



SOCIAL PROTECTION SYSTEM FOR PERSONS WITH DISABILITIES IN UZBEKISTAN

Ismailov Shuxrat Atamurodovich

*Doctoral student of National University of Uzbekistan
named after Mirzo Ulugbek*

Annotation. *This paper explores the current state and development of the social protection system for persons with disabilities in Uzbekistan. It provides an overview of legislative frameworks, institutional mechanisms, and state programs aimed at ensuring the rights, inclusion, and well-being of people with disabilities. The study highlights both progress and ongoing challenges in aligning national policy with international standards, particularly the UN Convention on the Rights of Persons with Disabilities. Special attention is given to social services, employment opportunities, accessibility, and support measures for inclusive education. The paper concludes with recommendations to enhance the efficiency and inclusivity of the existing social protection mechanisms.*

Keywords: *disability, social protection, inclusion, Uzbekistan, disability rights, accessibility, employment, UN CRPD, social policy, persons with disabilities*

Introduction. In Uzbekistan, great attention is paid to protecting the legal rights and interests of persons with disabilities. In this process, it can be seen that many decrees and resolutions have been adopted by the President and Government of the Republic of Uzbekistan. The basis of these adopted regulatory legal documents is the integration of persons with disabilities into society, creating conditions for them on the same basis as all members of society. An example of this is the Law on the Rights of Persons with Disabilities adopted in 2020, as well as the ratification of the UN Convention on the Rights of Persons with Disabilities. The problem of disability is at the center of research in a number of social sciences.

At the current stage of social development, large-scale reforms are being implemented to implement the rights of persons with disabilities. On the basis of the reforms being implemented, determining the socio-legal status of persons with disabilities and thereby increasing the effectiveness of measures taken in this area is becoming one of the urgent issues of today. In this sense, it is appropriate to analyze the issue of the socio-legal status of persons with disabilities from a socio-





legal perspective. The legal status of persons with disabilities or persons with disabilities is understood as the legal criterion for exercising, changing or canceling their rights on the basis of legal principles, independently or through their legal representatives, using legal guarantees, as well as fulfilling their legal obligations. The legal status of persons with disabilities includes a number of elements such as “the rights, freedoms, legitimate interests, legal principles, legal guarantees and their obligations of persons in need of special attention”.

At the new stage of development of Uzbekistan, the protection of the rights and interests of persons with disabilities is the most important issue. Today, about 800 thousand persons with disabilities live in our republic. In this regard, in recent years, in our country, special attention has been paid to supporting the population in need of social protection, raising it to the level of state policy. In this regard, the President of the Republic of Uzbekistan Shavkat Mirziyoyev’s “New Uzbekistan Development Strategy will usher in a new stage of our national development. From now on, we will organize our activities on the basis of the new principle of “man - society - state”, and the life-giving idea of “human dignity and his interests” is reflected in the conceptual ideas of all ongoing reforms. Based on this, a new legal system has been created to protect the rights and interests of persons with disabilities, among the large-scale reforms being carried out in our country. On the basis of this system, the rights and interests of persons with disabilities have been defined. In their content, disability was defined not as a social protection or medical problem, but primarily as a human rights problem. In particular, taking into account the fact that the population of our republic consists of more than 100,000 children with disabilities under the age of 16, privileges have been created for them to receive education, acquire a profession and find a place in independent life. They are defined in the following legal documents:

First, the Decree of the President of the Republic of Uzbekistan “On measures to radically improve the system of state support for persons with disabilities” dated December 1, 2017 was adopted. The uniqueness of this Decree is that it establishes “the prohibition of discrimination on the basis of disability, ensuring equal conditions for the realization of the rights, freedoms and legitimate interests of persons with disabilities and the inevitability of liability for their violation”. In addition, the decree approved the program “Comprehensive measures to further improve the system of support for persons with disabilities and strengthen guarantees for the protection of their rights and freedoms.” This program introduced an additional two percent quota for persons with disabilities from





the total number of applicants for admission to higher educational institutions starting from the 2018/2019 academic year. This task was set for higher education institutions to form an additional two percent quota for persons with disabilities in our country. It was also determined that the category of admission of persons with disabilities to higher education institutions on the basis of an additional quota includes persons who have a document confirming graduation from a general secondary education institution or a secondary specialized, vocational education institution and a certificate of disability of groups I and II issued in the prescribed manner.

