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PRINCIPLES OF INCLUSIVE EDUCATION AND THE INTERNATIONAL LEGAL FRAMEWORK FOR THE RIGHTS OF CHILDREN WITH DISABILITIES

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ABSTRACT

Uzbekistan has moved, within roughly five years, from having almost no legal category for inclusive education to running a national pilot that already covers several hundred schools. This article asks how that shift relates to the seven-decade sequence of international instruments that first articulated a right to inclusive schooling, and what comparison with more mature systems can tell reformers about where the Uzbek model is likely to strain next. Working from primary legal texts — UN declarations and conventions, UNESCO framework documents, and Uzbekistan's own laws and decrees since 2017 — alongside secondary academic and monitoring sources, the study builds an explicit, criterion-by-criterion comparison of Uzbekistan, Finland, and the United States across legal basis, individual-planning instruments, support structure, specialist staffing, and accountability mechanisms. The results indicate that Uzbek legislation has established the formal right to inclusion but has not yet built the individualised-planning and tiered-support machinery that sustains inclusion in the comparator systems, and that implementation remains concentrated in the early grades and in the capital. The discussion situates these findings within ongoing debates about the persistence of a defectological, medically framed vocabulary in national policy, and closes with concrete recommendations together with a proposed design for the empirical follow-up studies this literature-based review cannot itself provide.

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1. Introduction

When a child is taught apart from other children, they learn both the subject on the timetable and the fact that they are being kept apart. International disability-rights law has spent the greater part of a century trying to unteach this second, inadvertent lesson. As in other post-Soviet countries, special preschools, boarding schools, and vocational institutes for children with disabilities were built in Uzbekistan on the premise that concentrated correctional expertise was worth the cost of isolation. Longitudinal data from the nations that abandoned that premise first suggest the trade was a poor one: children educated apart from their typically developing peers go on to have measurably more difficulty finding employment, building social networks, and using the everyday skills that mainstream education

incidentally teaches. None of this is new. What has changed — and what this article sets out to document — is the density of binding and quasi-binding international commitments now pushing national systems toward a different model, together with the fact that Uzbekistan has produced its own legislative response within the last five years after decades of comparative inertia.

The paper serves two related objectives. First, from the 1948 Universal Declaration of Human Rights to the 2015 Incheon Declaration, it reconstructs, in chronological sequence, the international legal documents that established the basis for inclusion. Second, it turns to Uzbekistan in particular, posing a more focused and practical question: given what sophisticated inclusive systems truly require — not just a right on paper, but individual-planning tools, tiered support, trained staff, and monitoring — which of those components has Uzbek policy already built, and which still need to be built?

2. Materials and Methods

That this is a normative-analytical, document-based study rather than an empirical one is a deliberate methodological decision rather than an oversight. The objective was to compare Uzbekistan's national record against a small number of carefully selected comparator systems using explicit, stated criteria rather than impressionistic description, and to establish, with a reasonable degree of completeness, what the relevant legislative provisions actually say. The primary sources comprised United Nations declarations and conventions, UNESCO framework documents, and Republic of Uzbekistan statutes, presidential decrees, and legislative resolutions adopted between 1948 and 2022. A document was added to the international set if the secondary literature examined below identified it as a pivotal moment in the evolution of the right to inclusive education; this produced eight documents spanning 1948 to 2015. To verify dates and the current status of each instrument (in force, amended, or superseded), national legal sources were located through the official National Database of Legislative Information and cross-checked against secondary reporting from UNICEF Uzbekistan, the OSCE, and independent Uzbek policy analysts. Secondary sources, cited independently of the core legal texts they support, were used strictly to confirm factual elements such as dates, article numbers, and enrolment statistics; they include peer-reviewed articles, reports from international organisations, and news reports from reputable outlets.

