

## LEGAL RESPONSIBILITY FOR VIOLATIONS OF THE SOCIAL AND ECONOMIC RIGHTS OF PERSONS WITH DISABILITIES

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**Abstract.** *The purpose* of the article is that its authors have attempted to identify the nature of different types of legal responsibility for the violation of specific socio-economic rights of people with disabilities. For this purpose, through the use of dialectical, comparative legal methods, grouping methods, documentary analysis and analysis, the theoretical-practical and legislative aspects of material (financial), administrative, civil, criminal and disciplinary responsibility for the violation of the rights of persons with disabilities to work, strike, rest, entrepreneurial activity, social protection and social security, housing, health care and rehabilitation and a number of other rights. As a *result*, specific examples of violations of the social and economic rights of persons with disabilities are given. Emphasis is placed on rare cases of violations of the right to reproductive health of persons with disabilities who wish to become parents, as well as those who are aware of the disability of an unborn child. In this context, the critical situation of persons with disabilities living in prisons, where they are effectively deprived of the right to create a family, is noted. A separate level of violations of the rights of people with disabilities is related to discrimination on the grounds of disability, which manifests itself in all spheres of life of representatives of this category of the population in relation to practically all rights provided for them at the legislative level. The article also mentions frequent cases of violation of the right to an adequate level of social security, to the provision of medicines, to education, to employment, to parking in specially designated places, to free travel on public transport, etc. In connection with such a situation, the institution of responsibility (administrative, civil, criminal, disciplinary and material) for the violation of socio-economic rights of people with disabilities functions. Its grounds and mechanisms of application are defined to varying degrees in the Convention on the Rights of Persons with Disabilities, the Criminal Code of Ukraine, the Code of Administrative Offences of Ukraine, as well as the following laws of Ukraine: "On the Fundamentals of Social Protection of Persons with Disabilities in Ukraine", "On Rehabilitation of Persons with Disabilities in Ukraine", "On Liability for Offences in the Field of Urban Development" and other regulatory acts. The above conclusions are supported by a series of statistical data on the situation of accessibility of the environment for people with disabilities, their employment, the level of impoverishment of this category of the population, the protection of violated rights before the courts, etc. *The value* of the proposed article is reduced to the fact that it is a complex scientific work reflecting the author's view of the current state, problems and prospects for development of the field of legal responsibility for violation of socio-economic rights of people with disabilities.

**Key words:** person with disabilities, socio-economic rights, responsibility, offence, crime, discrimination.

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## Introduction

People with disabilities, especially during wartime, experience more or less frequent infringements and violations of their socio-economic rights of all categories of the population, in particular to work, to strike, to rest, to engage in entrepreneurial activity, to social protection and social security, to housing, to health care and rehabilitation, and so on. Thus, in the period January-October 2021, labour inspectors carried out 819 inspections of employers regarding the employment of persons with disabilities. There were 620 employers inspected, including 14 budgetary organisations. According to the results of the inspections, 192 violations were detected, the majority of which related to the employment of people with disabilities. Of these, 40 are not registered in the branches of the Fund for Social Protection of People with Disabilities, and 54 do not meet the standards for workplaces for people with disabilities (Bazilenko, Talanchuk, Davydenko, etc. 2022).

Such violations and encroachments are both intentional and due to ignorance or without malicious intent. Regardless of this, the level and quality of life of people with certain health conditions deteriorates under such conditions, against a background of already existing problems. Unfortunately, there is no way to confirm what has been outlined with statistical data, because it simply does not exist. For example, it is not known with certainty how many cases of discrimination based on the same disability occur each year, how many criminal proceedings are initiated for the corresponding offence, and how many people with disabilities succeed in restoring their violated rights. From the officially available statistics: according to the information on the status of consideration of cases of criminal proceedings under Article 161 of the Criminal Code of Ukraine "Violation of the Equality of Citizens on the Basis of Race, National, Regional Affiliation, Religious Belief, Disability and on Other Grounds", in 2022 there were 28 cases pending under this Article, of which 16 cases were considered and 12 persons were convicted. However, it is not known whether these proceedings concerned persons with disabilities, as there is no such sample (Information on the state of consideration of cases of criminal proceedings under Article 161 of the Criminal Code of Ukraine). In summary, if there are no statistics, there is no problem.

This information testifies to the relevance of the issue raised in this article and the need to analyse the situation regarding the violation of the socio-economic rights of people with disabilities and the responsibility for them.

