

ANALYSIS OF INTERNATIONAL AND NATIONAL LEGISLATION ON SUPPORTING PERSONS WITH DISABILITIES

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Kholmurodov Gulom

Senior Lecturer, National University of Uzbekistan

Annotation

This article examines international documents adopted by global organizations, as well as the relevant laws and strategic programs of the Republic of Uzbekistan, within the framework of ensuring the rights and opportunities of persons with disabilities and promoting their full integration into society. The study scientifically analyzes their conceptual foundations, goals and objectives, as well as their social significance.

Keywords

inclusive approach, integration, social protection, universal design, reasonable accommodation, equal opportunities, social justice, social activity, adaptation process.

In the context of contemporary globalization, supporting persons with disabilities, ensuring their human dignity, and promoting their full integration into social life has become one of the key priorities of the international community. Within the system of international legal norms, the main documents developed in this field are aimed at guaranteeing the rights of persons with disabilities, protecting them from discrimination, and creating equal opportunities across all spheres of life.

Therefore, the primary responsibility for comprehensively supporting persons with disabilities, safeguarding their rights and interests, and ensuring their active participation in social life rests with states. One of the fundamental objectives of state policy is to guarantee that these individuals can live in an environment of equal opportunity through the development of inclusive education, employment, healthcare, and social service systems.

In this area, a number of important legal instruments have been developed by the international community, playing a significant role in strengthening the rights of persons with disabilities, ensuring their full integration into society, and protecting them from discrimination.

In particular, the Declaration on the Rights of Mentally Retarded Persons, adopted by the United Nations in 1971, recognizes persons with intellectual disabilities as full members of society, guarantees their right to access medical, social, and educational services, and calls for the elimination of all forms of discrimination against them [1]. The document also emphasizes the importance of human dignity, the right to live independently, and the need to expand opportunities for participation in employment.

The principles outlined above were further expanded in the Declaration on the Rights of Disabled Persons, adopted in 1975, which recognizes the human dignity, independence, and the right of persons with disabilities to participate freely in society [2]. This document places an obligation on states to ensure equal opportunities for persons with disabilities in the fields of social security, healthcare, rehabilitation, education, and employment.

Subsequently, this approach was systematized and strengthened through the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, adopted in 1993 [3]. According to these rules, states are required to take concrete measures to reduce factors leading to disability and to create equal opportunities for participation in education, employment, healthcare, and cultural life. This document established the main directions for implementing inclusive policies at the international level.

These legal foundations were further advanced in 2006 with the adoption of the Convention on the Rights of Persons with Disabilities [4]. This Convention represents one of the most important international legal mechanisms for protecting the rights of persons with disabilities and introduced key principles such as “reasonable accommodation” and “universal design.” It guarantees equal access for persons with disabilities to education, employment, healthcare, political participation, cultural life, and information, while obliging states to recognize disability as a human rights issue.

The concept of “reasonable accommodation” refers to necessary and appropriate modifications and adjustments that do not impose a disproportionate or undue burden, but ensure that persons with disabilities can enjoy and exercise their human rights and fundamental freedoms on an equal basis with others. This includes measures such as adapting workplaces, ensuring access to public buildings, and using specialized tools and resources in the educational process.

At the same time, the concept of “universal design” implies the creation of environments, products, programs, or services that are accessible and usable by all people, including persons with disabilities, without the need for additional adaptation or specialized design. The concept of universal design plays an

important role in ensuring inclusivity in social infrastructure, transportation, information and communication technologies, and the education system. At the same time, it does not exclude the use of assistive devices or technologies when necessary.

Thus, these international instruments have established a solid normative and legal foundation for recognizing the dignity of persons with disabilities, supporting them as active members of society, and ensuring their equal participation in all spheres of life.

