

PROTECTING THE RIGHTS OF PERSONS WITH DISABILITIES

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Abstract

This article is devoted to the issue of protecting the rights of persons with disabilities, which analyzes the legal status, fundamental rights and freedoms of this category of persons, as well as mechanisms for ensuring them. The article examines the international legal framework for the rights of persons with disabilities, in particular, UN documents and national legislative norms. It also covers the principles of equality and non-discrimination, guarantees in the fields of social protection, education, labor and medical care. Methods of preventing violations of rights, judicial and administrative protection, as well as practical problems are also analyzed. The results of the study substantiate the role of persons with disabilities in society and the need to effectively ensure their rights.

Keywords: Persons with disabilities, human rights, legal protection, principle of equality, non-discrimination, social protection, inclusive education, labor law, rehabilitation, state guarantees, judicial protection, administrative protection, social integration, international law, national legislation.

Introduction

The Law of the Republic of Uzbekistan “On the Rights of Persons with Disabilities” is one of the main regulatory legal acts aimed at ensuring the rights and freedoms of persons with disabilities, which establishes legal guarantees for the equal and full participation of this category of citizens in public life. This law considers disability not only as a medical condition, but also from the perspective of a person's opportunities in society and their interaction with the environment. In this regard, the law reflects a modern, humane approach to protecting the rights of persons with disabilities. The law consolidates the legal status of persons with disabilities, their fundamental rights, freedoms and legitimate interests.

In particular, the right to education includes the principles of inclusive education, the creation of special conditions, adapted curricula and infrastructure. In the field of labor law, obligations are established to ensure the employment of persons with disabilities, create favorable working conditions for them, adapt workplaces and prevent discrimination. These norms serve to ensure the economic independence of these persons and increase their social activity.

The law also pays special attention to health care and rehabilitation. Persons with disabilities are legally guaranteed access to quality medical services, provision of rehabilitation equipment, prosthetic and orthopedic care, and other measures aimed at restoring their health. Social



protection mechanisms include benefits, material assistance, social services, and other forms of state support. One of the important aspects of the law is the strengthening of the principles of equality and non-discrimination. Any discrimination that leads to restrictions on the rights, dignity, and freedoms of persons with disabilities is prohibited. State bodies, organizations, and officials are obliged to create equal opportunities for this category of persons. This is of great importance for the integration of persons with disabilities into society and ensuring social justice.[1]

The Universal Declaration of Human Rights is one of the most important documents that form the foundation of the modern international legal system. This declaration, adopted by the United Nations in 1948, recognizes the inherent rights and freedoms of all human beings and sets universal standards for their protection. The main idea of the declaration is that everyone is entitled to equal rights and freedoms, regardless of their origin, race, sex, language, religion, social status or other characteristics.

This document recognizes human dignity as a supreme value. The Declaration emphasizes that all human beings are born free, equal in dignity and rights. This principle is a fundamental condition for building a state based on the rule of law and a just society. The Declaration covers not only personal and political rights, but also social, economic and cultural rights. In particular, fundamental rights such as the right to life, liberty and security of person, equality before the law, fair trial, freedom of thought and belief are enshrined.

One of the important aspects of the Declaration is the principle of non-discrimination. The document categorically rejects any discrimination and states that human rights are universal and inalienable. This provision is especially important in ensuring the rights of groups in need of social protection, including persons with disabilities. Because the Declaration establishes the need to ensure the equality of all persons, respect for their rights and freedoms. The Declaration also broadly covers socio-economic rights, such as the right to education, the right to work, to a decent standard of living, and access to medical care. These norms are aimed at guaranteeing not only a person's freedom, but also a decent life.

The Declaration recognizes the indivisibility and interdependence of human rights, and shows that the realization of each right contributes to the development and stability of society. Although the Declaration is not a directly binding international treaty, it has served as the basis for the formation of numerous international conventions, national constitutions and legislative instruments. Today, it is recognized as a source of fundamental principles and standards in the field of human rights.[2]

The Convention on the Rights of Persons with Disabilities is one of the most important international legal instruments aimed at ensuring the rights and freedoms of persons with disabilities. This convention was adopted by the United Nations, and its main goal is to fully and equally recognize and protect the human rights of persons with disabilities and create the necessary conditions for their active participation in society. This convention puts forward a modern approach to the issue of disability. It interprets disability not only as a phenomenon related to the physical or mental condition of a person, but also to the existing barriers in society, infrastructure, social relations and the environment. In this regard, the convention reinforces the concept of creating equal opportunities for persons with disabilities, rather than excluding them from social life. The convention covers a wide range of fundamental rights of persons with



disabilities.