Three national systems were selected for direct comparison: the United States, as an example of a legally codified, individually enforceable model operating at large scale; Finland, as a frequently cited example of a well-resourced, high-autonomy tiered-support model; and Uzbekistan, as the study's subject. Two further Central Asian and post-socialist systems were examined in less detail as regional comparators. Rather than comparing these systems in narrative prose alone, five criteria were fixed in advance: legal basis for placement, individual-planning instrument, support structure, specialist personnel in mainstream schools, and monitoring or accountability mechanism. Each system was scored against each criterion using only information found in its own primary legal texts or, where no legal text was available, in the most reliable secondary source (Table 1).

For many years, special psychology and correctional pedagogy — also known as “defectology” — were the principal fields of Uzbek academia concerned with the education of children with impairments. Correctional-methodology courses still draw on Beltyukov’s (1977) study of how sensory analysers interact during the perception and acquisition of oral speech under both normal and pathological conditions. Bogdanova (2002) extended this line into the psychology of hearing impairment, and the teacher-training textbooks of Mo‘minova, Amirsaidova, and colleagues (2013) and of Po‘latova, Nurmuxamedova, and Amirsaidova (2014) systematised special psychology and special pedagogy for use in educational institutions. In all four works, the main focus of intervention is the child’s impairment rather than the environment. A competing account — the social model of disability — locates exclusion in an unaccommodating environment rather than in the individual; UNESCO’s Global Education Monitoring Report, subtitled “Inclusion and Education: All Means All” (UNESCO, 2020), is widely credited with bringing this framing into the language of international policy. While Porsayeva (2025) has mapped the institutional and legislative requirements for inclusion at the higher-education level, Yusupov (2024) argues that existing policy texts in Uzbekistan combine the two vocabularies inconsistently, sometimes within a single document. What neither study offers — and what this article contributes — is a criterion-based comparison of Uzbekistan’s emergent model with systems that have already resolved the tension these authors describe.

3. Results

The 1948 Universal Declaration of Human Rights contained the first universal statement of the right to education. This general principle was qualified by the 1975 Declaration on the Rights of Disabled Persons, which held that a person with a disability possesses dignity from birth and that a disability does not diminish any fundamental right, most notably the right to live as fully and as respectably as possible (Declaration on the Rights of Disabled Persons, 1975, Art. 3). Alongside race, sex, language, and origin, the 1989 Convention on the Rights of the Child included an explicit non-discrimination provision addressing disability (Art. 2), now binding on the almost universal group of states that have ratified it.

The operational language left implicit by the instruments of the 1970s and 1980s was supplied in the 1990s. Endorsed by 155 governments, the Jomtien World Declaration on Education for All (1990) demanded that schools be judged by how well they met educational needs rather than by the aptitudes of the students who happened to enrol. Four years later, the Salamanca Statement and Framework for Action (7–10 June 1994) went further, holding that regular schools are the most effective means of building inclusive, non-discriminatory communities (Salamanca Statement, 1994, para. 2) — an assertion that placed the onus of adaptation on the school rather than the child. Jomtien’s commitments were reaffirmed under a new monitoring schedule in the 2000 Dakar Framework for Action, which stipulated that meeting Education for All targets required inclusive, safe, high-quality, and adequately resourced education (Dakar Framework for Action, 2000, pp. 20–21). This settled consensus in soft law was

converted into a legally binding treaty obligation by the 2006 Convention on the Rights of Persons with Disabilities (CRPD). The Convention entered into force on 3 May 2008, and by the early 2020s more than 180 states had ratified it. Article 24 requires States Parties to guarantee an inclusive education system at every level and to provide the individualised support disabled learners need in order to benefit from it. Inclusive education was then incorporated into Sustainable Development Goal 4 through the 2015 Incheon Declaration, on the clear premise that no educational goal can be considered accomplished unless it is achieved for all students, disabled and non-disabled alike.

