



Қазақстан 2050

ӘЛ-ФАРАБИ АТЫНДАҒЫ ҚАЗАҚ ҰЛТТЫҚ УНИВЕРСИТЕТИ  
КАЗАХСКИЙ НАЦИОНАЛЬНЫЙ УНИВЕРСИТЕТ ИМЕНИ АЛЬ-ФАРАБИ  
AL-FARABI KAZAKH NATIONAL UNIVERSITY

ХАЛЫҚАРАЛЫҚ ҚАТЫНАСТАР ФАКУЛЬТЕТИ  
ФАКУЛЬТЕТ МЕЖДУНАРОДНЫХ ОТНОШЕНИЙ  
FACULTY OF INTERNATIONAL RELATIONS

## «ФАРАБИ ӘЛЕМІ»

атты студенттер мен жас ғалымдардың  
халықаралық ғылыми конференция

### МАТЕРИАЛДАРЫ

*Алматы, Қазақстан, 6-8 сәуір 2021 жыл*

## МАТЕРИАЛЫ

международной научной конференции  
студентов и молодых ученых

## «ФАРАБИ ӘЛЕМІ»

*Алматы, Казахстан, 6-8 апреля 2021 года*

## MATERIALS

International Scientific Conference  
of Students and Young Scientists

## «FARABI ALEMI»

*Almaty, Kazakhstan, April 6-8, 2021*

ӘЛ-ФАРАБИ АТЫНДАҒЫ ҚАЗАҚ ҰЛТТЫҚ УНИВЕРСИТЕТІ  
КАЗАХСКИЙ НАЦИОНАЛЬНЫЙ УНИВЕРСИТЕТ ИМЕНИ АЛЬ-ФАРАБИ  
AL-FARABI KAZAKH NATIONAL UNIVERSITY

---

ХИМИЯ ЖӘНЕ ХИМИЯЛЫҚ ТЕХНОЛОГИЯ ФАКУЛЬТЕТІ  
ФАКУЛЬТЕТ ХИМИИ И ХИМИЧЕСКОЙ ТЕХНОЛОГИИ  
FACULTY OF CHEMISTRY AND CHEMICAL TECHNOLOGY

**«ФАРАБИ ӘЛЕМІ»**  
атты студенттер мен жас ғалымдардың  
халықаралық ғылыми конференция  
**МАТЕРИАЛДАРЫ**

*Алматы, Қазақстан, 6-8 сәуір 2021 жыл*

**МАТЕРИАЛЫ**  
международной научной конференции  
студентов и молодых ученых  
**«ФАРАБИ ӘЛЕМІ»**

*Алматы, Казахстан, 6-8 апреля 2021 года*

**MATERIALS**  
**International Scientific Conference**  
of Students and Young Scientists  
**«FARABI ALEMİ»**

*Almaty, Kazakhstan, April 6-8, 2021*

Алматы  
«Қазақ университеті»  
2021

**THE LEGAL AND PRACTICAL ISSUES OF INCLUSIVE EDUCATION  
FOR PEOPLE WITH DISSABILITIES IN KAZAKHSTAN AND ABROAD:  
FROM THE HUMAN RIGHTS PERSPECTIVE**

**Adibayev Asset,**

*1st Year PhD student on the speciality of «International Law»*

*Al-Farabi Kazakh National University*

*Scientific adviser: Candidate of Law, Omirzhanov E.T.*

**Abstract:** At present, in many countries of the world, sending children to special (correctional) educational institutions is considered as an emergency measure when all other opportunities have already been used, and did not give the desired result. In this regard, The Republic of Kazakhstan is not an exception. After the ratification of the Convention on the Rights of Persons with Disabilities, our state undertakes attempts to adjust legislation in this area and its fulfilment in compliance with international standards. The give article attempts to trace the latest tendencies in the international and local levels to cope with the inclusive education issues.

