

IMPROVING MECHANISMS FOR ENSURING THE RIGHT OF PERSONS WITH DISABILITIES TO PARTICIPATE IN ELECTIONS

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Abstract. This article examines the mechanisms for improving the right of persons with disabilities to participate in elections, drawing on the experiences of foreign countries. It discusses the creation of a convenient environment for persons with disabilities during the electoral process, the provision of technical and organizational conditions, and mechanisms for ensuring independence and confidentiality in voting. The study also puts forward proposals and recommendations aimed at increasing the political activity of persons with disabilities, involving them in the activities of civil society institutions, ensuring the equal realization of human rights, strengthening social inclusion, and upholding constitutional justice.

Keywords: Persons with disabilities, disability, convention, Braille, Uzbekistan, UN, EU, Denmark, Germany, Switzerland, South Korea

INTRODUCTION

Ensuring the rights of persons with disabilities has become one of the most pressing issues in the world today. The Convention on the Rights of Persons with Disabilities, aimed at protecting the rights of individuals who require special attention, has been ratified by many countries. The international ratification of this Convention by various states calls for the development of systematic approaches to the protection of the rights of this group of people. In the Republic of Uzbekistan, ensuring human rights, freedoms, and legitimate interests in practice remains one of the country's most important tasks. In his speech at the first plenary session of the

Senate of the Oliy Majlis following the elections, President Shavkat Mirziyoyev stated: "Ensuring the full integration of persons with disabilities into society is becoming one of the priority areas of state policy. Attracting persons with disabilities

to all areas of our social life is a top priority for us.” These words confirm that the rights and freedoms of persons with disabilities are under state protection[2].

As the legislation on ensuring the rights of persons with disabilities continues to improve, it becomes increasingly necessary to implement significant changes in the electoral system for this group. This includes organizing consistent reforms aimed at strategic goals and developing effective scientific-practical and legal approaches. Therefore, improving the legal framework and guarantees for the electoral rights of persons with disabilities, and aligning them with international standards, has become a practical necessity.

In this regard, the importance of attention to youth, including persons with disabilities, is emphasized in the “Action Strategy” approved by the President of the Republic of Uzbekistan, Sh.M. Mirziyoyev, its logical continuation—the “Development Strategy,” as well as in the Presidential Address to the Parliament of the Republic of Uzbekistan on December 20, 2022. Furthermore, in accordance with the Presidential Decree dated June 1, 2023, titled “On comprehensive measures to provide quality social services and assistance to the population and establish an effective control system,” the National Agency for Social Protection under the President of the Republic of Uzbekistan was established. For reference, while the number of pensioners in our country was 466,000 in 2016, by 2024 this number exceeded 2 million. In this article, based on the experience of foreign countries, mechanisms for improving the participation of persons with disabilities in elections are discussed. Particular attention is given to creating a comfortable environment for persons with disabilities during the election process, providing technical and organizational conditions, and ensuring compliance with the principles of independence and confidentiality in voting[3].

METHODOLOGY

The following scientific and methodological foundations were selected for studying the mechanisms ensuring the electoral rights of persons with disabilities:

The research analyzed the legal, political, and social mechanisms related to the electoral rights of persons with disabilities based on a systematic approach. Additionally, through an institutional approach, the role of state bodies and civil society institutions in this area was studied[1].

Legal Analysis Method: Normative and legal foundations were studied based on international and national legal documents (UN conventions, electoral codes, constitutions).

Comparative Analysis Method: The experience of foreign countries (e.g., the United States, Germany, South Korea) was compared with the practices of Uzbekistan, identifying and studying their effective mechanisms.

Empirical Analysis Method: Existing statistics, reports from organizations for persons with disabilities, and voter participation indicators were analyzed.

Historical Approach: The evolution of electoral rights for persons with disabilities, including historical development stages, was reviewed.

Sociological Methods: Interviews or social surveys may be conducted to explore the opinions of persons with disabilities, organizations defending their rights, and representatives of the Central Election Commission (CEC).