Uzbekistan's legislative record began later than most of the instruments above. After the 2009 signature had lain unratified for eight years, a 2017 presidential decree on strengthening state support for people with disabilities directed the relevant ministries to begin ratifying the CRPD — the first clear indication that ratification had become politically active. Article 20 of the amended Law "On Education" (No. O'RQ-637, 23 September 2020) defined inclusive education as equal access to education for all students "taking into account the diversity of special educational needs," and tasked the Cabinet of Ministers with giving effect to that definition. Three weeks later, a Concept for the Development of Inclusive Education in the Public Education System for 2020–2025, together with an implementing roadmap, was adopted by Presidential Decree No. UP-4860 (13 October 2020). In practice, this document has driven the pilot expansion detailed below.

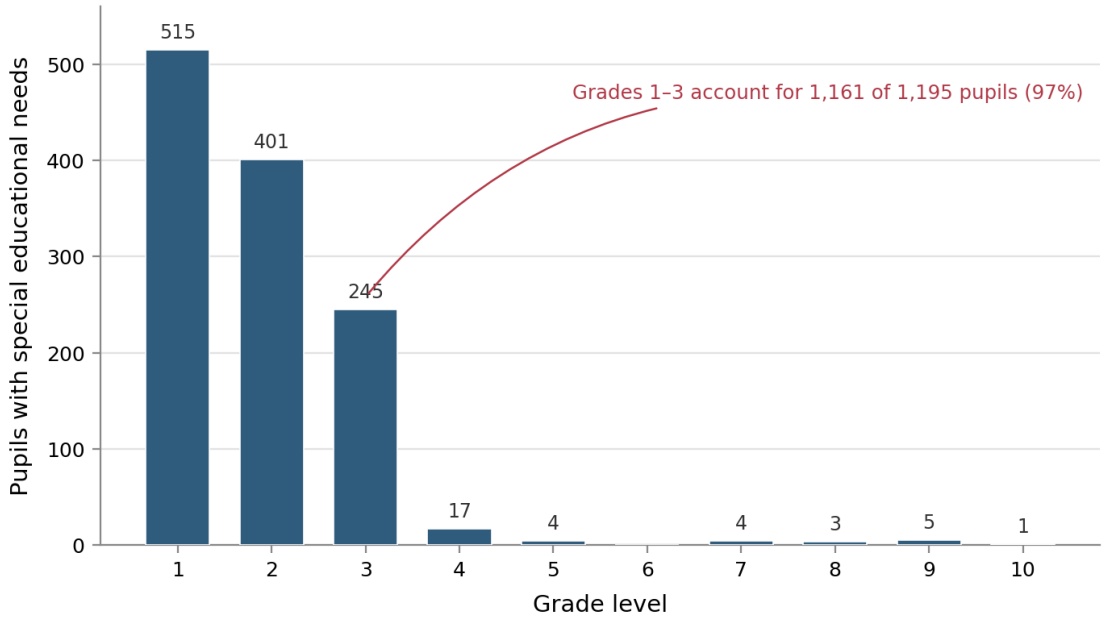


Figure 1. Enrolment of pupils with special educational needs across the 530 pilot schools, by grade level (2023–2024 school year; N = 1,195). Grades 1–3 account for 97% of all enrolled pupils. Source: authors' elaboration from official figures reported via UNICEF Uzbekistan.

On 7 June 2021, the CRPD was ratified, formally binding Uzbekistan to Article 24. Education and employment for people with disabilities were then listed as national priorities in the "New Uzbekistan Development Strategy for 2022–2026," after the two chambers of the Oliy Majlis translated that obligation into a National Action Plan for 2023–2025, adopted by joint resolution on 19 December

2022. Measured against these commitments, implementation has been real but limited. Under Decree UP-4860, 225 mainstream schools had opened to students with disabilities by September 2022; during the first half of the 2023–2024 school year that number rose to 530 schools, enrolling 1,195 students with special educational needs, including 449 girls. The breakdown by grade level is instructive (Figure 1): 515 of these children were in the first grade and 401 in the second, while only a handful were enrolled in the fifth grade or above. Inclusion in Uzbekistan is, in other words, still an entry-level phenomenon that has not yet permeated the school system — a pattern more consistent with a programme in the early stages of implementation than with a fully developed, systemic reform.

