



LEGAL PROTECTION OF WOMEN OF THE REPUBLIC OF UZBEKISTAN FROM DIGITAL VIOLENCE

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Abstract: *This article is devoted to the analysis of the effectiveness of the national legislation of the Republic of Uzbekistan in the field of protecting women from digital (virtual) violence and cyberbullying. The work uses comparative legal, formal legal and doctrinal methods, as well as the method of legal modeling. An analysis was carried out of the Law of the Republic of Uzbekistan "On the Protection of Women from Oppression and Violence" (2019), the Criminal Code and other regulatory acts in comparison with international standards, including the Convention on the Elimination of All Forms of Discrimination against Women (1979) and General Recommendation No. 35 of the CEDAW Committee. Special attention is paid to a comparative analysis of the approaches of the United Kingdom and Kazakhstan. Based on the conducted research, specific amendments to the criminal and administrative legislation of the Republic of Uzbekistan are proposed, aimed at effectively countering digital violence.*

Keywords: *digital violence, cyberstalking, discrimination, protection order, CEDAW, criminal law of Uzbekistan, information security.*

Annotation: *This article analyzes the effectiveness of and identifies gaps within the national legislation of the Republic of Uzbekistan in the field of protecting women from digital (virtual) violence and cyberbullying. The study employs comparative legal analysis, doctrinal interpretation, formal-legal method, and legal modeling. Particular attention is paid to comparing the current legislation --- including the Law of the Republic of Uzbekistan "On the Protection of Women from Oppression and Violence" (2019) --- with international standards, primarily the Convention on the Elimination of All Forms of Discrimination against Women (1979) and CEDAW Committee General Recommendation No. 35. A comparative analysis of the approaches of the United Kingdom and Kazakhstan is carried out. Based on the findings, specific amendments to the criminal and administrative legislation of the Republic of Uzbekistan are proposed to effectively counter digital violence.*

Keywords: *digital violence, cyberstalking, discrimination, protection order, CEDAW, criminal law of Uzbekistan, information security.*



Issues of combating violence against women are considered within the framework of the broader task of eliminating social injustice and inequality. This topic continues to be extremely relevant, is recognized as a global threat to human rights, and is regularly included in the agenda of UN structural bodies and international conferences.

The main international norms in this area are enshrined in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979)[1], ratified by the Republic of Uzbekistan. The UN Declaration on the Elimination of Violence against Women (1993)[2] obliges states to take measures to eliminate discrimination and ensure equality for women in the physical and social spheres. Of particular importance for this study is General Recommendation No. 35 of the Committee on the Elimination of Discrimination against Women (2017), updating the previous Recommendation No. 19. This document, for the first time at such a high level, conceptualizes the problem of digital violence: the Committee confirms that gender-based violence manifests itself in a "continuum of multiple, interrelated, and recurring forms" in various settings, including the technology-mediated environment. Recommendation No. 35 directly states that the development of information and communication technologies has given rise to "new and unprecedented" forms of

violence against women, such as cyberstalking, non-consensual dissemination of intimate images, and technology-enabled control.

Thus, international standards oblige states to adapt legislation to effectively protect women from new threats arising from technological development. Ignoring digital violence or attempting to qualify it under outdated norms no longer complies with international obligations.

I would like to outline the scientific novelty of the work as follows:

1. For the first time in Uzbek legal doctrine, a comprehensive comparative legal analysis of the British and Kazakhstani approaches to the criminalization of digital violence has been conducted, taking into account the specifics of the national legal system.

2. The author proposes a classification of forms of digital violence applicable to the legislation of Uzbekistan, including systematic cyberstalking (stalking) and the dissemination of intimate materials without consent ("revenge porn").

3. Systemic contradictions between Articles 141 and 141³ of the Criminal Code of the Republic of Uzbekistan have been identified and the necessity of their separate regulation is substantiated, as well as the insufficiency of existing norms for qualifying digital violence, including regarding the legality of the initial acquisition of materials.

