

GENDER ASPECTS OF DISABILITY AND ISSUES FACED BY WOMEN WITH DISABILITIES

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Annotation. Disability is considered a social problem that requires the collective efforts of society to overcome. In this regard, the comprehensive development of women with disabilities depends on public support and the state's provision of adequate conditions and opportunities. The article examines the gender aspects of disability, analyzes the social problems faced by women with disabilities, and provides relevant proposals and conclusions.

Keywords: gender, disability, social policy, social problem, discrimination, direct discrimination, indirect discrimination, gender aspects, equal rights and opportunities, women with disabilities.

ГЕНДЕРНЫЕ АСПЕКТЫ ИНВАЛИДНОСТИ И ПРОБЛЕМЫ ЖЕНЩИН С ИНВАЛИДНОСТЬЮ

Аннотация. Инвалидность рассматривается как социальная проблема, требующая усилий всего общества для её преодоления. В этом контексте развитие женщин с инвалидностью во многом зависит от общественной поддержки и обеспечения государством достойных условий и возможностей. В статье изучены гендерные аспекты инвалидности, проанализированы социальные проблемы, с которыми сталкиваются женщины с инвалидностью, а также представлены предложения и выводы.

Ключевые слова: гендер, инвалидность, социальная политика, социальная проблема, дискриминация, прямая дискриминация, косвенная дискриминация, гендерные аспекты, равные права и возможности, женщины с инвалидностью.

Today, the protection of the interests and rights of women with disabilities is considered an important strategic direction of state social policy. Nearly 15 percent of the world's population, that is, about one billion people, live with disabilities. In addition, approximately 5% of all children worldwide (95 million children) live with disabilities, and around 0.7% (13 million) live with severe forms of disability. This situation necessitates the development and implementation of effective models, technologies, and mechanisms to ensure the integration of persons with disabilities into society worldwide.

During the years of independence, the social protection of the population has developed into a specific system. A unique national mechanism for providing social services to vulnerable segments and groups of the population has been established. The creation of opportunities and

conditions for social protection of the population, including women with disabilities, is evidence of the properly established strong social policy in our republic. In the context of Uzbekistan, reforming the social sphere based on foreign experience, while taking into account our national mentality and traditions, has become a requirement of the time. In particular, in recent years, legal and practical work in this area has entered a new stage. Over the past four years, two laws, six decrees and resolutions of the President, and sixteen government resolutions related to ensuring gender equality, supporting women, and enhancing their role in state and public governance have been adopted.

In particular, the Law of the Republic of Uzbekistan “On Guarantees of Equal Rights and Opportunities for Women and Men,” adopted on September 2, 2019, is regarded as the fundamental and comprehensive legal document aimed at ensuring gender equality in our country. For the first time, this law introduced a definition of the concept of “gender” in national legislation. The law defines the main directions of state policy in ensuring equal rights and opportunities for women and men, as well as the mechanisms of state governance in this area. In particular, in order to prevent gender discrimination against women, the Commission on Ensuring Gender Equality was established in the Republic of Uzbekistan.

“Women with disabilities face significantly greater challenges in both the public and private sectors, such as barriers to adequate housing, healthcare, education, vocational training, and employment, and they are at a higher risk of being placed in institutional care” [1]. Women with disabilities also experience unequal treatment in recruitment, promotion, equal pay for work of equal value, access to training and retraining, credit, and other productive resources, and they rarely participate in economic decision-making [2]. As can be seen, women in general are often subjected to discrimination in various spheres and relations within society, while women with disabilities face even greater levels of stigmatization.

Promoting gender equality and empowering women is of great importance for achieving internationally agreed development goals, including the Millennium Development Goals. Women with disabilities experience double discrimination, which increases their vulnerability to gender-based violence, sexual abuse, neglect, harassment, and exploitation. According to a study by the United Nations Development Programme, “the global literacy rate of women with disabilities is only 1 percent. According to the World Bank, more than 30 women are seriously injured or become disabled at work every minute, which means that between 15 and 50 million women remain overlooked” [3].

The most prevalent challenge encountered by women with disabilities is discrimination. Discrimination can be understood as a situation in which an individual is disadvantaged on the basis of two or more characteristics, leading to an intensification or reinforcement of inequality. Intersectional discrimination, in turn, refers to circumstances in which multiple forms of discrimination operate simultaneously and inseparably, producing compounded effects. Factors such as age, disability, ethnic, local, national or social origin, political or other beliefs, race, refugee, migrant or asylum-seeker status, religion, sex, and sexual orientation constitute common grounds for discriminatory practices.

Direct discrimination arises when women with disabilities are treated less favorably than others in comparable situations on the basis of prohibited grounds. It also encompasses harmful actions or omissions based on prohibited grounds even where no directly comparable situation exists. For instance, direct discrimination occurs when the testimony of women with intellectual or psychosocial disabilities is rejected in court proceedings on the basis of their legal capacity, or when women who are victims of violence are deprived of their rights and access to effective protection mechanisms.

Indirect discrimination refers to rules, policies, or practices that appear neutral on the surface but disproportionately and negatively affect women with disabilities. For example, if healthcare institutions lack the necessary equipment to provide gynecological screening for women with disabilities, such a situation may seem neutral at first glance; however, in practice, it results in discriminatory treatment.