Table 1 sets out the five comparison criteria fixed in Section 2 and the corresponding position of Uzbekistan, Finland, the United States, and — in summary form — regional comparators that have followed a broadly similar post-socialist trajectory.

Table 1. Inclusive-education provision across Uzbekistan, Finland, the United States, and regional comparators, by five predefined criteria.

Criterion	Uzbekistan (2020–)	Finland	United States	Regional comparators*
Legal basis for placement	Law “On Education” (2020), Art. 20; Decree UP-4860	Basic Education Act, tiered-support amendments (2010)	Individuals with Disabilities Education Act (IDEA, 1990/2004)	Sectoral laws retaining special-institution priority
Individual planning instrument	Not yet mandated by law	Pedagogical assessment plan at Tier 2/3	Individualized Education Program (IEP), legally enforceable	Largely absent or advisory only
Support structure	Single-track mainstream placement	Three-tier: general → intensified → special support	Continuum of placements; “least restrictive environment”	Two-track: mainstream or special institution
Specialist personnel in mainstream schools	Tutor post not yet codified	Special-education teachers embedded in every tier	Related-service specialists mandated by IEP	Rare outside pilot sites

Criterion	Uzbekistan (2020–)	Finland	United States	Regional comparators*
Monitoring / accountability	National Action Plan 2023–2025; no per-school reporting duty yet	Municipal-level pupil-welfare monitoring	Due-process hearings; federal compliance audits	Ministry-level aggregate statistics only
Scale of current coverage	530 schools / 1,195 pupils (2023–2024)	Nationwide, all grade levels	Nationwide, all grade levels	Pilot or donor-funded projects

** Regional comparators summarise published country reviews of post-socialist Central Asian and Eastern European systems rather than a single named country; the column is indicative rather than a fully coded case.*

Read across the rows, Table 1 highlights a specific gap rather than a general one: Uzbekistan has established the legal foundation for inclusion (row 1) but has not yet developed the individual-planning instrument, tiered support structure, or specialist staffing that give the Finnish and American systems their operational depth (rows 2–4). The monitoring row explains why this matters for the enrolment pattern described above. In the absence of a per-school reporting obligation, policymakers find it difficult to determine, grade by grade, where the pilot is succeeding and where it is stalling — which may help explain the concentration of enrolment in the first two grades. Unlike the Uzbekistan–Finland–United States comparison, the regional comparators draw on published country reviews of post-socialist Central Asian and Eastern European systems rather than on a single named country; they are included at a lower level of resolution and should be read as indicative rather than as a fourth fully coded case.

4. Discussion

The term “inclusive education” is applied both to the Finnish tiered-support model and to the considerably thinner practice of merely placing a disabled child in a regular classroom without additional accommodation. The contrast matters for understanding Uzbekistan’s own reform. Earlier, “integrated” education moved children geographically without modifying the curricula, instructional strategies, or staffing around them; genuine inclusion, by contrast, requires changes to the school itself. The right is stated in inclusive terms in Article 20 of the 2020 Law “On Education,” but Table 1 shows that the infrastructure needed to make the right work — individualised planning, tiered support, and embedded specialists — remains largely unbuilt. This critique is not unique to Uzbekistan; Finland and the United States also took decades to build their current apparatus, and in the United States the process involved considerable litigation.

The benefits of mature inclusive systems are well documented and multifaceted. Children with disabilities can remain in their own families and communities rather than in residential care; families are

relieved of part of the practical and psychological burden of institutional placement; and, because inclusive pedagogy is more individualised by design, non-disabled classmates typically benefit as well. Early and successful social integration is associated over time with reduced lifetime reliance on external assistance — the outcome that most clearly justifies the initial expenditure on tiered support and specialist staffing. None of this is specific to Uzbekistan; it is the accumulated finding of the comparator systems examined here, and it is the argument for treating the gaps identified above as a priority rather than a footnote.