This article employed the following methods: comparative legal, formal legal, doctrinal interpretation, as



well as the method of legal modeling. The comparative legal method was used to analyze the legislation of the United Kingdom and Kazakhstan. The choice of the United Kingdom is due to the fact that this country has a developed system of case law and advanced legislation on cyberstalking (Protection from Harassment Act 1997, Criminal Justice and Courts Act 2015). The choice of Kazakhstan is explained by its belonging to the post-Soviet legal family, the presence of a similar legal tradition, as well as recent reforms (the introduction in 2025 of Article 115-1 "Stalking" into the Criminal Code of the Republic of Kazakhstan). The legal modeling method was used to substantiate the proposed amendments to the Criminal Code of the Republic of Uzbekistan and to show the interaction of the new norms with existing ones.

This study has limitations: it does not cover the analysis of law enforcement practice in full due to limited access to judicial acts, which may be the subject of further research.

Considering the relevance of the work, it should be noted that it is reinforced by specific high-profile cases of digital violence in Uzbekistan, which have gained public resonance and demonstrated the insufficiency of existing mechanisms. For instance, social media and the media have repeatedly highlighted situations where women faced threats of dissemination of intimate materials, and law enforcement agencies could not hold the perpetrators

accountable due to the absence of necessary criminal offenses.

The research conducted by the author also aligns with state programs: the National Strategy for Achieving Gender Equality until 2030, the "Uzbekistan -- 2030" Strategy, as well as with the recommendations received by Uzbekistan within the framework of the UN Universal Periodic Review (UPR). In 2023--2025, Uzbekistan has seen an increase in women's appeals to law enforcement agencies regarding instances of digital violence, which confirms the need for urgent legislative response.

The adoption of the Law "On the Protection of Women from Oppression and Violence" (new version of 2023)[3] was an important step in strengthening the national legal framework. The law introduced protection tools such as protection orders and created a basis for preventive work. However, the provisions of the legislation, developed before the mass spread of digital technologies, require clarification, especially regarding the issuance of protection orders (Article 11), to effectively protect women from cyberstalking and technological surveillance.

The legal qualification of digital violence must begin with its recognition as a form of sex-based discrimination, which follows from Article 1 of the CEDAW Convention[1] and is confirmed by General Recommendations No. 19 and No. 35. In the absence of effective legal response, as well as with the insufficient qualification of these acts



in the Criminal Code of the Republic of Uzbekistan, such acts remain without due punishment, which contradicts the state's obligations under Article 5 of the Convention.

Despite the government's declared course towards strengthening the protection of women's rights, the current Criminal Code demonstrates significant gaps in the legal regulation of threats related to the use of ICT. The main norms were developed before digital forms of aggression became widespread and do not account for their specifics.

In practice, law enforcement agencies often attempt to qualify cases of cyberstalking under Articles 139 (Defamation) and 140 (Insult) of the Criminal Code of the Republic of Uzbekistan. However, this approach is not sufficiently effective for the following reasons:

1. Lack of consideration for the systematic nature of actions. Articles 139 and 140 are oriented towards individual acts, whereas digital harassment is systematic in nature.

2. Difficulties with evidence. To bring to justice, it is necessary to confirm each individual act, which makes the process extremely difficult.

3. Violation of the right to privacy and issues of "revenge porn." The dissemination of intimate images or constant surveillance of private life through digital technologies is not fully covered by existing norms.

The main article theoretically applicable to the dissemination of

intimate materials without consent is Article 141 of the Criminal Code of the Republic of Uzbekistan ("Violation of Privacy"). However, in the context of digital violence, its application faces serious difficulties. The key obstacle is the legality of the initial acquisition of materials. If an intimate photo or video was voluntarily shared during a relationship, formally there is no *corpus delicti* of illegal collection of information (Article 141). This creates a legal vacuum, leaving victims without protection.

In 2022, the Law "On Cybersecurity"[4] was adopted, but its main focus is on protecting information systems and critical infrastructure, rather than on the individual protection of citizens from digital aggression. The norms of the law do not cover cases of harassment of private individuals in conflicts between former partners or family members.

The author conducted a comparative analysis of the experience of the United Kingdom and Kazakhstan.