## 1. Research Methodology

### 1.1. Scientific, Theoretical and Legislative Support of the Sphere of Responsibility for Violation of Socio-Economic Rights of Persons with Disabilities and Problems in this Direction

The topic of disability in general and responsibility for violation of rights of people with disabilities, access to justice in particular in Ukraine is gaining more and more popularity among scientists. Many scientists touch this topic in their studies, in particular – I. Barabash, I. Bulyk, N. Vapniarchuk, O. Varguliak, O. Lesko, N. Mytina, S. Pasichnichenko, V. Petrushevych, A. Pukhtetska, E. Sobol, V. Tarasenko, A. Tereshchenko, M. Chichkan and others.

The spectrum of legal acts, norms and regulations aimed at regulating the issue under study is also quite wide, but it does not fully ensure the proper regulation of the relevant legal relations due to the lack of clearly defined mechanisms for the realisation of the right of persons with disabilities to ensure and protect their legally defined rights.

Practice shows that the development of legal relations in the field of rights of persons with disabilities is so rapid and interdependent with the socio-political situation in the state that the issue of legal responsibility for violation of socio-economic rights of this category of population requires further scientific research.

### 1.2. Methodological Features of the Study of Legal Liability for Violation of Socio-Economic Rights of Persons with Disabilities

The methodological basis of this article is a variety of scientific methods used for in-depth and comprehensive research of the stated topic and formulation of reasonable conclusions. In particular, it is about the dialectical method (used during the study of theoretical and normative provisions on legal responsibility for the violation of socio-economic rights of people with disabilities), the grouping method (used during the study of specific types of responsibility for the investigated offences and crimes), the comparative legal method (helped to compare the degree of responsibility according to various legislative acts), the method of documentary analysis (used to confirm the provisions on the facts of violation of specific socio-economic rights of persons with disabilities or encroachment on them), the method of analysis (played an important role in the formulation of the position and conclusions on the researched issues according to the topic declared in the article).

At the same time, it is important to note that the methods used in the study are not limited to those listed above.

## **2. The Nature and Specifics of Liability for Violations of the Socio-economic Rights of People with Disabilities**

### **2.1. Examples of Violations of the Social and Economic Rights of Persons with Disabilities**

In the absence of proper implementation and compliance with legal norms and regulations, liability is the method of legal regulation that ensures compliance and restoration of violated rights. This also applies to the rights and legitimate interests of people with disabilities, against whom negative practices have developed in this context. Their rights are more or less the most violated, primarily in the context of ensuring accessibility to all spheres of life, but not exclusively.

Which socio-economic rights of the aforementioned population group are most violated? It is difficult to prioritise where to start and where to stop.

Perhaps the most horrifying are the cases of abortions of pregnant women who are known to have health problems that will cause their child to be handicapped in the future, as well as the corresponding policies towards pregnant women with disabilities.

Another example derived from the above is that women with disabilities and women who have given birth to a child with certain disabilities are forced to leave their newborn child in the maternity hospital. Although such cases are isolated, they do occur in practice.

In this context, it is also necessary to mention the violation of the rights to family formation and reproductive health of disabled wards of institutions, as well as sexual violence against such persons. An example from life: "In principle, the personal life of residents of psychiatric institutions is not arranged in any way. No one talks to them on intimate topics. They have their own needs. This is natural. Some of them even suffer from hypersexuality. The first intimate experience usually takes place in an orphanage. Both women and men have been victims of sexual violence. But they are afraid to talk about it. They are silent about being abused. Probably, they are intimidated by rapists, perhaps they are also pressured by medical staff of the institution." (The "taboo" topic about intimate life in psychiatric boarding schools) But in reality, as the war has shown, sexual violence against people with disabilities is not just a problem in prisons.

According to U. Kudryk, director of the Chuhuiv Local Centre for Free Legal Aid, there are complex legal issues related to the ill-treatment of people

with certain types of disabilities. Even relatives are abusers of people with disabilities. For example, a lawyer working with the Chuhuiv local centre is providing legal assistance to a woman who has suffered at the hands of her family. Taking advantage of her vulnerability, her relatives had taken possession of her home. In order to help the client, who is the mother of three minor children and is forced to live with them in a rented dormitory room, the lawyer collected a number of pieces of evidence of the violation of the client's rights and filed a lawsuit to claim the property from another person's illegal possession (Barrier-free legal assistance for people with disabilities).

An extremely problematic issue is the discrimination of people with certain health conditions on the basis of disability, which often overlaps with the violation of other rights, such as the right to accessibility.