In addition, a number of legal documents at the international level have been adopted to ensure the equal participation of persons with disabilities in economic and labor spheres. In particular, the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159) of the International Labour Organization is one of the most important normative instruments in this field [5]. This Convention requires states to expand opportunities for vocational training, retraining, employment, and job placement for persons with disabilities, to create appropriate working conditions for them, and to ensure non-discrimination. It also recognizes persons with disabilities as equal participants in the labor market and identifies their vocational rehabilitation as one of the key priorities of state policy.

At the same time, the European Union Disability Action Plan 2006–2015 also plays an important role in this field [6]. This program aimed to ensure the rights and freedoms of persons with disabilities and to promote the development of an inclusive society across Europe by facilitating their participation in education, employment, healthcare, and political life. Within the framework of this plan, European states were tasked with harmonizing disability-related policies based on common principles, improving accessibility of infrastructure, increasing access to information, and strengthening self-governance and civic engagement of persons with disabilities.

In the Republic of Uzbekistan, systematic reforms are also being implemented to support persons with disabilities, protect their rights and interests, and ensure their full participation in public life. In recent years, state policy in this area has been developed on the basis of human rights and inclusivity principles. In this regard, creating a modern and inclusive environment for persons with disabilities, improving social protection mechanisms, and expanding opportunities for education, vocational training, and active participation in the labor market have been defined as priority directions.

The Decree of the President of the Republic of Uzbekistan No. PF-4947 “On the Strategy of Actions for the Further Development of the Republic of Uzbekistan,” adopted on 7 February 2017, marked a new stage in the country’s

social policy. Within the framework of this strategy, supporting socially vulnerable groups of the population, in particular persons with disabilities, was defined as one of the priority directions of state policy [7].

The Strategy envisages comprehensive measures aimed at the full realization of the human rights and freedoms of persons with disabilities, ensuring their equal access to education, healthcare, employment, and social infrastructure, as well as eliminating discrimination and promoting the development of an inclusive society. As a result of this strategic approach, the creation of an accessible environment for persons with disabilities, increasing their social activity, and ensuring their employment have become an integral part of state policy.

In order to ensure the step-by-step implementation of the above-mentioned strategic objectives, the Resolution of the President of the Republic of Uzbekistan “On Measures to Radically Improve the System of State Support for Persons with Disabilities” was adopted on 1 December 2017 [8]. This document set out a comprehensive set of measures aimed at modernizing the system of medical, social, and vocational rehabilitation of persons with disabilities, upgrading prosthetic and orthopedic services, and improving their quality of life.

On the basis of this resolution, mechanisms were developed to strengthen the material and technical infrastructure of rehabilitation institutions, introduce modern prosthetic and orthopedic technologies, and expand services that support the return of persons with disabilities to a healthy and active lifestyle.

The Decree of the President of the Republic of Uzbekistan adopted on 13 October 2020, “On Measures to Radically Improve the System of State Support for Persons with Disabilities,” marked an important stage in this field [9]. The decree established an institutional framework aimed at fully ensuring the rights of persons with disabilities, gradually introducing inclusive education, training special pedagogical personnel, and expanding opportunities for social adaptation and employment.

On 15 October 2020, one of the key legal acts of the Republic of Uzbekistan, the Law “On the Rights of Persons with Disabilities,” was adopted. This law interprets disability not from a medical perspective, but through a social model approach, and guarantees the human dignity of persons with disabilities as well as their rights to equal participation in education, employment, healthcare, and social life [10]. The law also promotes the idea of strengthening society’s social responsibility towards disability issues.

The adoption on 7 June 2021 of the Law of the Republic of Uzbekistan “On Ratification of the Convention on the Rights of Persons with Disabilities (New York, 13 December 2006)” marked an important step toward aligning the national

system for protecting the rights of persons with disabilities with international standards [11]. Through this document, Uzbekistan assumed obligations to implement the provisions of the United Nations Convention on the Rights of Persons with Disabilities.

As a result of the ratification, the principles of “reasonable accommodation” (i.e., the provision of necessary adjustments to ensure equal opportunities for persons with disabilities) and “universal design” (i.e., designing environments and services that can be used by all individuals, including persons with disabilities) were incorporated into national legislation.