Discrimination by association refers to the unequal treatment of individuals based on their connection with a person with a disability. Women, often in caregiving roles, are particularly vulnerable to this form of discrimination. For instance, a mother of a child with a disability may experience discrimination if a potential employer fears she will be less available for work or less efficient as an employee due to her caregiving responsibilities.

Denial of reasonable accommodation constitutes a form of discrimination that arises when necessary and appropriate modifications or adjustments — which do not impose a disproportionate or undue burden — are refused, despite being essential to ensure that women with disabilities can enjoy or exercise their human rights and fundamental freedoms on an equal basis with others. For example, direct discrimination occurs when a woman with a disability is unable to access healthcare or educational institutions, residential buildings (due to the absence of ramps), or faces difficulties using public transport as a result of inadequate accessibility conditions.

Structural or systemic discrimination is manifested in both hidden and overt forms of discriminatory institutional practices, in discriminatory cultural traditions, as well as in social norms and rules that perpetuate inequality. Such discrimination is closely linked to harmful gender and disability stereotypes, as well as to the absence of political strategies, regulations, and services — particularly those tailored to women with disabilities. For example, due to stereotypes based on the intersection of gender and disability, women with disabilities may face barriers in reporting cases of violence, their complaints may be dismissed, and this in turn increases mistrust toward law enforcement bodies, the prosecution system, and the judiciary. Moreover, harmful practices are deeply embedded in socially constructed gender roles and relations, which perpetuate negative perceptions and discriminatory beliefs toward women with disabilities. The insufficient dissemination of information, limited professional training, and inadequate political strategies for eliminating harmful stereotypes create conditions for structural bias. As a result, state officials, educators, healthcare providers, law enforcement officers, prosecutors, judges, and the broader public may inadvertently or deliberately contribute to violations of the human rights of women with disabilities.

It is evident that women with disabilities face numerous forms of gender-based discrimination in society. They encounter significant challenges in accessing education, choosing a profession, and making decisions regarding their own lives, primarily due to discriminatory practices and restrictions on their freedoms. In this regard, Article 19 of the United Nations Convention on the Rights of Persons with Disabilities explicitly guarantees the right to live independently and to be included in the community. According to the Committee's general comment on this article in relation to women with disabilities:

The right of women with disabilities to choose their place of residence may be violated by cultural norms and patriarchal family values that restrict autonomy and compel them to live in certain housing arrangements. In addition, multiple forms of discrimination may hinder the full and equal enjoyment of the right to live independently and to participate in community life. Age-related factors and health concerns may increase the risk of older persons with disabilities being placed in institutional care. Furthermore, institutionalization often exposes women with disabilities to risks of coercion and violence.

Economic inequality between men and women is most clearly manifested in the sphere of employment. As highlighted in global reports on the role of women in development, *"achieving equality between men and women requires a reconsideration of their roles and the reorganization of society's core institutions—the labor market, government, and the family"* [4].

The demand for revisiting labor and employment relations is explained by the fact that this sphere, which is of vital importance, generates the foundations of gender disparities and inequalities between men and women. The main manifestations of gender inequality in the field of labor and employment include the following:

- Discrimination in wages; discrimination in recruitment; discrimination in dismissal; discrimination in promotion; discrimination in access to professional development and training.
- Occupational segregation based on gender.
- The simultaneous burden of professional and family responsibilities carried by women.

In the field of employment, gender-based discrimination refers to a process in which *"employees with the same level of efficiency are treated differently solely because they belong to different demographic groups"* [5]. Gender discrimination in employment most often occurs during recruitment and staff reduction processes.

Overall, a decline in the number of men and an increase in the number of employed women have been observed in such sectors as industry, agriculture, trade and public catering, education, culture, science, and the arts. The main reasons for gender shifts in the employment structure are closely tied to wage levels in these fields. Men have tended to leave these sectors due to low wages, while women have occupied low-paying positions, as their opportunities for employment are more limited.

The main factors influencing inequality in the labor market typically include age, disability, education, profession, length of service, and work experience. However, studies conducted by foreign experts have demonstrated that even when differences in these indicators are eliminated, a wage gap in favor of men still persists. Such “unexplained” disparities can be attributed to the discriminatory behavior of employers who perceive women as deserving lower pay compared to men. Moreover, discrimination against disability as a social phenomenon also contributes to this inequality.

The formation of gender segregation occurs under the influence of several factors: socio-economic, cultural, and technological. Changes in socio-economic conditions lead to men leaving low-paying sectors (although traditionally considered “male-dominated”) and to the increased involvement of women in those fields. The transformation of cultural norms regarding “male” and “female” professions may facilitate women’s entry into traditionally male occupations. Technological factors often contribute to the emergence of low-skilled jobs required to maintain technological processes. Such monotonous, low-skilled work tends not to attract men, resulting in these sectors being filled by women, which in turn leads to lower levels of remuneration for them.

In conclusion, it should be emphasized that disability must not be perceived by society as an illness, nor should it become an obstacle for women with disabilities in realizing their potential. Every individual, including those with disabilities, possesses unique abilities and undiscovered talents, and has the right to live a full life, pursue their dreams, work, and receive education. In order to prevent various forms of discrimination against women with disabilities within society and the state, it is essential, first and foremost, to cultivate an appropriate societal attitude toward the phenomenon of disability.

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