

**PROSPECTS OF SOCIAL SUPPORT FOR THE DISABLED IN THE NEW STRATEGY OF
UZBEKISTAN**

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In the Strategy of New Uzbekistan, one of the priority areas of state policy for the protection of the rights of persons with disabilities is to provide persons with disabilities with equal opportunities with other citizens, civil, economic, political and other rights and freedoms provided for in the Constitution in accordance with the proclaimed generally accepted international norms and principles, as well as international treaties ratified by the Republic of Uzbekistan. Today, large-scale positive changes in Uzbekistan, which the entire world community is witnessing, have a positive impact on the stability and sustainable development of Central Asia, open up broad and at the same time unprecedented prospects for expanding and deepening cooperation in the vast Eurasian space.

And also, in a Message to the Parliament dated December 20, 2022, President Shavkat Mirziyoyev noted that in 2023 the social protection of the population will be further strengthened. Thus, there is a gradual transition to a “social model” for determining disability that meets international standards. The task of modern society is to ensure that people with disabilities have the same rights and obligations as other members of society. Barriers still exist in many parts of the world that prevent persons with disabilities from fully exercising their rights and freedoms and make it difficult for them to participate in public life.

Methodological and theoretical basis of the article.

Among the general scientific methods used in the process of conducting this study, the main importance belongs to the systematic approach. Among the private-scientific methods, it is necessary to name the formal-legal and comparative-legal methods.

The current situation of persons with disabilities in society: the existence of physical, economic and social barriers to their integration into society, institutional separation, their passivity and functional dependence. All this once again confirms the relevance of the problems of ensuring the rights of persons with disabilities.

In this regard, society and the state must take the necessary measures to remove obstacles, providing fellow citizens with equal opportunities, thanks to which different social systems (services, work, information and transport) will become accessible to persons with disabilities.

It is impossible not to pay attention to the social orientation of the President's address, to a set of measures designed to certainly increase the effectiveness, transparency, concreteness, and enforceability of decisions taken, to the obvious growth of the influence of civil society, to the creation and full development of tools and institutions of such influence, to a well-thought-out children's and youth policy (investments in the future!), to the ubiquitous increase in the role of science and innovation. As we know, we are talking about the formation of the foundation of a new Renaissance in a country that gave the world a galaxy of outstanding scientists, philosophers, poets...

In this I want to bring the static more than 45,000 registered blind or partially blind citizens live in Uzbekistan. On the eve of the 28th anniversary of the Constitution of the Republic of Uzbekistan, for the first time in the country, our Basic Law and the new Law “On the Rights of Persons with Disabilities” were published in the form of books in Braille. These official publications are published by the National Center of the Republic of Uzbekistan for Human Rights and the National Legal Information Center “Adolat” as part of the implementation of the National Strategy of the Republic of Uzbekistan for Human Rights. The Office of the OSCE Project Co-coordinator in Uzbekistan also took an active part in this noble work.

In this sense, the Constitution of the Republic of Uzbekistan and the Law on the Rights of Persons with Disabilities, issued in Braille, create great opportunities for people with disabilities to participate on an equal basis with other members of society in all spheres of life in the country and will serve the purpose of ensuring and implementing them.

Rights, freedoms and legitimate interests in our country. So this indicates that the nature of the legal regulation of social relations included in the subject of social security law is undergoing some changes today, as a result of which some changes in the system of the branch of law have become possible. The formation of a complex legal institution for the social protection of disabled people is substantiated.