In this context, it is worth noting that according to the 2020 national survey "What Ukrainians know and think about human rights", 37.7% of respondents believe that "disability" is the second most frequently discriminated against ground in Ukraine after age. This is 5% more than in 2016 (Sukharyna, Yavorskyi, Kolyshko, Pechonchyk, Hutsuliak, Semyorkina, 2021).

From recent illustrative life situations in the context of the problem of discrimination against people with disabilities: "I am taking care of a girl with cerebral palsy who can only move around with the help of a wheelchair for people with disabilities. Today, for the first time in her life, a classmate invited her to her birthday party to celebrate it at the Children's Club. How happy she was!!! But, unfortunately, the venue refused to let the girl in a wheelchair. They referred to the rules. This act is pure discrimination against children with disabilities and a disgrace to the owner of the establishment. This enterprise cares about external cleanliness, but defiles the purity of the soul and spirit." (Machabeli) The reaction of the local authorities was quick and effective – a meeting with the management of the institution, conclusions drawn, a change in the rules for visiting the institution, the announcement of inspections of public institutions to ensure compliance with the conditions of unhindered access for people with disabilities and other groups with reduced mobility (Uzhhorod City Council). Unfortunately, however, individual problems are resolved so quickly.

There are rare cases of discrimination against people with mental disorders and violation of their rights. There is a myth that all people with such disorders are aggressive and dangerous. In reality, very few people with such disorders commit violent crimes compared to people without such disorders. More often, and less talked about in the mass media, people with mental disorders are themselves victims of crime or violent behaviour. This is most

often observed in closed institutions (6 myths about mental health).

The most frequent violations of the individual and most important rights of persons with disabilities are as follows:

– inadequate level of social security.

Today, almost all people with disabilities live in conditions of total impoverishment, aggravated daily by war. The cost of basic goods and services is rising. However, the level of state social security for this category of the population increases relatively little compared to the rising cost of living. Yes, people with disabilities receive meagre pensions and benefits, mostly in the range of 50-75 EUR. For example, as of 1 January 2023, the average amount of a disability pension, calculated taking into account small and large pensions, was 3,790.71 UAH.

At the same time, the losses due to the early retirement of 15–59-year-olds (especially due to disability), although tending to decrease each year, amount to about 3% of GDP, or about 30 million UAH (Chernetska, 2021);

– provision of medicines.

The results of the survey of legal representatives of children with disabilities (up to 18 years of age) on access to guarantees, benefits and services established by law for children with disabilities and their family members in Ukraine after 24 February 2022 confirm that there are rare cases of refusal by respondents to implement the corresponding right to provision of medicines. The reasons include: arguments by pharmacists about price increases or the absence of such a service, or the fact that the settlement belongs to a war zone; necessary medicines are not included in the list of preferred medicines; lack of necessary medicines on sale (Analytical report, based on the results of a survey of legal representatives of children with disabilities).

In addition, the list of medicines that used to be provided free of charge and on preferential terms (around 800 items) has been significantly reduced over the past seven years and is now included in the Affordable Medicines Programme (around 300 items);

– education.

For example, in the pre-war period, the level of architectural accessibility of educational institutions was critically low. In particular, about 80% of schools provided unhindered access for students with disabilities to the first floor, and only about 0.1% to the fourth and subsequent floors. Only about 8% of schools had accessible toilets. Less than 1% of schools had adapted buses. The war has added new challenges to the above problems. According to some of the latest data, as of December 2022, as a result of shelling and bombing by the Russian armed forces, 2,719 educational institutions were damaged, of which 332 were

completely destroyed (Russians killed 441 children in Ukraine). The exact number of educational institutions destroyed or damaged is currently unknown (Analytical report, based on the results of a survey of legal representatives of children with disabilities). As a result, with more than 160,000 children with disabilities in Ukraine, there were 4,492 inclusive groups in pre-school educational institutions, including 7,635 children with special educational needs; 39,428 students with special educational needs were educated in 25,339 inclusive classes of general secondary educational institutions (On the organization of the educational process of children with special educational needs in the 2022/2023 school year). It should be noted that SEN is not only a disability.

Although the situation is not critical, it indicates an insufficient level of education coverage for children with disabilities;

– employment (both in violation of the legal requirement to employ people with disabilities within the 4 per cent quota and through refusals based on disability).