**Key words:** people with disabilities, human rights, legislation, convention, resolution, education inclusive society

The problem of the human rights of the people with disabilities is still one of the most relevant issues all over the world. During the last two decades, numerous developed countries with clear socially oriented governments have undertaken tremendous affords in order to make life of such category of citizens more convenient. However, other states still have a lot gaps and lacks in legislation and practical actions for the solution of the present problem. The crucial moment here is, that in most countries a person with disabilities is isolated from conditionally healthy representatives of the society. For instance, disable children usually go to specialized schools, were they can see kids with similar problems, whereas “normal” children do not face disable children as well. As a result, in the adult age one group is not able to be self-sufficient in full extend, as well as cannot be accepted by the “healthy” people.

**Case of Kazakhstan**

In accordance to Resolution of the Government of the Republic of Kazakhstan dated May 28, 2019 No. 326 On approval of the National Plan to ensure the rights and improve the quality of life of persons with disabilities in the Republic of Kazakhstan, until 2025 the creation of an effective system of measures for social protection of persons with disabilities is one of the priority directions of the state's social policy. The goals of the Resolution are the implementation of obligations (assumed by the Republic of Kazakhstan) in connection with the ratification of the Convention on the Rights of Persons with Disabilities, and the formation of an inclusive society through the creation of a favorable environment for all vulnerable groups within the framework of social modernization of Kazakhstan until 2030. Moreover, article IV of the resolution states that Kazakhstan recognizes the right of people with disabilities to education on an equal basis with others[1,5].

At this stage, in accordance with the purposes of the convention and global trends, we have to pay special attention on the opportunities of the inclusive school, higher education institutions giving the legal side of the issue, as well as conduct an analysis of the some foreign experience cases.

In spite on the vast amount of the legal sources regulating educational issues and issues of people with disabilities (Constitution, Law of the Republic of Kazakhstan dated April 13, 2005 No. 39-III "On social protection of disabled people in the Republic of Kazakhstan", Law of the Republic of Kazakhstan dated July 27, 2007 No. 319-III "On Education", provisions of international Conventions ratified by Kazakhstan), the 72-page report by the international human rights organization Human Rights Watch on the topic of an access of children with disabilities to education indicates that the Kazakh education system divides and isolates children with disabilities with “specialized schools with thousands of children are often located far from home. The rest study at home; at best, teachers study with them for several hours a week” [6,8].

In 2015, Kazakhstan ratified the UN Convention on the Rights of Persons with Disabilities, and promised that by 2019 conditions for inclusion will be provided in 70 percent of schools. The report of the Human Rights Watch says that there has been no significant progress in this direction so far. Human Rights Watch researcher Mira Rittman believes that "children with disabilities, like other children, have the right to receive a quality inclusive education." [6]. The government must take into account the individual capacities of each child and provide the child with the support he/she needs to learn on an equal basis with others. For some, it might be a tutor; for others, these are books with large print; for others more time to complete assignments during lessons are required. Above all, children with disabilities need to have guaranteed access to high quality inclusive education on an equal basis with others, including through the provision of reasonable support.

Another important point is the reform of psychological, medical and pedagogical consultations (PMPC). PMPC is a group of doctors and educators who assess the child and issue an opinion with recommendations

on the conditions of study. We recommend that the PMPC performs only the function of determining the individual reasonable accommodations necessary for a child to receive education in a general education school. According to the amendments made to the Kazakhstan law "On Education" in 2010, all schools are required to accept children with special needs. De facto, due to the lack of equipment and specialists, this policy is not always implemented. According to the official data, three percent of minors in the country need inclusion, – that's 148 thousand children [6,9]. Special educational conditions have been created for only 40 percent of these children [ibid.].

Human rights paradigm has provided the inspiration and foundation for the trend to the inclusion of children with disabilities. Inclusion requires the recognition of all pupils as self-sufficient members of community and the respect of all of their rights, regardless of age, gender, ethnicity, language, poverty or impairment. Inclusion involves the removal of obstacles that might prevent the enjoyment of these rights, and requires the foundation of appropriate supportive and protective environment.