The research relies on the following sources: the UN “Convention on the Rights of Persons with Disabilities” the European Convention on Human Rights and the EU experiences, the Constitution of the Republic of Uzbekistan, the Electoral Code, the “Law on the Rights of Persons with Disabilities,” relevant dissertations, monographs, scientific articles, and reports from international organizations. The conclusions and recommendations identified through these methodological approaches can serve to strengthen inclusivity in Uzbekistan's electoral system, create a favorable environment for persons with disabilities, and enhance their civic engagement.

ANALYSIS

Today, the issue of ensuring the electoral rights of persons with disabilities is at the center of global attention. Article 29 of the UN Convention on the Rights of Persons with Disabilities guarantees the right of persons with disabilities to participate in political and public life. Despite this, many countries—including developing nations—face difficulties in fully ensuring this right in practice[1].

In the Republic of Uzbekistan, the right to vote is enshrined in Article 128 of the Constitution and the Electoral Code. Special legal foundations regarding the rights of persons with disabilities are defined by the UN Convention on the Rights of Persons with Disabilities and the national Law “On the Rights of Persons with Disabilities.” These legal documents stipulate the creation of equal opportunities for participation in elections. However, in some cases, the legislation contains general declarative norms that are not sufficiently backed by practical mechanisms. For example, while the Electoral Code provides general guidance on creating accessible conditions for persons with disabilities, technical conveniences for voting (such as ballots in Braille, audio devices, mobile ballot boxes, etc.) have not always been fully implemented. In practice, polling stations often lack essential features such as ramps, elevators, wide doorways, and adaptive technologies for persons with hearing or visual impairments. Although positive steps have been taken in some regions, the consistency and quality of these efforts vary. According to informal public surveys, some persons with disabilities do not consider it necessary to participate in elections, citing inadequate facilities. Additionally, a significant issue is that polling station staff are often not specially trained to work with persons with disabilities, which affects service quality and violates the principle of equality.

In Germany and Scandinavian countries, voting opportunities for persons with disabilities are well established. On January 29, 2019, the Federal Constitutional Court of Germany ruled that excluding approximately 85,000 citizens under guardianship from participating in elections was unconstitutional. Following the court's decision, the law was amended to restore the voting rights of individuals

placed under guardianship due to mental or intellectual disabilities. The legislation recognized the exclusion of persons with disabilities from elections as a violation of the law[4]. European President Jyrki Pinomaa stated: “The Constitutional Court’s decision to end this clear case of discrimination serves as a signal for all European countries that still restrict the voting rights of people under guardianship. Following recent positive changes in Spain and Denmark, this is a great day for democracy in Europe! With the European elections approaching, lawmakers must act quickly to ensure people with disabilities can cast their votes in May”[5].

In Sweden, mobile voting stations are available for persons with disabilities, and each citizen’s special needs are recorded prior to the elections. In the United States, voting equipment is adapted for accessibility, and elections are conducted with the support of trained assistants. In South Korea, specific infrastructure has been implemented to support voters with disabilities, such as audio instructions, accessible entryways for electric wheelchairs, and digital ballots. These measures ensure that persons with disabilities can exercise their right to vote without discrimination. The analysis shows that in Uzbekistan, the development of the following mechanisms is of urgent importance:

The creation of infrastructure at polling stations based on the principles of universal design.

Introduction of Braille ballots, audio systems, and mobile ballot boxes for voters with disabilities;

Regular training of election commission staff on working with persons with disabilities;

Active involvement of organizations of persons with disabilities as partner entities in the electoral process;

Testing of advanced and inclusive versions of electronic voting systems.

RESULTS

As of today, the measures implemented in Germany have significantly expanded the political participation of persons with disabilities. In particular, due to legislative reforms, more than 85,000 citizens under guardianship were able to

participate in elections for the first time by 2019. The use of Braille templates for blind voters also yielded positive results, leading to an increase in instances where visually impaired voters cast their votes independently without needing assistance. At the same time, Germany's experience reveals that some challenges still persist. For instance, polling stations located in older buildings remain difficult to fully adapt

— according to a study conducted in 2017, a portion of voters still encountered physical barriers when accessing polling sites. Nonetheless, overall, Germany is considered one of the leading countries in Europe in ensuring electoral rights for persons with disabilities. According to assessments within the European Union, Germany is among the countries setting an example by providing accessible interfaces and plain language information on official election websites for persons with disabilities[6].