United Kingdom. The Protection from Harassment Act 1997[5] defines cyberstalking as a "course of conduct" that is systematic in nature. The focus is on the cumulative effect of actions: repeated calls, messages, social media posts, even if they formally do not contain threats, are recognized as a crime if they cause the victim alarm or distress. The issue of "revenge porn" was addressed through the Criminal Justice and Courts Act 2015 (s. 33)[6], which



introduced a separate offense focused not on the legality of obtaining the material, but on the intent to cause distress.

Republic of Kazakhstan. In 2025, Article 115-1 "Stalking" was introduced into the Criminal Code of the Republic of Kazakhstan, defining stalking as "unlawful harassment of a person, expressed in actions aimed at establishing contact and/or stalking a person against their will, not involving violence, resulting in significant harm." Liability is established for the very fact of systematic harassment (including digital). Simultaneously, administrative liability for bullying and cyberbullying of minors was introduced (Article 127-2 of the Administrative Offenses Code of the Republic of Kazakhstan). The Kazakhstani approach is valuable because it criminalizes systematic harassment as an independent act, differentiates responsibility, and recognizes the digital environment as a space for committing offenses.

There is no consensus in the scientific and expert community on ways to counter digital violence. Some researchers hold the position that introducing new offenses is unnecessary, and that existing norms (Articles 139, 140, 141³ of the Criminal Code of the Republic of Uzbekistan) can be effective after their targeted refinement and adjustment of law enforcement practice. Arguments include: the principle of economy of criminal repression, the universality of existing articles, and the risk of fragmentation of legislation.

However, in the author's opinion, this position does not take into account key circumstances. The experience of the United Kingdom and Kazakhstan shows that it is specialized offenses that allow for the creation of an effective protection mechanism. The criminalization of the very fact of systematic harassment (course of conduct) is impossible within the framework of Articles 139 and 140 of the Criminal Code of the Republic of Uzbekistan, which are oriented towards individual acts. The issue of "revenge porn" requires a special offense focusing on the intent to cause distress, rather than on the method of obtaining the material. The current Article 141³ of the Criminal Code of the Republic of Uzbekistan does not fully solve this problem, as it requires proof of a threat, which is not always possible with voluntary past transfer of materials.

The Kazakhstani experience demonstrates that post-Soviet legal systems are also arriving at the necessity of identifying specialized offenses. The introduction of Article 115-1 "Stalking" is a systemic solution, not a cosmetic refinement.

Thus, refining existing norms without introducing new offenses is incapable of fully solving the problem. The introduction of specialized norms that consider systematicity, the use of technology as a tool for causing harm, and intent to humiliate and cause distress is a necessary measure to fulfill international obligations and ensure real



protection for women in the digital environment.

An important element in countering digital violence is the activity of non-governmental organizations in Uzbekistan in monitoring and countering such phenomena, as well as their role in promoting legislative changes. NGOs conduct educational work, provide legal assistance to victims, and collect data on the scale of the problem.

Equally significant is the improvement of digital literacy for both women and law enforcement officers. Women should know how to protect their data and behave safely online, while police officers and judges should understand the specifics of digital evidence and modern forms of harassment. These measures should become part of a comprehensive prevention of digital violence.

Based on the analysis, the following measures are proposed:

1. Introduction of specialized criminal offenses into the Criminal Code of the Republic of Uzbekistan:

1.1 supplement the Criminal Code with an article establishing liability for systematic cyberstalking (stalking), defined as a "course of conduct carried out using information and communication technologies, aimed at establishing contact or stalking a person against their will, if this caused the victim fear for their safety or caused significant harm to their rights and legitimate interests" (by analogy with the British Protection from

Harassment Act 1997 and the Kazakhstani Article 115-1);

1.2 restate Article 141³ of the Criminal Code of the Republic of Uzbekistan in a new version, establishing liability for the dissemination of intimate images or other information about private life without the consent of the person, if this act is committed with the intent to cause harm, regardless of the method of obtaining such materials (by analogy with Article 33 of the Criminal Justice and Courts Act 2015).

2 Expanding the scope of the protection order: amend the Law "On the Protection of Women from Oppression and Violence" by supplementing Article 11 with a provision on a "digital ban", which includes:

2.1 a ban on any online communication via social networks, messengers, and email;

2.2 the obligation to delete all intimate materials concerning the victim;

2.3 the possibility of restricting the violator's access to certain internet resources.