The UN Educational, Scientific and Cultural Organization (UNESCO) states that the integration of children who would otherwise be perceived as 'different' means "changing the attitudes and practices of individuals, organizations and associations, so that they can completely and equally participate in and contribute to the life of their community and culture. An inclusive society is one in which difference is respected and valued, and where discrimination and prejudice are actively combated in policies and practices." [7,9]. The World Conference on Special Needs Education, organized by UNESCO and held in Salamanca, Spain, in 1994, advised that inclusive education should be the norm. This has now been reaffirmed in the new Convention on the Rights of Persons with Disabilities. In scope of education, inclusion means the establishment of barrier-free and child-focused learning environments, including for the early years. It means providing appropriate supports to ensure that all children receive education in non-segregated local facilities and settings, whether formal or informal. It is framed by article 29 of the Convention on the Rights of the Child, which requires that the child's education be directed to the development of their personality, talents and mental and physical abilities to their fullest potential; to the preparation of the child for responsible life in a free society, in the spirit of understanding and tolerance. Inclusion is a process that involves all children, not just some "special" children [7,8].

This gives children without health problems the opportunity to grow up in an environment where diversity is the norm, not the exception. If the education system cannot provide and embrace this diversity, such shortcomings occur, leading to marginalization and exclusion of certain groups. Inclusion is not the same as "integration", which involves putting children with disabilities into "normal" channels or helping them to adapt to "normal" standards. For example, in the context of school education, integration means placing children with disabilities into ordinary public schools with no changes in school organization or teaching methods. Inclusion, on the other hand, requires schools to adapt and provide the necessary support so that all children can work and learn together [1,7,8].

It is almost impossible to include all categories of the disable people to the classes for "normal" children. At this point, it will be quite useful to review the foreign experience of the states with a more long-term practice of the inclusive education.

Currently, in many countries of the world (USA, Great Britain, Germany, Italy, Scandinavian countries), sending children to special (correctional) educational institutions is considered an emergency measure when all other opportunities have already been used and did not give the desired result. Modern researchers note that today, among the countries with the most advanced legislation, one can mention Canada, Cyprus, Denmark, Iceland, India, Malta, the Netherlands, Norway, South Africa, Spain, Sweden, Uganda, the United States and the United Kingdom. The most radical and rapid changes are being observed in a number of developing countries: Uganda, Lesotho, Vietnam, Laos, Jordan, Palestine, Morocco, Egypt and Yemen. This dynamics is largely due to the effective implementation of UNESCO programs in the above-mentioned countries [6,7].

#### ***Case of the USA***

The United States currently have a law passed in 1990 called the "Persons with Disabilities Education Act". It guarantees free education that meets the needs of the child in the public education system. Parents have the right to demand from schools an opinion on the child's educational opportunities, which justifies the presence or absence of developmental disorders in an individual child. It is the responsibility of a school to identify children with such disabilities.

The law provides the right to receive not only special education, but also additional services (transport, speech therapy classes, psychologist's assistance, audiological examination, etc.). According to the law, a written opinion and an individual educational program are drawn up for each child, and compulsory education for children with special needs is prescribed. This is possible to conduct in public schools, and their inclusion into school environment happens with minimal restrictions [9].

### ***Case of France***

Special education in France focuses its efforts on integrating as many children with disabilities as possible into the mainstream schools. The inclusion into general educational process of children with developmental disabilities is carried out in four (4) options:

The child studies according to regular school curricula, but during his stay at school and outside of school he is provided with additional services: medical procedures, educational measures, etc. For example, a child with a musculoskeletal disorder studies in a regular classroom and attends an adaptation center opened at this school or located nearby.

The child learns according to the regular school curricula, receives additional care and is trained in additional special programs. For example, a child with visual impairment studies in a regular class and receives assistance in preparing lessons, additional classes with a teacher, attends classes in spatial orientation and other special correctional and developmental classes.

During the main school time, the child is trained in a special class according to a special program (usually children with mental retardation). The other part of the time he is engaged in a regular program with students of his own age.

The child attends only a special class and studies there according to a special program (usually children with intellectual disabilities). But at the same time he takes a direct part in the life of the school: joint breakfasts, joint visits to educational events and leisure activities, participation in sports competitions and other events.