In Ukraine, out of 2.8 million people with disabilities, more than 839,000 people in this category are working, which is 30% of the total number. At the same time, according to official data from the Central Database of the Ministry of Social Policy of Ukraine, there are currently more than 1.3 million unemployed people with disabilities of working age (i.e., between 18 and 60) in Ukraine. The above information is being updated taking into account the processes of internal displacement of persons in this category caused by the war. However, it is important to note that they reflect information about people according to the place where they made certain payments, but are not an accurate indication of their actual place of residence.

It should be noted that the economic content of the loss of labour force includes, inter alia, the loss of resources, which consists of absolute losses due to natural and emigration of the population, as well as due to disability with complete loss of working capacity. At the same time, insufficient attention to the labour reserve in the composition of economically passive persons, in particular persons with disabilities, in the employment policy of Ukraine is a serious strategic miscalculation, which exacerbates the problems of increasing the volume of social benefits provided by the state and, without increasing labour productivity, leads to a slowdown in general economic growth and development (Chernetska, 2021; The Law of Ukraine "On Rehabilitation of Persons with Disabilities in Ukraine"; Chernetska, 2020);

– parking in specially designated areas.

For example, according to A. Higyuk, Head of the Transport and Communications Department of



the Ivano-Frankivsk City Council, inspectors record most parking violations near prohibition signs, on sidewalks, near pedestrian crossings, in the green zone and in places reserved exclusively for people with disabilities (In Ivano-Frankivsk, violators of parking rules paid UAH 3.5 million to the city budget);

– free travel on public transport.

For example, citizen K., a visually impaired person of the first group, appealed to the Commissioner for Human Rights of the Verkhovna Rada of Ukraine about the violation of the right of persons with disabilities to free city passenger transport by Bila Tserkva and the insufficient level of provision of passenger car transport services on the territory of the city, as well as about discrimination on the grounds of disability. In response to the Ombudsman's Office's appeal, Bila Tserkva City Council reported the following positive actions: 1) employers applied administrative measures, including dismissal and warnings, to the drivers whose improper behaviour/actions the complainant had complained about; 2) labour collectives were partially renewed; 3) explanatory work was carried out with carriers and drivers on compliance with labour discipline and culture/rules of passenger service; 4) the bus fleet of one of the carriers was completely renewed (Due to the response of the Commissioner, measures were taken to ensure the right of persons with disabilities to free travel).

Unfortunately, the list of types of violations of the rights of people with disabilities can be continued for a very long time, because they are totally violated. That is why in Ukraine there is an institution of responsibility for the violation of relevant rights, which, by the way, also needs to be improved and developed.

## 2.2. Theoretical Basis of Liability for Violation of Socio-Economic Rights of Persons with Disabilities

In the context of this issue, it is important to pay attention to the theoretical foundations of the concept of responsibility.

In the most general sense of legal science, responsibility is a reaction to a choice (Mykytin).

In turn, the authors share the opinion of S. Sivkov regarding the understanding of liability as a normatively defined type and measure of adverse personal, property or organisational consequences applied to a subject in case of an offence, which are implemented in appropriate procedural forms with the aim of punishing the offender and restoring the violated rights, freedoms and interests of an individual or legal entity or States (Sivkov, 2013).

Ukrainian legislation in the field of social and legal protection of the rights of people with disabilities

provides for all 5 traditional types of liability: administrative, civil, criminal, disciplinary and financial.

The following are scientific definitions of the relevant concepts, in particular:

1) administrative liability is a compulsory, in compliance with the established procedure, application by an authorised subject of measures of influence provided for by law for committing an administrative offence, which were performed by the offender (Kolpakov, 2008);

2) civil liability is the obligation of a civil law entity to assume the necessary legal response to the chosen and implemented option of behaviour prohibited by civil law, which caused the necessary harmful consequences, in the form of imposing an additional civil liability on it or depriving it of civil rights (Mykytin);

3) criminal liability consists in the conviction on behalf of the state by a court verdict of guilty of a person who has committed a crime and the application of state coercion to him/her in the form of punishment or other measures of criminal liability provided for by the Criminal Code (Shkola, 2012);

4) disciplinary liability is one of the types of legal liability, which is the obligation of an employee to answer to the owner or his authorised body for a disciplinary offence committed by him, the essence of which is the failure to perform or improper performance of the employee's labour or official duties, and to incur disciplinary penalties provided for by law (Sereda, 2014);

5) financial liability is state condemnation, which consists in the normative and state coercive obligation of subjects of public relations to undergo measures of state coercion for the committed offence, consisting in conviction and imposition of new, additional personal or property deprivations on the offender (Kovalchuk).