Secondly, the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan dated June 2, 2018 approved the Regulation “On the Procedure for Admission of Persons with Disabilities to Higher Educational Institutions on the Basis of Additional State Grant Quotas”. This Regulation establishes the procedure for admission of persons with disabilities to higher educational institutions on the basis of additional state grant quotas. In addition, the category of admission of persons with disabilities to higher educational institutions on the basis of additional quotas was determined. According to it, the composition of persons with disabilities of groups I and II who have a document confirming completion of general secondary education (based on grade 11) or a secondary specialized, vocational educational institution (academic lyceum, vocational college) and a certificate of disability of groups I and II issued in the prescribed manner was determined.

Thirdly, on October 15, 2020, the Law of the Republic of Uzbekistan “On the Rights of Persons with Disabilities” was adopted. This law became an important legal basis for radically improving the system of state support for persons with disabilities. In addition, a significant innovation in this law is the introduction of the concept of “discrimination on the basis of disability”, which was not previously present in the legislation of Uzbekistan. Also, Chapter 6 of this law establishes: Education of persons with disabilities, professional training, retraining and advanced training of these persons. In particular, Article 38 of the law stipulates that “Persons with disabilities have the right to receive education in educational organizations of all levels and to receive education throughout their lives in order to more fully develop their abilities and participate in the life of society and the state.”

Fourth, the Resolution of the President of the Republic of Uzbekistan dated December 21, 2021 “On additional measures to provide comprehensive support to





persons with disabilities, promote their employment and further increase their social activity” and the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan dated December 23, 2021 “On measures to further improve the activities of the Interdepartmental Council on the Affairs of Persons with Disabilities” were adopted. The practical significance of these resolutions is that they establish mechanisms for forming an effective system of support for persons with disabilities, improving the quality and standard of life through their broad involvement in labor activities, and creating new jobs for persons with disabilities, in line with the UN Sustainable Development Goals.

Based on the above analysis, we would like to shed light on the issue of the socio-legal status of persons with disabilities at a new stage of development of society.

As we know, the state and society, recognizing a person as a subject of law, determine his social and legal status. In turn, a person regularly uses the protective and regulatory functions of the state to ensure his rights and freedoms. Studying the concept of the legal status of persons with disabilities with a classification serves to reveal the legal nature of this concept. The status that this category of persons occupies in society and the functions they perform are the main factors of the legal status determined for them. It goes without saying that the medical and social level of disability of persons with additional needs is a component of the factors of this issue. In particular:

- take comprehensive measures to prevent discrimination against persons with disabilities;

- protect the honor and dignity of persons with disabilities;

- ensuring equality of rights and opportunities for persons with disabilities on an equal basis with other citizens;

- Involving people with disabilities in society and state life;

- organizing educational work in society on issues of respecting the rights and dignity of persons with disabilities;

- ensuring compliance with legislation on the rights of persons with disabilities;

- to officially record the duties and responsibilities of persons with disabilities.

The listed areas have a specific priority in determining the legal status of persons with additional needs. Thus, it is appropriate to analyze the legal status of persons with disabilities into several types. Below we will dwell on them in more detail.





1. General or constitutional. goes without saying that persons with disabilities, as citizens of the state, enjoy the general rights and freedoms established in the constitution. For example, personal rights: "the right to life, the right to personal integrity, freedom of speech, freedom of religious belief". For example, political rights: "the right to participate in the management of state and public affairs, the right to form public associations, political parties, the right to address state bodies and their officials with applications, complaints, and proposals". For example, socio - economic rights, "the right to own property, the right to choose a profession, the right to receive social security, the right to use qualified medical services, the right to receive education", etc. Although these rights established in the Constitution of the Republic of Uzbekistan are general, persons with disabilities play an important role in strengthening their life activities. That is, the general constitutional legal status serves to open up the subject to the possibilities of socio - economic and political spheres of life.

2. Special status. Here, the profession of persons with disabilities and their position in society play an important role. For example, a person may be physically disabled, but he or she may reflect the status of a leader, teacher, or entrepreneur through his or her activities. In this sense, individuals acquire professional status based on the tasks they perform in society. In addition, this status also determines the social status of persons with disabilities in society. Because a person with disabilities, along with taking up his or her social position in society as a teacher, also demonstrates the place and status he or she holds in society.