Based on the study of legal facts that affect the emergence, change and termination of legal relations for the social protection of disabled people, the conclusion is made that disability is the main one. I wanted to analyze the signs of this category (cause, group and time of onset of disability) and justifies the need to unify the causes of disability, which can help improve the effectiveness of legal regulation. After analyzing the procedure and conditions for providing various types of social protection to disabled people, proposals were formulated to change the norms of the current legislation. Among them, the expediency of changing the conditions for providing disabled people with temporary disability benefits, extending to medical workers at risk of contracting HIV infection, compulsory social insurance against industrial accidents and occupational diseases, regulating medical and labor activities by labor law, etc. By studying the experience and the legal framework, a number of proposals for improving legislation have been formulated. In particular, it substantiates the need to settle by special acts 8 issues related to the calculation of the mandatory fee for non-fulfillment of quota conditions, the organization of the quota itself, as well as some other measures of professional and social rehabilitation (for example, sign language translation). The phenomenon of disability is closely related to a number of acute problems. Social exclusion and the vicious circle of "disability - the inability to get a decent education - the inability to find a job - nshtseta"² is a reality that millions of people face and from which no one is immune. Thus, 82% of the total number of people with disabilities in the world live below the poverty line, in developing countries only 1-2% of children with disabilities have access to education, everywhere disability increases the risk of unemployment for these people - in some states, about 80% of people with disabilities are of working age cannot exercise their right to work. In foreign science, the rights of persons with disabilities have been actively studied since the late 50s of the XX century, which allows us to single out a number of scientific centers for their study by now: Berkeley and Cornell Universities (USA). Lund (Sweden), Lidza (Great Britain) and others. However, most foreign research is aimed at studying national policy and legislation in the field of disability. International legal studies are usually devoted only to certain aspects of the rights of persons with disabilities, comprehensive studies are just beginning to appear. A significant amount of research in this area was carried out before the adoption of the Convention on the Rights of Persons with Disabilities, and, despite their great importance, they do not reflect the significant features of the current situation and require creative rethinking.

The global nature and severity of the problem required its global solution: in 1975, the UN adopted the first international act, the Declaration on the Rights of Persons with Disabilities,⁵ and in 2006, the first international legal acts, the Convention on the Rights of Persons with Disabilities and its Optional Protocol, were adopted.⁶ The UN General Assembly adopted this treaty based on the conviction that "a comprehensive and unified international convention to promote and protect the rights and dignity of persons with disabilities will be an important contribution to overcoming the deeply disadvantaged social situation of persons with disabilities and to increasing their participation in civil, political, economic, social and cultural life with equal opportunities - in both developed and developing countries. The adoption of the Convention - a universal, legally binding, international treaty - was an important milestone in the development of the entire global system of human rights. In the complex of human rights, the process of formation of a new education has begun - an international legal institution for the protection of the rights of persons with disabilities.

But the development of international protection of the rights of persons with disabilities indicates that the recognition that persons with disabilities have universally significant human rights does not mean their automatic implementation - a complex process of implementing convention norms into the legal systems of states is still needed.

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More than 760 thousand people with disabilities live in Uzbekistan. They are provided with social assistance and support, medical and rehabilitation measures.

In order to protect the rights of people with disabilities, the Cabinet of Ministers of April 28, 2021 approved the Administrative Regulations for the provision of public services for the appointment of pensions to certain categories of citizens in need of social protection. In accordance with this document, the provision of public services for the assignment of pensions to certain categories of citizens in need of social protection begins on August 1, 2021.

Also, by a resolution of the Cabinet of Ministers dated April 29, 2021, an Interdepartmental Council for Persons with Disabilities was established under the government. I would like to note that the main tasks of the Interdepartmental Council are as follows:

Firstly, coordination of the activities of bodies implementing state policy in the field of ensuring the rights of persons with disabilities, as well as local governments;

Secondly, participation in the implementation of state programs for the rehabilitation, social protection and protection of the rights of persons with disabilities;

Thirdly, assistance in education, vocational training, retraining, advanced training, employment of persons with disabilities;

Fourthly, participation in the creation of favorable conditions for the full participation of persons with disabilities in the life of society and the state.

Despite any situation in the life of society, based on the protection of political, socio-economic and cultural rights, there is the principle of not allowing discrimination against a person, including for his disability. Today in New Uzbekistan, not only state organizations, but also civil society institutions are active.