This, in turn, legally consolidated the principle of addressing disability not only from a medical perspective, but also as a human rights issue. The law created a broad legal basis for comprehensive reforms aimed at ensuring the full participation of persons with disabilities in public life, their access to education, employment, infrastructure, and equal rights in the process of social integration.

In order to ensure the consistency of state policy, the objectives set out in the Presidential Decree of the Republic of Uzbekistan “On the Development Strategy of New Uzbekistan for 2022–2026,” adopted in 2022, served as a strong conceptual foundation for subsequent policy documents [12]. This strategy places priority on the human factor in the country’s socio-economic development and defines ensuring the rights and interests of persons with disabilities, their full inclusion in society, and the promotion of social equality as one of its key directions.

The strategy also outlines tasks such as systematically developing policies for supporting persons with disabilities, increasing their social activity, ensuring equal opportunities in the labor market, widely implementing inclusive education, and introducing modern technologies in healthcare and rehabilitation services.

In addition, the Strategy highlights the importance of expanding the participation of persons with disabilities in the activities of self-governing bodies, non-governmental non-profit organizations, and civil society institutions, as well as supporting their initiatives and strengthening mechanisms of social partnership. In this way, the Development Strategy created a comprehensive conceptual framework aimed not only at social protection of persons with disabilities, but also at ensuring their active participation as independent actors in economic, cultural, and political life.

In order to implement the priority directions defined in this Strategy, the Resolution of the President of the Republic of Uzbekistan No. PQ-74 “On Additional Measures to Improve the System of Support for Persons with Disabilities,” adopted on 27 February 2023, was introduced [13]. This resolution

served as a logical continuation of the Development Strategy, bringing disability support policies into a practical implementation stage.

The resolution sets out a comprehensive set of measures, including the establishment of new rehabilitation centers, increasing employment opportunities, expanding social services at the local level, and improving the accessibility of infrastructure.

In addition, extensive information and awareness-raising activities have been launched to strengthen cooperation between state bodies, local self-governing institutions, and civil society organizations, increase public awareness of disability issues, and eliminate discrimination. At the same time, measures such as the quota system for ensuring the employment of persons with disabilities in the labor market, support for social enterprises, and the creation of specialized workplaces are being actively implemented.

In conclusion, it can be stated that today in the Republic of Uzbekistan, supporting persons with disabilities and protecting their rights and interests has become one of the priority directions of state policy. The laws, strategies, state programs, and social initiatives adopted in recent years in this field are being implemented on the basis of a systematic approach. The main goal of these efforts is to improve the quality of life of persons with disabilities, ensure their full integration into society, and create the necessary conditions for the realization of their potential and capabilities.

The development of the inclusive education system is ensuring equal learning opportunities for children and young people with disabilities and creating a solid foundation for their intellectual and professional development. At the same time, the expansion of opportunities in the labor market, the introduction of special quotas for persons with disabilities within employment programs, and the development of vocational rehabilitation systems are contributing to their economic independence [14].

The activities of rehabilitation centers, modern medical and psychological approaches, and the introduction of “digital rehabilitation” systems play an important role in strengthening the health of persons with disabilities and ensuring their active participation in society.

In addition, the expansion of territorial social service networks, the creation of barrier-free environments in public spaces, and measures to adapt transport and infrastructure are aimed at ensuring the free mobility and increasing the social activity of persons with disabilities in their daily lives. Alongside state bodies, non-governmental non-profit organizations, mahalla citizens’ assemblies, and civil society institutions are also actively participating in this process.

Thus, the consistent policy of the Republic of Uzbekistan in supporting persons with disabilities is manifested not only as strengthened social protection, but also as a practical expression of human rights, equality, and justice principles. This process has marked a new stage in the socio-political life of the country based on humanistic values and has become a practical realization of the key principle of New Uzbekistan – “no one is left behind”.

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