's Convention No. 138 concerning the Minimum Age [3]. Minors may not be employed in all types of work. In accordance with Article 241 of the Labor Code, it is prohibited to use the labor of persons under the age of 18 in work with unfavorable working conditions that may harm the health and safety and morals of this category of employees. Work in working conditions that are harmful to health and safety: - performed underground, underwater, at dangerous heights or in confined spaces; -

associated with dangerous mechanisms, tools and equipment; - in harmful conditions that can cause harm to the health of minors due to the influence of dangerous objects or processes, high levels of temperature, noise or vibration; – performed under difficult labor conditions.

Work in immoral working conditions: - nightclubs; - shops selling alcoholic beverages, tobacco products and other places [1]. Forced or compulsory labor, as defined in ILO Convention No. 182 on the Worst Forms of Child Labor, includes the use of a child to produce or participate in pornographic products, the use of a child to produce or sell drugs, the recruitment or solicitation of a child, and At the same time, in accordance with the Law of the Republic of Uzbekistan on Administrative Responsibility and the amendments made to the Criminal Codes of the Republic of Uzbekistan, it was established that a person who administratively forces a minor to work in any way shall be held directly criminally liable. In the event of a repeated violation after the imposition of an administrative penalty, criminal liability was established. The employer's involvement in forced labor of minors directly leads to criminal liability.

**Conclusion.** Therefore, close cooperation between States, law enforcement agencies, various organizations and services dealing with children's rights, as well as the entire society, is of paramount importance, since this problem is global. Their active cooperation in the future will help reduce the level of child labor. In addition, to solve this problem, it is necessary to create an effective mechanism for the implementation of the rights of minors in the labor sphere, and to take legal awareness measures. It is necessary to inform school staff, children, parents and employers about the consequences of the existence of this problem. In this way, the level of legal literacy of the population will increase. At the same time, it is necessary to continue working on the mechanism of employer liability measures. We must also remember that respecting the rights of minors is one of the main priorities of any state social policy.

#### REFERENCES USED

1. [Mehnat.uz/uz/news/voyaga-etmagan-shahsning-ishlashi-qonuniymi-talablarimtiezlar-vazhavobgarlik-masalasi](http://mehnat.uz/uz/news/voyaga-etmagan-shahsning-ishlashi-qonuniymi-talablarimtiezlar-vazhavobgarlik-masalasi)
2. Хамматова Э. Н., Гафиатуллина О. А. История развития прав детей, реализация этих прав в мире. – Казань: Библиосфера. 2020.
3. Bolalar mehnati nima? – UNICEF: <http://www.ilo.org/ipecc/facts/lang--en/index.htm>
4. <https://lex.uz/docs/-2396822> [Xalqaro mehnat tashkiloti (XMT)ning O‘zbekiston Respublikasi tomonidan ratifikatsiya qilingan Konvensiyalarini 2014 — 2016-yillarda amalga oshirishga doir qo‘shimcha chora-tadbirlar to‘g‘risida]
5. Rahimjonov, A. (2022). KO ‘CHMAS MULK SOTILGANDA YER UCHASTKASIGA BO ‘LGAN HUQUQNING YURIDIK TAQDIRINI BELGILASH. *Oriental renaissance: Innovative, educational, natural and social sciences*, 2(1), 421-429.
6. Rakhimjonov, A. (2021). Increasing Civil Liability For Violation Of Rights To Real Estate. *The American Journal of Political Science Law and Criminology*, 3(04), 205-212.
7. Раҳимжонов, А. Б. Ў. (2022). Кўчмас мулкни сотиш шартномасининг ўзига хос хусусиятлари. *Oriental renaissance: Innovative, educational, natural and social sciences*, 2(5-2), 1041-1049.



8. Рахимжонов, А. (2022). СОВЕРШЕНСТВОВАНИЕ ГРАЖДАНСКОПРАВОВОЙ ОСНОВЫ КУПЛИ-ПРОДАЖИ ЖИЛЬЯ. Academic research in educational sciences, 3(1), 632-638.

9. Zamonaviy qullik va bolalar mehnatini global baholash 2022 [Elektron resurs]. <http://www.alliance.org/2022ge/childlabour#!section>