In general, it should be noted that at present there are about 600 non-governmental non-profit organizations in the country in the field of disability. Among them there are such NGOs as the Society of the Disabled of Uzbekistan, the Public Fund of the Disabled of Uzbekistan, the National Association of Uzbekistan of Disabled Entrepreneurs-Women, the Center for Youth and Children with Disabilities, the Public Center "Life" for Assistance to Children and Adolescents with Disabilities of Uzbekistan, the Public Association of the Disabled "Inclusive Life", Society of the Blind of Uzbekistan, Society of the Deaf of Uzbekistan.

The rights of persons with disabilities in Uzbekistan are regulated by the Constitution of the country, the laws "On the Rights of Persons with Disabilities", "On Education", "On Protecting the Health of Citizens", "On Employment", "On Guarantees of the Rights of the Child", "On State Pension Provision of Citizens", "On labor protection", "On physical culture and sports", as well as the Labor Code.

National legislation governing the rights of persons with disabilities consists of:

- the Law "On the Rights of Persons with Disabilities", which regulates all socio-economic rights of persons with disabilities, as well as laws aimed at realizing the rights of persons with disabilities to receive education and other legal documents;
- health and medical care;
- employment issues;
- use of physical culture and sports, leisure;
- social facilities and services, transport, communications and media;
- justice;
- participation in state and public affairs;
- Responsibility for violating the rights of persons with disabilities.

Most importantly in Uzbekistan, the national, regional and international initiatives of President Shavkat Mirziyoyev at the 75th session of the UN General Assembly is widely supported by our public and the international community. "Particular attention will be paid to ensuring the rights of persons with special needs," the head of state said, noting that a new law on the rights of persons with disabilities has recently come into force in the country. This positive attitude, on the one hand, confirms that Uzbekistan is consistently and confidently moving along the path of national development, on the other hand, it is another clear confirmation of the strengthening of the place and authority of our country in the internat.

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Based on the foregoing, this problem, chosen by the applicant for its study, is relevant, and consists of the following:

Firstly, the conducted scientific and practical studies have shown that the level and quality of life of the disabled is significantly changing for the better than the average for the population, their many problems are being solved effectively.

In modern conditions, the need to form an optimal functioning system of social protection of persons with disabilities that meets international standards, state policy in relation to persons with disabilities and a modern concept of their disability is becoming relevant.

In the final recommendations and considerations of the UN Human Rights Council and UN treaty bodies - the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Racial Discrimination, several times Uzbekistan was recommended to take measures to ratify the Convention on the Rights of Persons with Disabilities.

In this direction, work was carried out to improve the law "On the social protection of persons with disabilities in the Republic of Uzbekistan", adopted on November 18, 1991 and approved in a new edition in 2008. At the initiative of the President of Uzbekistan, in 2017, a draft law "On the Rights of Persons with Disabilities" was developed. The project was posted on the portal on July 20, 2018 for public discussion.

The draft law "On the Rights of Persons with Disabilities", developed at the initiative of the President of Uzbekistan, drew attention, in particular, to international standards and requirements of the UN Convention on the Rights of Persons with Disabilities, most importantly, to take into account its basic philosophy, as well as the use of the term "persons with a disability" instead of "disabled".

On July 22, 2020, the draft law "On the Rights of Persons with Disabilities" was adopted by the Legislative Chamber, approved by the Senate on September 11, 2020, and signed by the President of Uzbekistan on October 15. According to Article 49 of the Law, after three months of its official announcement, on January 15, 2021, it entered into force.

Thus, at the initiative of the President of Uzbekistan, a separate law was adopted in this area. In turn, as part of the international initiative of the head of our state, Uzbekistan ratified the Convention on the Rights of Persons with Disabilities.

In general, in Uzbekistan, the observance of the principle of social justice, the creation of the necessary conditions for those in need of assistance and support, primarily people with limited opportunities for a full life, is constantly in the center of attention of the head of our state.