### ***Case of Sweden***

In Sweden about 80% of children with disabilities attend regular schools, where they receive the necessary support (classroom assistance from a special teacher or assistant and the use of special aids) [7,8]. Almost all children with special educational needs attend regular kindergartens. However, for children who are unable to attend a regular school due to complete loss or severe loss of vision and hearing, speech impairment or mental retardation, there are special schools that are differentiated by types of impairments. The Ministry of Education of the country merely formulates general objectives of the training programs. The educational standard sets only the mandatory level of knowledge that must be achieved by the end of grades 5 and 9. Teaching methods, selection of material, working conditions and payment, organization of the educational process, – all this is in the competence of the teachers themselves and school principals. Thus, the freedom of choice by the parents of the school has expanded, taking into account the individual characteristics of their child. In most European countries, school teachers play a major role in working with integrated students with special educational needs. Additional educational support is provided by professionals, mainly social educators. In Sweden, only special teachers work with students in special classes. Parents and school-teachers are consulted by a special educator at the municipal Children's Rehabilitation Center, which operates under the District Council (commune) [7,8]. Based on the child's capabilities, they together create an individual curriculum, for the implementation of which the school teacher is responsible. If necessary, an assistant teacher is invited to the class.

### ***Case of Italy***

In 1971, the first law was passed in Italy on the right of children with special needs to study in the mainstream schools. In 1977, a more elaborate law was adopted, which already established certain standards:

- The maximum number of children in a class is 20;
- The maximum number of children with special needs in a class is 2;
- Special support activities for children with special needs are built into the classroom;
- Classes for special programs are being abolished;
- Special educators team up with regular school teachers;
- Both categories of educators interact with all students in the class.

Officially, the ratio of the number of special educators and students with special needs is 1:4, but in reality it turned out to be about 1:2 [8]. If there is a blind or deaf child in the class, the whole class is learning Braille or sign language. In 2003, the Ministry of Education is obliging all directors to participate in on-the-job training courses to improve the implementation of the national inclusion policy. All teachers are required to complete a 40-hour professional development course per year [ibid.].

### ***Conclusions***

In accordance with the provisions of the resolution, the goals of the National Plan are to ensure the rights and improve the quality of life of persons with disabilities in the Republic of Kazakhstan until 2025 (hereinafter – the National Plan). The implementation of the obligations assumed by the Republic of Kazakhstan in connection with the ratification of the Convention on the Rights of Persons with Disabilities and the formation of an inclusive society through the creation of an enabling environment for all vulnerable groups within the framework of social modernization of Kazakhstan until 2030 are to be performed in the nearest future.

At this stage, an attraction of people with disabilities is very important step on the way towards total unification and integration of all groups of the population for the future successful collaboration in social, cultural and political processes in our country. For this purpose, we have to apply approbated mechanisms that have been applied in other states to solve the issue.

#### References

1. Convention on the Rights of Persons with Disabilities. General Assembly Resolution 61/106 (13 December 2006). UN.
2. Golnik O. (2017). Inclusive education in Kazakhstan and abroad. *NurKz*. Retrieved from [https://www.nur.kz/family/children/1715660-inkluzivnoe-obrazovanie-v-kazahstane-i-za-rubezom/?utm\\_source=clipboard&utm\\_medium=article-fragment](https://www.nur.kz/family/children/1715660-inkluzivnoe-obrazovanie-v-kazahstane-i-za-rubezom/?utm_source=clipboard&utm_medium=article-fragment)
3. Law of the Republic of Kazakhstan dated April 13, 2005 No. 39-III [On social protection of disabled people in the Republic of Kazakhstan] (with amendments and additions as of June 29, 2020).
4. Law of the Republic of Kazakhstan dated July 27, 2007 No. 319-III [On Education] (with amendments and additions as of 07.07.2020).
5. National plan to ensure the rights and improve the quality of life of persons with disabilities in the Republic of Kazakhstan until 2025. Approved by the Resolution of the Government of the Republic of Kazakhstan dated May 28, 2019 No. 326.
6. Rittmann, M. (2019). Education for children with disabilities in Kazakhstan. Human Rights Watch Report.
7. Stewart, P., Rittmann, M. (2019). Promoting of rights of children with disabilities. UNICEF 2007. Education for Children with Disabilities in Kazakhstan. Human Rights Watch.
8. Tauzhanova, G. (2018). The history of the development of inclusive education in the Republic of Kazakhstan and abroad. *Infourok*. Retrieved from <https://infourok.ru/istoriya-razvitiya-inklyuzivnogo-obrazovaniya-v-respublike-kazahstan-i-za-rubezhom-4399240.html> 2018
9. Yusupdjanov P. (2016). Realization of the rights to higher education for people with disabilities in the republic of Kazakhstan. Soros Kazakhstan Foundation.