The comparison highlights four limitations. First, teacher preparation: differentiated, learner-centred instruction has not yet been incorporated into pre-service and in-service training at the scale the pilot requires, and there is as yet no legal category for the expert-tutor post that is embedded in mainstream schools in both Finland and the United States. Second, resources: access to facilities, transport, and learning materials remains uneven outside the pilot schools that national programmes have specifically targeted. Third, scale: extending inclusion through secondary and vocational education will require sustained investment well beyond the current pilot, as the grade-level concentration reported above indicates. Fourth, geography: while pedagogical institutions in outlying areas — such as the Nukus State Pedagogical Institute named after Ajiniyaz, in the Republic of Karakalpakstan — continue to train most of their graduates using the conventional defectology curriculum discussed in Section 2, reform activity and monitoring attention have concentrated in the capital and the larger regional centres. Regional teacher-training reform is arguably as important as any single national order, because the preparedness of newly qualified teachers ultimately sets the ceiling on how far inclusion can grow.

Taken together, the comparison in Table 1 and the four constraints above point to a specific, ordered set of next steps rather than a general call for “more resources”: (i) introduce a legally defined individual-planning instrument, loosely modelled on the American IEP or the Finnish pedagogical assessment plan but scaled to available resources; (ii) codify a specialist-tutor or learning-support role and fund it in mainstream schools, beginning with the 530 schools already in the pilot; (iii) implement teacher-training reform at regional educational institutions on the same schedule as the Tashkent-centred pilot, not after it; (iv) establish a per-school reporting obligation so that grade-by-grade enrolment and outcome data — like those compiled above from national aggregate figures — are regularly available at school level; and (v) continue the public-engagement and family-outreach initiatives already under way, since legal entitlement alone has proved insufficient in every comparator system examined here.

Because this is a document-based literature review that reports no survey, interview, or classroom-observation data of its own, its findings should be read as a mapping of what the legal and policy record shows rather than as an assessment of how the 530 pilot schools operate day to day. The enrolment figures reported above are the most recent officially reported data available at the time of writing and will need to be updated as later reporting periods become available. To move from this document-based mapping to an evidence base capable of testing the recommendations above, we propose

a mixed-methods follow-up: a structured questionnaire on training background, perceived preparedness, and resource availability, administered to classroom teachers across a stratified sample of the 530 participating schools; semi-structured interviews with a purposive sample of parents of enrolled children, to capture experiences not visible in enrolment statistics; and a document audit of physical accessibility in a matched sample of participating and non-participating schools. Rather than relying on inferences from legal language alone, such a design would allow the comparative gaps identified in Table 1 to be tested against first-hand evidence from Uzbek classrooms.

5. Conclusion

Inclusive education, properly built, keeps children with disabilities in schools close to home, alongside their typically developing peers, within a system flexible enough to differentiate instruction by need rather than sort children by category. International law took roughly seventy years to move from stating this as a general right (1948) to binding states to build it (2006) and to making its universality a condition of a broader development agenda (2015). Uzbekistan's own legislative response has compressed a comparable shift into five years — the 2020 Law "On Education," Decree UP-4860, CRPD ratification, and the 2023–2025 National Action Plan — and has already produced a measurable, if narrow, pilot covering 530 schools. The comparison developed here suggests that the immediate task is not to restate the right, which is now reasonably well established in law, but to build the individual-planning, tiered-support, specialist-staffing, and monitoring machinery that gives the right operational substance in Finland and the United States. Whether Uzbekistan's reform becomes a nationwide, all-grade system or remains an early-grade pilot will depend substantially on how quickly that machinery — rather than further legal declaration — is built, and on the kind of direct classroom evidence that the empirical follow-up proposed above is designed to provide.

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