

International Disability Alliance (IDA)

Member Organisations:

Disabled Peoples' International, Down Syndrome International, Inclusion International, International Federation of Hard of Hearing People, World Blind Union, World Federation of the Deaf, World Federation of the DeafBlind, World Network of Users and Survivors of Psychiatry, Arab Organization of Disabled People, European Disability Forum, Red Latinoamericana de Organizaciones no Gubernamentales de Personas con Discapacidad y sus familias (RIADIS), Pacific Disability Forum

Suggestions for disability-relevant recommendations to be included in the Concluding Observations CEDAW Committee 49th Session (11-29 July 2011)

The International Disability Alliance (IDA) has prepared the following suggestions for the Concluding Observations, based on references to persons with disabilities to be found in the State Report, List of Issues, and Replies.

KOREA

Korea ratified the Convention on the Rights of Persons with Disabilities on 11 December 2008.

State Report

Selected references to persons with disabilities in the state report, list of issues and replies,

Anti-Discrimination against and Remedies for Persons with Disabilities Act

8. The "Anti-Discrimination against and Remedies for Persons with **Disabilities Act**" (enacted on April 10, 2007) is intended to prohibit discrimination based on **disability** and guarantee the rights of **persons with disabilities**. The act prohibits discrimination against **women with disabilities** in all life spheres including childbirth, childrearing, housework and sexual relations, and specifies the obligations of the central and local governments to achieve that goal.

48. The legislation dealing with sexual violence is the "Act on Punishment for Sexual Violence Crimes and Protection of Victims" and the legislations regarding sexual harassment include the "Women's Development Act", the "Equal Employment Act" and the "National Human Rights Commission Act." The "Women's Development Act" imposes on the head of an organization the obligation to take steps to prevent sexual harassment and requires them to provide sexual harassment prevention education at least once a year. The "**Anti-Discrimination against and Remedies for Persons with Disabilities Act**" enacted in April 2007, prescribes that education for the prevention of sexual violence against the **disabled** be included in the job-training curriculum for employees in educational institutions, business enterprises, and welfare facilities. In an effort to reinforce the effects of prevention education, the Ministry of Gender Equality produces and distributes educational materials using the data it gathers, including successful cases of sexual harassment prevention and strategies to prevent and deal with sexual harassment.

Support for Education and Employment of Women with Disabilities

101. To facilitate the employment of **women with disabilities**, the government provides various support, such as vocational training programs tailored to them, development of new occupations appropriate for **disabled women** and their dissemination, and vocational capacity building. Recent programs include training for such occupations as barista and visual editing. Further, the employers who hire more **disabled workers** than the obligatory quotas are rewarded with monetary incentives.

124. Since 2006, the government has carried out educational programs to empower **women with disabilities** and to increase their opportunities for social participation. Taking into account the need of **disabled women** and the characteristics of the community where they live, the programs attempt to integrate the women into society utilizing community resources. In 2006, 54 exploratory programs were conducted in two of the 16 provinces and metropolitan cities of the country, with 2,635 participants. In 2007, 8 provinces conducted 95 programs with 23,223 participants, and in 2008, analogous numbers were 10 provinces, 118 programs, and 40,600 participants. In 2009, all 16 provinces and mega cities conducted the programs.

[List of Issues](#)

30. With reference to paragraphs 8, 48, 101 and 124 of the report, please provide information on the employment rate of women with disabilities, including part-time work, and indicate how this rate compares to that of employed **men with disabilities and of persons without disabilities**.

[Replies](#)

Question 10: To promote the responsible reporting of domestic violence, the Government imposed on the directors of educational and medical institutions, as well as support facilities for the **disabled** the obligation to report domestic violence cases. (Article 4, Special Procedure Act on the Punishment of Domestic Violence). In addition, emergency hotlines and counseling centers for victims of domestic violence have been opened.

Question 11: c. Victims of sexual harassment Sexual harassment is currently prosecutable under Article 10 of the Act on Punishment of Sexual Violence Crimes and Protection of Victims.

...(3) If any head or employee of a facility aimed for the protection, education, etc. of the **disabled** commits adultery by a deceptive scheme or by power with a **disabled person** who is subject to his protection and supervision, he shall be punished by imprisonment for not more than seven years. Where he commits a disgraceful conduct against such a disabled person, he shall be punished by imprisonment for not more than five years or a fine not exceeding 30 million won. (equivalent to US\$ 26,087)

Question 28: Housework helpers have been employed to support the basic livelihoods of the elderly, multicultural, **disabled**, and vulnerable rural families for a maximum of 12 days. While 70% of the assistant costs are paid from public funds, the remaining 30% is paid by the National Agricultural Cooperative Federation. In 2006, only singles and couples over 65 years of age were eligible. In 2007, however, aging households over 65 were also included. Moreover, 2009 marked the inclusion of multicultural families, and in 2010, a total of 15,000 families received 1 million won (equivalent to US \$ 870) in aid. The Government plans to constantly reform the aforementioned system by reflecting the system user's opinions in order to improve the satisfaction level of clients who use the service.

Question 30: Employment rate of the **disabled** 37.65%, Employment rate of **disabled women** 23.72%; Employment rate of **disabled men** 47.58%; Total employment rate of the **non-disabled** 58.4%

Recommendations from IDA:

- Collect adequate data on women and girls with disabilities and use disaggregated data and results of studies to develop policies and programmes to promote equal opportunities for them in society
- Adopt measures to ensure that women with disabilities are consulted and participate in leadership roles in policy development.
- Raise awareness and provide more information about women and girls with disabilities, who are often subjected to multiple forms of discrimination, especially with regard to access to education, employment, access to health care and violence.
- Introduce measures to promote the vocational training and employment of women with disabilities.
- Address the heightened risk for girls and women with disabilities of becoming victims of domestic violence and abuse, and adopt urgent measures to ensure that both services and information for victims are made accessible to women and girls with disabilities living in institutions and the community.
- Ensure the provision of support services to assist families, including both mothers with disabilities, and mothers or women in the family who are the lead caregivers in their care for children with disabilities. In particular, ensure that services and assistance are rendered to permit women in families with children with disabilities, as well as mothers with disabilities, to continue their careers with an appropriate work/life balance.
- Adopt measures to ensure that all health care and services, provided to persons with disabilities, including all mental health care and services, is based on the free and informed consent of the person concerned, and that involuntary treatment and confinement are not permitted by law in accordance with the CRPD.
- Adopt measures to ensure that all information, healthcare and services relating to sexual and reproductive health are made accessible to women and girls with disabilities, and that they are respectful of the dignity and integrity of persons with disabilities based on the free and informed consent of the individual concerned, and that consensual treatment such as the administration of contraception, or fertility treatments are not denied, while all non-consensual treatment, including that for which consent is given by a third party, is not permitted by law (including *inter alia* forced abortions, forced contraception, and forced sterilisation).
- Adopt measures in the law to ensure the implementation of inclusive education of children with disabilities, such as the obligatory training of all teachers (beyond special education teachers), to require individual education plans for all students, ensure the availability of assistive devices and support in classrooms, educational materials and curricula, ensure the accessibility of physical school environments, encourage the teaching of sign language and disability culture, allocate budget for all of the above. Include inclusive education as an integral part of core teacher training curricula in universities to ensure that the values and principles of inclusive education are infused at the outset of teacher training and teaching careers.
- Consider acceding to the Optional Protocol to the CRPD.