МАЗМҰНЫ / СОДЕРЖАНИЕ / CONTENT

**7 – СЕКЦИЯ «G-GLOBAL: ХАЛЫҚАРАЛЫҚ ҚАТЫНАСТАРДАҒЫ МЕМЛЕКЕТТІК МҮДДЕ ЖӘНЕ  
МАСС МЕДИА»  
СЕКЦИЯ 7 «G-GLOBAL: ГОСУДАРСТВЕННЫЙ ИНТЕРЕС В МЕЖДУНАРОДНЫХ ОТНОШЕНИЯХ И  
МАСС МЕДИА»  
SECTION 7 «G-GLOBAL: STATE INTEREST IN INTERNATIONAL RELATIONS AND MASS MEDIA»**

ТЕЛЕКАНАЛЫ ССТV КИТАЯ КАК ИНСТРУМЕНТ ДЛЯ ПОДДЕРЖАНИЯ ИМИДЖА И РАЗВИТИЯ МЕЖДУНАРОДНОГО СОТРУДНИЧЕСТВА СТРАНЫ	
Әбдікұл А .....	367
“CNN ЭФФЕКТИСІ”, “CNN” – ТЕЛЕАРНАСЫНЫҢ ХАЛЫҚАРАЛЫҚ ҚАТЫНАСТАРҒА ӘСЕРІ	
Абухан Ғ .....	369
ПОЗИЦИИ США В СОВРЕМЕННОМ МИРЕ: ГЛОБАЛЬНАЯ СТРАТЕГИЯ И РОЛЬ СМИ В ЕЁ РЕАЛИЗАЦИИ	
Дильмуратқызы Ә .....	371
«АЛЬ-ДЖАЗИРА»: ИНФОРМАЦИОННЫЙ ВЫЗОВ ЗАПАДНЫМ ТЕЛЕСЕТЯМ	
Сертаева С .....	389
HOW DOES THE XINHUA NEWS AGENCY PROMOTE CHINA'S POSITION IN INTERNATIONAL RELATIONS IN THE CONTEXT OF COVID-19?	
Bakhytzhanzy Marzhan .....	333
СУДОПРОИЗВОДСТВО С УЧАСТИЕМ ПРИСЯЖНЫХ ЗАСЕДАТЕЛЕЙ: ПОРЯДОК ПРОВЕДЕНИЯ СОВЕЩАНИЯ И ГОЛОСОВАНИЯ В СОВЕЩАТЕЛЬНОЙ КОМНАТЕ	
Молжигит А .....	395

**8 – СЕКЦИЯ. «ҚАЗАҚСТАН РЕСПУБЛИКАСЫНЫҢ ҰЛТТЫҚ ЗАҢНАМАСЫМЕН  
САЛЫСТЫРМАЛЫ ҚҰҚЫҚТАНУДЫҢ ӨЗЕКТІ МӘСЕЛЕЛЕРІ» ЖАС ҒАЛЫМДАР СЕКЦИЯСЫ  
СЕКЦИЯ 8. «АКТУАЛЬНЫЕ ПРОБЛЕМЫ ВЗАИМОДЕЙСТВИЯ МЕЖДУНАРОДНОГО И  
НАЦИОНАЛЬНОГО ПРАВА РЕСПУБЛИКИ КАЗАХСТАН» СЕКЦИЯ МОЛОДЫХ УЧЕНЫХ  
SECTION 8. «ACTUAL PROBLEMS OF INTERACTION BETWEEN INTERNATIONAL AND NATIONAL  
LAW OF THE REPUBLIC OF KAZAKHSTAN» SECTION FOR YOUNG SCIENTISTS**