3. Harmonization of national legislation with international standards: establish in legislation the definition of digital violence as a form of gender discrimination, corresponding to CEDAW General Recommendation No. 35.

4. Development of practical instructions for law enforcement agencies: prepare methodological recommendations for the police, prosecutor's office, and judicial bodies on



the qualification and investigation of crimes committed using ICT, including the specifics of collecting and securing digital evidence, interaction with providers, and international cooperation.

Based on the above, the following conclusions can be drawn:

1. The national legislation of the Republic of Uzbekistan in the field of protecting women from digital violence has significant gaps. The current norms of the Criminal Code of the Republic of Uzbekistan (Articles 139, 140, 141, 141³) do not allow for the full qualification of systematic cyberstalking and the dissemination of intimate materials without consent, especially in cases where such materials were obtained legally.

2. A comparative legal analysis of the experience of the United Kingdom and Kazakhstan shows that effective counteraction to digital violence requires the introduction of specialized criminal

offenses: criminalization of systematic harassment (stalking) as an independent act and establishing liability for the dissemination of intimate materials without consent, focusing on the intent to cause distress.

1. Preventive measures, including the expansion of protection orders to the digital environment ("digital ban"), increasing digital literacy, and the active participation of civil society, are necessary complements to criminal law mechanisms.

2. The implementation of the proposed changes will allow Uzbekistan to fulfill its international obligations under CEDAW, bring legislation into line with modern challenges, and ensure real protection for women from digital violence in both public and private spheres, including the technology-mediated environment.

List of used literature and normative legal acts

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1.2. Criminal Code of the Republic of Uzbekistan : dated September 22, 1994 No. 2012-XII : [adopted by the Law of the Republic of Uzbekistan] : with amendments and additions as of the date of access. -- Text : electronic // Lex.uz : [website]. -- URL: <https://www.lex.uz/acts/111457>

1.3. Code of the Republic of Uzbekistan on Administrative Liability : approved by the Law of the Republic of Uzbekistan dated September 22, 1994 No. 2015-XII : [adopted by the Supreme Council] : with amendments and additions as of the date of access. -- Text : electronic // Lex.uz : [website]. -- URL: <https://www.lex.uz/acts/97661>

1.4. On the Protection of Women from Oppression and Violence : Law of the Republic of Uzbekistan dated September 2, 2019 No. LRU-561 : [adopted by the



Legislative Chamber on August 13, 2019 : approved by the Senate on August 30, 2019] : as amended on April 12, 2023. -- Text : electronic // Lex.uz : [website]. -- URL: <https://lex.uz/docs/4494712?ONDATE=12.04.2023>

1.5. On Cybersecurity : Law of the Republic of Uzbekistan dated April 15, 2022 No. LRU-764. -- Text : electronic // Lex.uz : [website]. -- URL: <https://lex.uz/ru/docs/5960609>

2. International legal acts

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2.2. Declaration on the Elimination of Violence against Women : adopted by UN General Assembly resolution 48/104 of December 20, 1993. -- URL: https://www.un.org/ru/documents/decl_conv/declarations/violence.shtml

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3. Foreign legislation

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3.2. Criminal Justice and Courts Act 2015 (United Kingdom), Section 33. -- URL: <https://www.legislation.gov.uk/ukpga/2015/2/contents>

3.3. Criminal Code of the Republic of Kazakhstan : dated July 3, 2014 No. 226-V (with amendments and additions as of 2025). -- URL: <https://adilet.zan.kz/rus/docs/K1400000226>

3.4. Code of the Republic of Kazakhstan on Administrative Offenses : dated July 5, 2014 No. 235-V (with amendments and additions as of 2025). -- URL: <https://adilet.zan.kz/rus/docs/K1400000235>

4. Scientific and special literature

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4.4. UN Women Reports for Central Asia "Digital Violence against Women in the Region" (2024). -- URL: <https://eca.unwomen.org/>

4.5. Freedom House. Freedom on the Net 2024: Uzbekistan Country Report. -- URL: <https://freedomhouse.org/country/uzbekistan/freedom-net/2024>