Convention - Constitution for Persons with Disabilities

As you know, the Convention on the Rights of Persons with Disabilities was adopted by the UN General Assembly on December 13, 2006 and entered into force on May 3, 2008. As of February 2021, out of 193 UN Member States, 182 have ratified this Convention.

Please note: The UN Convention on the Rights of Persons with Disabilities is the first human rights treaty adopted in the 21st century.

The Convention proclaims the rights and fundamental freedoms of persons with disabilities, in particular their rights to residence, citizenship, legal protection, education, health care, work on an equal basis with others, participation in political, social, cultural life, leisure, recreation and sports, creation of the necessary living conditions, providing them and their families, receiving social protection. Guarantees for ensuring these rights are also defined.

The Convention on the Rights of Persons with Disabilities consists of 50 articles and was adopted on the basis of an analysis of the state of persons with disabilities in the world. According to the World Health Organization, 15 per cent of the world's population is made up of persons with disabilities, and their number has now reached 1 billion.

Most importantly, the Convention was adopted on the basis of an in-depth analysis of the condition of persons with disabilities. It is also noteworthy that this international legal document embodied the diversity of these people and the principles of their value and dignity.

The main idea of the Convention is that persons with disabilities should be able to enjoy all human rights and freedoms without discrimination.

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As noted in Article 1, the purpose of the Convention is to promote, protect and ensure the full and equal enjoyment by all persons with disabilities of all human rights and fundamental freedoms, and to promote respect for their inherent dignity.

Article 4 of the Convention contains general obligations to ensure the rights, promotion and protection of persons with disabilities. In particular, participating States undertake:

- take all appropriate legislative, administrative and other measures to give effect to the rights recognized in the Convention;
- take all appropriate measures, including legislation, to amend or repeal existing laws, regulations, customs and practices that discriminate against persons with disabilities;
- take into account in all policies and programs the protection and promotion of the human rights of persons with disabilities; The President announced the adoption and implementation of a special program aimed at creating additional conditions so that persons with disabilities feel they are an integral part of society. The key task in the document will be the transition from a medical to a social approach in establishing disability:

1. Young people with disabilities will have equal opportunities to receive quality education at all levels.

From the next school year, 24 percent, and in 2025 - 40 percent of children with special educational needs will be able to study in regular schools. In addition, the number of resource centers for inclusive education will increase by 14 times and exceed 200.

2. Persons with disabilities will receive vocational training and decent jobs will be created for them.

Everyone will have the opportunity to learn a profession at the expense of the state, and subsidies for these purposes will be doubled.

Organizations will begin to receive benefits when hiring citizens with disabilities for jobs suitable for them in government bodies at all levels.

It is planned to stimulate business initiatives to hire persons with disabilities. Such entrepreneurs and employed citizens will be provided with additional tax benefits and government subsidies.

3. Systematic work will continue to protect the health of persons with disabilities and provide them with medical services.

The Republican Children's Medical Rehabilitation Center and its regional branches will be created.

Annually, it is planned to carry out operations to treat congenital heart disease and brain pathologies for 2,000 children.

4. "Barrier-free" environment will be organized for people with disabilities.

During the construction of government buildings, social facilities, parks, as well as in public transport, the system of public services, special attention will be paid to the creation of special infrastructure. There will be more special information portals, TV shows, libraries.

Persons with disabilities will receive subsidies for the purchase of housing in the new "New Uzbekistan" blocks and preferential loans for improving housing conditions.

It must be said that the UN Convention on the Rights of Persons with Disabilities ratified by Uzbekistan is an international legal document that guarantees equality, the rights of persons with disabilities, especially women and children to receive education, maintain health, work, decent living for them and their families.

When ratifying the Convention, they relied on three sources: national legislation, foreign legal practice, and the Convention itself. The experience of such states as the USA, Great Britain, Germany, Switzerland, Russia, Belarus, Ukraine, Azerbaijan was deeply studied.