The given definitions are also suitable for understanding the content of responsibility for violation of socio-economic rights of people with disabilities, with emphasis on the relevant issues of possession of such rights and violation of them.

## 2.3. Specific Examples of Legally Defined Types of Liability for Violation of the Socio-Economic Rights of Persons with Disabilities

According to the content of the third part of Article 31 of the Convention on the Rights of Persons with Disabilities, Member States assume responsibility for the dissemination of statistical data on disability issues in the areas defined in the Convention and ensure their availability to persons with disabilities and others (Convention on the Rights of Persons with Disabilities).

This is the only norm of the profile document that defines responsibility in the field of legal and social protection of persons with disabilities.

At the same time, there is no mechanism in Ukraine to implement this responsibility, and the Convention itself does not contain any specific norms in this regard.

The Law of Ukraine "On the Fundamentals of Social Protection of Persons with Disabilities in Ukraine", the main legislative act of Ukraine on disability, provides for:

- liability, in accordance with the procedure established by law, of managers of enterprises, institutions, organisations, including enterprises, organisations of public associations of persons with disabilities, and individuals using hired labour, in case of failure to ensure compliance with the standard of workplaces for the employment of persons with disabilities (part 10 of Article 19);
- material, disciplinary, administrative or criminal liability of persons guilty of violating the requirements of this Law (Article 42) (15). It is worth noting that such provisions are contained in many legislative acts, but they do not ensure real accountability for the relevant offences, as they do not specify either the offence or offences or the liability for their commission. Thus, the principle of inevitable legal liability for unlawful acts or omissions is not ensured.

The rule on liability for violation of labour rights of persons with disabilities is detailed in the Resolution of the Cabinet of Ministers of Ukraine of 31 January 2007 No. 70 "Some issues of implementation of the Laws of Ukraine 'On the Fundamentals of Social Protection of Persons with Disabilities in Ukraine' and 'On Employment'" (Some issues of implementation of the Laws of Ukraine), which approves the procedure for payment by enterprises, institutions, organisations and individuals using hired labour of administrative and economic sanctions and fines for failure to comply with the standard of workplaces for the employment of persons with disabilities, as well as the specifics of using the relevant amounts in areas related to the social protection of persons with disabilities.

In the context of liability for violation of the right of people with disabilities to employment, it should be noted that, for example, employers for failure to meet the standard of jobs for employment of persons in this category must pay administrative and economic sanctions in the amount of:

- 1) half of the average annual salary of a full-time employee (for employers with 8 to 15 employees);
- 2) the average annual salary of a full-time employee for each workplace intended for the employment of a person with a disability and not occupied by a person with a disability (for employers with 15 or more employees).

Violation of the terms of payment of administrative and economic sanctions entails a penalty of 120% of the annual discount rate of the National Bank for each calendar day of delay (The Law of Ukraine

"On the Fundamentals of Social Protection of Persons with Disabilities in Ukraine").

Article 188-1 of the Code of Ukraine on Administrative Offences also provides for a fine of ten to twenty tax-free minimum incomes (170-340 UAH) for failure by an official who has the right to hire and dismiss an individual who uses hired labour to comply with the standard of workplaces for the employment of persons with disabilities (Code of Ukraine on Administrative Offences).

The offences for which administrative liability is provided are also among the offences for which administrative liability is introduced:

- 1) stopping or parking vehicles in places marked with appropriate road signs or road markings, where only vehicles driven by drivers with disabilities or drivers carrying persons with disabilities are allowed to stop or park (except in cases of forced parking), as well as creating obstacles for drivers with disabilities or drivers transporting persons with disabilities when stopping or parking the vehicles they drive, illegal use of the "Driver with a disability" identification mark on a vehicle (Article 122 of the Code of Administrative Offences);
- 2) parking of a vehicle in places intended for free parking of vehicles driven by drivers with disabilities or drivers carrying persons with disabilities by a driver who does not have documents confirming that he or one of the passengers has a disability (except in cases of clearly expressed signs of disability);
- 3) failure to arrange on specially equipped or designated parking areas, including near residential buildings (except for individual residential buildings) and other buildings, on sidewalks (including places for stopping and parking of vehicles), places intended for parking of vehicles driven by drivers with disabilities or drivers transporting persons with disabilities, or arranging such places without complying with the requirements for their placement (Article 152-1 of the Code of Ukraine on Administrative Offences);
- 4) failure to pay child support for a child with a disability (Article 183-1 of the Code of Ukraine on Administrative Offences) (Code of Ukraine on Administrative Offences).

