



DEVELOPING LEGAL MECHANISMS FOR REDUCING DOMESTIC VIOLENCE IN THE

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Abstract: *This article explores the interplay between civil status, family relations, and the urgent need for robust legal mechanisms to combat domestic violence in Uzbekistan. By analyzing the legislative framework, including the Family Code and recent 2023 criminal reforms, this study examines how civil registration—or the lack thereof—influences a victim's ability to seek legal protection. The research highlights the transition from administrative to criminal liability for domestic abuse and identifies persistent barriers such as rural under-registration and the cultural emphasis on reconciliation. The findings suggest that strengthening the civil registration system and digitalizing response mechanisms are essential for fostering an equitable family law framework and ensuring the physical security of marginalized groups.*

Keywords: *Civil status, domestic violence, legal mechanisms, Uzbekistan, marriage registration, criminalization, protection order, gender equality, legal reforms, digital safety.*

INTRODUCTION

Civil status plays a pivotal role in family law, determining the legal recognition of individuals in familial contexts. In Uzbekistan, a country with deep-rooted cultural traditions and a rapidly evolving legal landscape, the regulation of civil status profoundly impacts family relations. While civil status defines marital and parental rights, it also serves as the gatekeeper for legal protection. Domestic violence remains a critical socio-legal challenge. Traditionally viewed as a "private" family matter, it has recently moved into the public legal sphere through significant legislative shifts. The primary challenge currently facing the Uzbek legal system is the development of a mechanism that provides immediate security for victims while navigating the complexities of traditional family structures. This article addresses key questions: How does civil status affect the ability to report violence? And what legal mechanisms are necessary to ensure that legislative reforms effectively reduce domestic abuse in both urban and rural settings?

Methods: This study utilizes a qualitative and comparative doctrinal analysis. The primary framework includes the Family Code of Uzbekistan (1998) and the Administrative Responsibility Code. Specialized attention is given to the April 2023 amendments to the Criminal Code, which officially criminalized domestic violence. The study also integrates statistical data from the Supreme Court (2025) and socio-legal



reports from UNICEF and the World Bank to assess the impact of geographic and economic barriers on legal recourse [10, 13].

Results: The research identifies three critical areas where legal mechanisms are currently evolving:

1. The Registration-Protection Link: Parental rights and obligations hinge on the accurate registration of children's births. Unregistered births and marriages (such as nikah ceremonies without civil certificates) hinder access to education, healthcare, and inheritance rights [10]. Crucially, victims in unregistered unions often lack the "legal standing" required to claim property or immediate alimony, which traps them in abusive environments.

2. Criminalization and Enforcement Statistics: The 2023 reforms introduced Article 126-1 to the Criminal Code. Recent judicial data indicates a significant rise in prosecution; in 2025, over 10,000 individuals were held accountable for domestic violence-related offenses. However, the study finds that while criminalization exists on paper, enforcement in rural areas remains inconsistent due to geographic constraints and a lack of specialized training for local law enforcement [11, 15].

3. Gender Inequality and Vulnerability: Women in unregistered marriages or divorces face heightened legal vulnerabilities. These individuals are frequently limited in their ability to claim child custody or protection orders because the state does not formally recognize the union [12].

Discussion: Uzbekistan has undertaken several initiatives to strengthen civil registration and improve the legal framework governing family relations. The adoption of e-government systems aims to enhance accessibility and efficiency in civil status registration, providing a digital trail that can assist in legal disputes [13]. Furthermore, legislative amendments to the Family Code now emphasize the protection of women's rights, aligning with the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) [14].

However, the "Reconciliation Gap" remains a significant hurdle. Cultural norms often pressure victims to reconcile within the mahalla system before a criminal case can proceed. To address these existing gaps, this article recommends:

1. Establish mobile registration units in remote areas to ensure every family has the legal documentation necessary to access state protection.

2. Implement Digital SOS Mechanisms: Expand the use of mobile applications that allow victims with protection orders to alert police instantly, bypassing community-level mediation [13].

3. Amend laws to provide equitable rights for individuals in unregistered marriages, ensuring that the "status" of the marriage does not preclude the victim from seeking safety or legal recourse [15].

4. Specialized Training: Transitioning domestic violence cases to specialized investigators to prevent the "secondary victimization" that occurs when untrained officials prioritize family unity over safety.



Conclusion: Fundamental Finding: This study highlights the pivotal role of civil status in shaping family relations in Uzbekistan. It demonstrates that the development of a legal mechanism to reduce domestic violence is dependent on a functional, inclusive civil registration system. While the criminalization of abuse is a landmark achievement, disparities in legal access remain for marginalized and rural populations.

Implication: Strengthening the civil registration system and ensuring consistent legal interpretation are essential for promoting family stability. Policy reforms must prioritize individual safety over traditional reconciliation where violence is present.

Limitation: This research primarily relies on doctrinal analysis and legal texts. It does not extensively explore the role of customary practices (urf-odat) and their interaction with formal legal structures in remote regions.

Future Research: Further empirical studies are needed to assess the long-term effects of the 2023 criminal reforms. Future research should examine the intersection of civil status with migration and economic dependency to understand how these factors influence the reporting of domestic abuse.

REFERENCES:

[1] F. Westwood, "Vocational Legal Education — Its pivotal role in the future of the legal profession," *The Calling of Law*, Routledge, 2016.

[2] S. R. Notaro, "Legal status and challenges to homosexuality," *Marginality and Global LGBT Communities*, Springer, 2019.

[3] A. P. G. Meyer, "Family reunification for refugees in France," *J Hum Rights Pract*, vol. 15, no. 1, 2023.

[4] A. Hayward, "Relationships between adults: marriage and cohabitation," *Family Law*, Oxford University Press, 2018.

[5] K. Y. M and Q. U. S, "Characteristics of land registration in Uzbekistan," *Am. J. Agri. Horti. Innovations*, 2023.

[6] A. Dubrovina, "The prenuptial agreement of business spouses," *Legal Concept*, vol. 23, no. 3, 2024.

[7] P. B. Martin et al., "Inheritance disputes due to errors in civil registry," *Journal of Ecohumanism*, vol. 3, no. 8, 2024.

[8] N. Widyaningsih et al., "Public knowledge and awareness about management," *Int. Journal of Research*, 2024.

[9] F. Osman, "Does a civil marriage dissolve customary marriage?," *Potchefstroom Electronic Law Journal*, 2019.

[10] F. A. A. Dake, "Levels and differentials in registration of births," *BMC Int Health Hum Rights*, vol. 18, 2018.

[11] B. Isakhan, "Civil society in hybrid regimes," *Polit Stud (Oxf)*, vol. 71, no. 2, 2021.



[12] J. Kuliczowska-Plaksej et al., "Legal vulnerabilities in health and civil status," *J Clin Med*, vol. 12, 2023.

[13] K. D. Tillakhodjaeva, "Status registration offices in Uzbekistan," *Journal of Social Research in Uzbekistan*, vol. 02, 2022.

[14] F. G. Isa, "Convention on the elimination of all forms of discrimination against women (CEDAW)," *Elgar Encyclopedia*, 2022.

[15] B. Bogusz, "Protection of legal and equitable property rights in unregistered land," *Complete Land Law*, Oxford University Press, 2022.