In particular, such leading states as the USA, Great Britain, Germany, Switzerland, along with the ratification of the Convention on the Rights of Persons with Disabilities, adopted the relevant national laws. The content of all these laws are identical, developed on the basis of the requirements of the Convention.

It is also noteworthy that in Germany there are several laws aimed at social protection of persons with disabilities. For example, they include the law "On Ensuring the Rights of Persons with Disabilities in Society, at Work and in the Professional Sphere".

In conclusion, we want to note that, to date, 139 states have signed it and 49 countries have ratified it. The

implementation of the Convention is monitored by the Committee of the same name. In addition to considering and making recommendations on the periodic reports of the parties to the Convention, members of the Committee are empowered to consider complaints from individuals or groups from countries that have ratified the Optional Protocol to the Convention. The first session of the new Committee began this week in Geneva. International legal aspects of the protection of the rights of persons with disabilities, including the legal status of persons with disabilities in society, need to be rethought and reassessed in connection with the global changes currently taking place in the world. Therefore, it is important to trace the history of the formation of international legal protection of the rights of persons with disabilities, to identify trends and prospects for the development of this sphere of public relations. In this regard, the international regulation of the protection of the rights of persons with disabilities, the study of its theoretical and practical foundations is of particular importance.

Each State Party will have to submit a first report to the Committee within two years of the entry into force of the Convention for it. Countries will submit follow-up reports at least every four years. The formation of the concept of disability and the institution of protecting the rights of persons with disabilities in international law is the result of an objective and historically determined process of global socialization and humanization of world public relations, expressed in the introduction of universal human values into the global legal space in relation to persons with disabilities, in the development of guarantees for their implementation; in the center of this process are the interests of a person with a disability, his rights, freedoms, individual characteristics, social opportunities, legal guarantees.

Speaking about the legal practice of Uzbekistan in this area, it is necessary to note the use of the unique experience of lawmaking for the first time. That is, an international legal document was first implemented into national legislation, and then ratified. "Uzbekistan is firmly committed to its international human rights obligations. At the same time, we understand that we are only at the beginning of the journey, and we count on the support of our international partners. In this regard, we are waiting for the arrival of the High Commissioner for Human Rights, Ms. Michelle Bachelet, in our country, we intend to make a decision on sending a permanent invitation to all mandate holders to visit Uzbekistan," the head of state said. President of Uzbekistan Shavkat Mirziyoyev on December 1, on the eve of the International Day of Persons with Disabilities (December 3), signed a decree "On measures to radically improve the system of state support for persons with disabilities." In addition, the decree provides for attracting foreign investment in the production of technical means of rehabilitation and prosthetic and orthopedic products, including through the modernization of existing enterprises, as well as the creation of new industries in the republic. Uzbekistan, through the signing of the Convention on the Rights of Persons with Disabilities, expressed its intention to become a party to it. Although the emergence of comprehensive legal obligations arising from this international treaty is associated with the moment of ratification, this does not mean that persons with disabilities are excluded from the scope of international law until that moment. It was emphasized that the practice of addressing the Head of State is an important tool for establishing a direct and trusting dialogue with the people, consolidating and mobilizing society and the state to solve the most pressing problems of the country's development, increasing political and legal awareness and civic engagement of the population. The structure of the current Message and its characteristic features are separately disclosed. It was noted that during the preparation of the Message, the results of the implementation of the Development Strategy of Uzbekistan for 2022-2026 were analyzed in detail, the opinions of scientists, researchers, bloggers and journalists who published their proposals in the media were studied. The proposals of entrepreneurs and citizens' appeals to the virtual reception of the president were taken into account. In conclusion, I would like to emphasize that a completely new political atmosphere and business environment is being formed in Uzbekistan, which increases the attractiveness of the country for investors, tourists, scientists from various countries of the world. In this regard, we will pay attention to the new opportunities opening up for foreign investors in various fields, including agriculture, energy, green economy, tourism, banking.

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