THE IMPORTANCE OF INTERNATIONAL MEAT STANDARDS WITHIN THE FRAMEWORK OF THE WTO	
Tleubekov S .....	401
МЕСТО И РОЛЬ ЗЕРНА В МЕЖДУНАРОДНО-ПРАВОВОМ ОБЕСПЕЧЕНИИ ПРОДОВОЛЬСТВЕННОЙ БЕЗОПАСНОСТИ	
Ахметова А .....	404
ОХРАНА ИНТЕЛЛЕКТУАЛЬНОЙ СОБСТВЕННОСТИ В ФАРМАЦЕВТИЧЕСКОЙ ПРОМЫШЛЕННОСТИ	
Талгатова К .....	408
INTERNATIONAL LEGAL REGULATION OF FINANCE RELATIONSHIPS: CASE DISCUSSION BETWEEN KAZAKHSTAN AND CHINA	
Riza M .....	412
THE LEGAL AND PRACTICAL ISSUES OF INCLUSIVE EDUCATION FOR PEOPLE WITH DISABILITIES IN KAZAKHSTAN AND ABROAD: FROM THE HUMAN RIGHTS PERSPECTIVE	
Adibayev A .....	414
ЗИЯТКЕРЛІК МЕНШІКТІ ДҮНИЕЖҮЗІЛІК САУДА ҰЙЫМЫ ШЕҢБЕРІНДЕ ҚОРҒАУ АСПЕКТІЛЕРІ	
Нұрғай М .....	418
АКТУАЛЬНЫЕ ПРОБЛЕМЫ ЗАЩИТЫ ПРАВ ИНТЕЛЛЕКТУАЛЬНОЙ СОБСТВЕННОСТИ В СЕТИ ИНТЕРНЕТ В МЕЖДУНАРОДНОМ ЧАСТНОМ ПРАВЕ	
Сейітқанова М .....	422
МЕЖДУНАРОДНО-ПРАВОВОЕ РЕГУЛИРОВАНИЕ СОБЛЮДЕНИЯ ДОГОВОРОВ ПО ЭЛЕКТРОННОЙ ТОРГОВЛЕ: ПРОБЛЕМЫ И ПЕРСПЕКТИВЫ	
Сматаева А .....	428
ЕАЭО ШЕҢБЕРІНДЕГІ COVID-19 ПАНДЕМИЯСЫ КЕЗІНДЕГІ ЕҢБЕК МИГРАНТТАРЫНЫҢ ХАЛЫҚАРАЛЫҚ-ҚҰҚЫҚТЫҚ ЖАҒДАЙЫ	
Негматулла А .....	434
THE ROLE OF CONVENTION OF THE WORLD METEOROLOGICAL ORGANIZATION IN ENVIRONMENTAL PROTECTION	
Tulibayev S .....	438
ДЕМПИНГКЕ ҚАРСЫ ІС-ӘРЕКЕТ САЛАСЫНДАҒЫ ЫНТЫМАҚТАСТЫҚ ТУРАЛЫ МӘСЕЛЕ	
Жалғас Д .....	441
ЖАСТАРДЫҢ ҚҰҚЫҚТЫҚ ӘЛЕУМЕТТЕНУІ АЗАМАТТЫҚ ҚОҒАМДЫ ДАМУ ТУРАЛЫ ФАКТОРЫ РЕТІНДЕ	

Ғылыми басылым

**«ФАРАБИ ӘЛЕМІ»  
атты студенттер мен жас ғалымдардың  
халықаралық ғылыми конференция  
МАТЕРИАЛДАРЫ**

*Алматы, Қазақстан, 6-8 сәуір 2021*

**ИБ 14495**

Басуға 07.05.2021 жылы қол қойылды. Формат 70x100 1/16.  
Көлемі 22,8 б. т. Таралымы 5 дана. Заказ № 4811  
Әл-Фараби атындағы Қазақ ұлттық университетінің  
«Қазақ университеті» баспа үйі.  
Алматы қаласы, әл-Фараби даңғылы, 71.  
«Қазақ университеті» баспа үйі баспаханасында басылды.





ҚАЗАҚ  
УНИВЕРСИТЕТІ  
БАСПА ҮЙІ