Another defining law of Ukraine in the field of rehabilitation of persons with disabilities provides for the responsibility of the founders (owners) and managers of rehabilitation institutions for the quality of food in such institutions (Article 20), of the manufacturer (seller) in case of implementation of rehabilitation aids that do not comply with the technical regulations (Article 26), as well as of persons guilty of violating the legislation on rehabilitation of persons with disabilities (Article 45) (The Law of Ukraine "On Rehabilitation of Persons with Disabilities in Ukraine"). At the

same time, the law does not define in any way the mechanism of implementation of the listed norms on responsibility in the field of rehabilitation.

The only criminal offence defined in the Criminal Code of Ukraine that is directly related to the aspect of disability is violation of the equality of citizens on the basis of their disability. In particular, criminal liability is provided for direct or indirect restriction of rights or establishment of direct or indirect privileges of citizens on the basis of disability. The degree of criminal liability increases if the offence is committed in combination with violence, deception or threats, if it is committed by a public official, or if the listed acts are committed by an organised group of persons or cause serious consequences (Article 161) (Criminal Code of Ukraine).

A wide range of offences and liability for their commission are defined in the field of urban development. On 14 October 1994, the Verkhovna Rada of Ukraine adopted the Law of Ukraine "On Responsibility for Offences in the Field of Urban Planning" under No. 208/94-VR (The Law of Ukraine "On Responsibility for Offences in the Field of Urban Planning"). The liability provided for in this legislative act is material, as it is limited to the imposition of fines on urban development entities (legal entities and individual entrepreneurs) for unlawful acts or omissions that have led to failure to comply with or improperly comply with the requirements established by law, building codes, state standards and regulations.

Liability is provided for the following offences:

- for the transfer by urban development entities engaged in the design of facilities, examination of construction projects, to the customer of design documentation for construction works at the construction site, developed in violation of the requirements of the law, urban planning documentation, initial data for the design of urban development facilities, building codes, state standards and rules, including for failure to create a barrier-free environment for persons with disabilities and other low-mobility groups;
- for the performance of construction works by urban development entities that carry out construction works in violation of the requirements of building codes, state standards and regulations or approved design decisions;
- for failure of urban development entities to comply with the orders of the state architectural and construction control authorities to eliminate violations of the requirements of the legislation in the field of urban development, building codes, standards and rules (The Law of Ukraine "On Responsibility for Offences in the Field of Urban Planning").

Even if in the case of criminal liability the relevant cases are considered exclusively in court, the cases of offences in the field of urban planning activities

are also considered out of court by the executive bodies on issues of state architectural and construction control of village, settlement and city councils; structural subdivisions on issues of state architectural and construction control of the state administrations of Kyiv and Sevastopol; the central body of executive power implementing state policy on issues of state architectural and construction control and supervision (The Law of Ukraine "On Responsibility for Offences in the Field of Urban Planning"). This applies not only to the area of urban planning, but also to other areas in which it is permissible to try guilty parties out of court.

### Conclusions

Summarising, it can be said that today Ukraine provides for specific types of liability for offences and crimes related to the rights of persons with disabilities in the areas of employment, road traffic and urban planning. However, there is no reason to characterise as such other areas in which liability for offences is an effective and efficient means of restoring the violated socio-economic rights of people with disabilities. First of all, the above refers to liability for violations of labour, social, housing, medical, rehabilitation and other rights identified and analysed above.

The issue of the lack of effective legal accountability for crimes and offences committed against persons with disabilities, as well as the complexity of the mechanisms for establishing such accountability, remains unresolved and requires appropriate legislative regulation and practical implementation.

In particular, it is worth replacing the traditional Ukrainian law provision "persons guilty of violating the requirements of a particular law shall bear material, disciplinary, administrative or criminal liability established by law" with specific types of liability for specific unlawful acts. This approach is considered to be much more efficient and effective than the one used today, when the type of punishment depends on the subject of the dispute.

The establishment of appropriate legal relations with emphasis on the rights and legitimate interests of people with disabilities will allow not only to have a positive impact on the lives of representatives of this category of the population, but also to increase the level of democracy, legality and humanity of the state policy of the appropriate direction in particular, and the functioning of the institution of the state, which is positively disposed towards people with disabilities health disorders in general.

This approach will bring benefits not only to people with disabilities and their families, but also to individual enterprises, institutions and organisations, local communities in particular, and the state as a whole.



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