In particular, fundamental rights such as the right to life, equality before the law, education, work, access to health services, freedom of movement, access to information, and participation in political and social life are strengthened. These norms are aimed at recognizing the place and role of persons with disabilities in society, respecting their dignity and independence. One of the important aspects of the Convention is the principles of non-discrimination and equality. The document prohibits any discrimination on the basis of disability and requires states to ensure equal legal, social and economic opportunities for persons with disabilities. At the same time, states are obliged to take the necessary legislative, administrative and institutional measures to implement the rights of persons with disabilities.[3]

Decree of the President of the Republic of Uzbekistan PF-5270 "On measures to radically improve the system of state support for persons with disabilities" and Resolution of the President of the Republic of Uzbekistan PQ-57 "On additional measures to comprehensively support persons with disabilities, promote their employment and further increase their social activity" are one of the important regulatory and legal frameworks in ensuring the rights and legitimate interests of this category of citizens.

These documents define the priority areas of state policy aimed at social protection of persons with disabilities, improving their living standards, strengthening their integration into society, and creating equal opportunities. Presidential decrees and resolutions provide for comprehensive measures aimed at comprehensively supporting persons with disabilities. [4]

In particular, issues such as improving the social protection system, expanding material assistance and benefits, and developing medical and social rehabilitation services are important. These documents strengthen mechanisms aimed at restoring the health of persons with disabilities, providing them with the necessary tools for independent living, and meeting their daily needs.

The issue of employment will also be the focus of special attention in the Presidential Decree. Measures such as creating new jobs for persons with disabilities, facilitating their entry into the labor market, and introducing vocational training and retraining programs are set. This will ensure the economic independence of persons with disabilities, increase their activity in society, and strengthen their social adaptation. This regulatory legal document broadly covers the principles of inclusion. That is, it provides for the creation of equal opportunities for persons with disabilities in using education, healthcare, transport, information, and other social infrastructure facilities.

State bodies and organizations are charged with the responsibility of creating a favorable environment, eliminating architectural and information barriers, and improving the quality of social services. The presidential decree not only establishes legal norms, but also indicates the mechanisms for their implementation in practice. This document aims to ensure the real rights of persons with disabilities, strengthen their social support system, and establish the principles of equality and social justice in society.[5]

Reports published by authoritative international organizations such as UNICEF are an important source of information in studying the rights and social situation of persons with disabilities. These reports provide a comprehensive analysis of the issues of integration of persons with disabilities into society, health, education, employment and social protection. These



documents are of particular importance as they contain international experience, statistical data and practical recommendations. UNICEF reports focus mainly on the rights of children and adolescents, including the right to inclusive education, social adaptation and protection of children with disabilities.

These materials emphasize the need to create equal opportunities in the education system, create an adapted environment for children with special needs, and increase their participation in society. UNICEF research provides important recommendations aimed at identifying and eliminating obstacles to the education and development of children with disabilities.

These documents focus on increasing the economic activity of persons with disabilities, creating equal access to infrastructure and services, and implementing inclusive policies. [6]

In conclusion, the protection of the rights of persons with disabilities is one of the important indicators of a modern legal state and a just society. The Universal Declaration of Human Rights and the Convention on the Rights of Persons with Disabilities establish the principles of equality of all persons, non-discrimination and respect for human dignity, creating a universal legal framework in this area. At the national level, the Law of the Republic of Uzbekistan "On the Rights of Persons with Disabilities" and Presidential Decrees and Resolutions regulate the issues of social protection, education, healthcare, employment and inclusion of persons with disabilities, strengthening practical mechanisms.

In general, the harmony of international standards and national legislation creates the necessary legal and institutional framework for ensuring the rights of persons with disabilities and their equal and active participation in society.

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