In South Korea, rules have been established requiring campaign materials for the blind to be published in Braille (candidates are obliged to provide Braille brochures). In addition, election-related videos and debates on national television are broadcast with sign language interpretation. On the initiative of Kim Ye-ji, the first deaf member of the National Assembly, proposals have been developed to issue campaign materials in the form of special web content with QR codes for blind and deaf voters and to eliminate size restrictions on Braille brochures. Furthermore, South Korea employs a practice of using portable ballot boxes to allow home voting for citizens with severe physical disabilities who are unable to leave their homes (upon prior application). This method has been used for years and helps increase participation among persons with disabilities. Election commissions also include dedicated disability affairs advisors, who assist in resolving issues based on complaints and suggestions received from voters. According to official statistics in South Korea, voter turnout among persons

with disabilities is relatively high — approximately 70%, which is nearly equal to that of the general population. This figure is notable; however, there are still qualitative challenges. Currently, political participation among voters with intellectual or developmental disabilities remains low. During a press conference held in Seoul ahead of the 2025 elections,

representatives of the group voiced criticism that "in practice, the voting rights of citizens with developmental disabilities remain unfulfilled," and called on the government to take urgent action.

On a positive note, public activism surrounding the political rights of persons with disabilities has increased in South Korea in recent years, and political parties have begun paying attention to the issue. Some political parties, such as the Democratic Party and the Labor Party, have adopted initiatives to produce election campaign materials in accessible formats for persons with disabilities. In general, South Korea's experience demonstrates positive dynamics in involving persons with disabilities in electoral processes, although further improvements in legal norms and enhanced accessibility measures are still necessary[7].

CONCLUSION AND RECOMMENDATIONS

As an independent and democratic state, the Republic of Uzbekistan has set the objective of ensuring the political rights of every citizen, including persons with disabilities. However, based on the conducted analysis, it has been revealed that despite the presence of relevant normative-legal frameworks in this area, there are still certain shortcomings in their full implementation in practice and in the creation of a convenient, inclusive electoral environment. In particular, the lack of sufficient technical, organizational, and human resource adaptations within the election process, along with limited accessibility to transparent and open information and approaches that fail to consider the specific needs of persons with disabilities, present serious obstacles to the realization of their electoral rights.

International experience—particularly that of European and leading Asian countries—demonstrates that the creation of special opportunities for persons with

disabilities increases their political activity, strengthens civil society, and enhances trust between the state and the public.

Based on the above conclusions and analyses, the following practical recommendations can be proposed:

Amend the Electoral Code to introduce clear and mandatory provisions for accessibility for persons with disabilities (e.g., each polling station must be equipped with ramps, audio devices, and Braille signage as a compulsory requirement).

Establish an "Inclusive Elections Division" under the Central Election Commission (CEC), which will be responsible for implementing technical aids for persons with disabilities, staff training, and monitoring activities.

Organize special training programs for polling station staff on communication and service provision for persons with disabilities to improve the overall quality of service.

Actively involve organizations for persons with disabilities and civil society in the electoral process, allowing them to participate in monitoring, consultation, and advocacy activities.

Create dedicated media content on the electoral rights of persons with disabilities, ensuring it is available in simplified language, sign language, and audio formats.

Develop inclusive versions of electronic voting systems to expand opportunities for persons with disabilities to vote independently and securely.

Introduce pilot projects based on international experience by testing advanced technologies at selected polling stations and implementing them nationwide based on the results.

Ensuring the full realization of the electoral rights of persons with disabilities is not only a constitutional obligation but also a key condition for building a civil society grounded in the primacy of human rights. Elections represent the highest form of public participation, and every citizen—regardless of their physical abilities—must be able to participate on an equal basis. While Uzbekistan has made certain achievements in this direction, the incomplete functioning of existing mechanisms, infrastructural

shortcomings, lack of information, and lingering stereotypes in social consciousness continue to limit the political activity of citizens with disabilities.

In conclusion, a systematic approach to the realization of electoral rights for persons with disabilities—based on the alignment of legal and organizational mechanisms, real measures informed by international best practices, and transformation in public awareness—can ensure positive outcomes in this field. This will contribute not only to the empowerment of persons with disabilities but also to the reinforcement of equality, justice, and democratic principles for the entire society.

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