3. Personal legal status. Here, the rights and obligations arising from and determined on the basis of the psychological, mental, sensory, spiritual, physical state of a person are of great importance. In our opinion, a person with a disability/disability is a medical - legal status and belongs to the type of personal status. True, the status of disability is assigned to persons with physical disabilities as an individual status, but given the different physical disabilities in individuals, their legal status also directly changes. For example: the blind, persons with hearing impairments, persons with mental disabilities, etc. It is precisely because of these disabilities that persons with disabilities, which fall into the type of personal legal status, have special rights. "The right to a family environment, the right to protection from discrimination on the basis of disability, the right to social protection, the right to free access to social and medical services, the right to use public facilities and means of transport under additional conditions, the right to inclusive education, the right to independent choice of the form of education," etc.





Specific principles also play an important role in ensuring the rights of persons with disabilities. The legislation states that “the basic principles for ensuring the rights of persons with disabilities are as follows:

- respect the dignity of persons with disabilities, their independence, and freedom of choice;
- non-discrimination on the basis of disability;
- equality of opportunities in the exercise of human rights and freedoms;
- respect the evolving capacities of children with disabilities and their right to maintain their individuality;
- convenience of facilities and services;
- Involving people with disabilities in the life of society and the state.

Speaking about the guarantees of the rights of persons with disabilities, it should be noted that guarantees serve as an important factor in ensuring the rights of this category of persons. Legal guarantees in this regard are also divided into two: 1. Constitutional legal guarantees. These guarantees include the legal norms established in Articles 54-55 of the new edition of the Basic Law. Legal norms such as the right of citizens to apply to court and the state's provision of the rights of persons with disabilities are vivid examples of constitutional legal guarantees.

Sectoral legal guarantees. These guarantees are provided by the sectoral law “On the rights of persons with disabilities” and by-laws developed on the basis of this law. The obligations of persons with disabilities have a general legal content and are regulated on the basis of the norms set forth in the Constitution of the Republic of Uzbekistan. These obligations include: compliance with the law, respect for the rights and freedoms of others, and careful attitude to the environment. In particular, the following norm is included in Article 57 of the new Constitution: “The state creates conditions for the full use of facilities and services of social, economic and cultural spheres by persons with disabilities, assists them in finding employment, receiving education, and ensures the opportunity to obtain the necessary information without obstacles”.

Having mentioned the socio-legal status of persons with disabilities above, we should pay attention to one aspect of the issue. We can see that the concept of a person with disabilities is analyzed purely philosophically. In our country, research on this issue has not yet been fully conducted. This issue has been studied from a sociological, economic, legal and psychological perspective. Since the definitions given to the social status of the concept of a person with disabilities are analyzed precisely within the framework of the above-mentioned scientific areas, it can be





concluded that the content of this concept has also been studied within this framework. It is correct to consider the social status of a person with disabilities precisely from the point of view of his position in society. It is precisely on the basis of the exercise of all types of rights by this category of persons in society that their status is understood, or vice versa, their lack of it. For example, the famous philosopher P. A. Sorokin (1889-1968) had a strong influence on the development of the philosophy of history. He viewed society as an integral whole, formed as a result of the interaction of individuals and social groups with each other and with society, determined by the activities of individuals and social groups aimed at satisfying their needs. In our opinion, if we rely on these views of Sorokin, then people with disabilities also enter into relationships with society in order to satisfy their needs. How this relationship is realized is a separate issue. A person with disabilities begins to understand the reality in society from a social perspective, which is considered a process that occurs subconsciously. According to LV Kostin, "...understanding is a cognitive process that is considered as an object-subject relationship aimed at clarifying the understanding of the meaning of an object in the evaluative activity of the subject. The purpose of this process is to reveal, clarify and expand the meaning of the understood object by comparing its objective properties and qualities with the needs of the understander, the expected result". In the dictionary of philosophy, understanding is defined as a mental process consisting in forming an idea, concept, judgments about objects and phenomena in the objective world and connecting them with existing knowledge in the mind. In our opinion, a person with a disability can also have his own status in society, based on the formation of existing knowledge, which will lead to the improvement of his status. In the words of LV Ponamar, "...it relies on the activity of cognition as a clarification of the objective existing description of objects, phenomena, situations. At the same time, understanding itself turns out to be a necessary condition and an objective cultural-historical basis for cognition".

In conclusion, it should be said that every adult, sane person has a certain worldview. This worldview is formed in a series of social relations. "A worldview", it is said in one of the philosophy textbooks, "is, first of all, a system of generalizations formed on the basis of conclusions and knowledge that a person necessarily has as a result of his perception, understanding, knowledge and evaluation of himself and the world". It is precisely people with disabilities who are socialized with their worldview in the development of society. This determines their status in socio-political life.





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