



**Convention on the Rights
of Persons with Disabilities**

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Committee on the Rights of Persons with Disabilities

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reporting procedure, due in 2019^{*}, ^{**}**

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** The annexes are on file with the Secretariat and are available for consultation. They may also be accessed from the web page of the Committee.

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Introduction

1. The Republic of Korea ratified the Convention on the Rights of Persons with Disabilities (hereinafter referred to as the “Convention”) on December 11, 2008. The Convention came into effect on January 10, 2009. Pursuant to Article 35 (1) of the Convention, the initial national report on Korea’s implementation status of the Convention was submitted to the Committee on the Rights of Persons with Disabilities (hereinafter referred to as the “Committee”) on June 22, 2011. Korea underwent the Committee review from September 17 to 18 in 2014 in accordance with Article 36 (1) and (2) of the Convention and received the Committee’s concluding observations dated October 4, 2014. The Committee’s concluding observations specified its concerns about Korea’s failure to comply with certain provisions of the Convention and its recommendations aimed at improving the current status. As the Convention has legal authority equal to the domestic laws of Korea, Korea has strived to remain fully committed to and fulfill the recommendations specified in the Committee’s concluding observations on its initial report through continued improvement measures over the past two to three years.

2. The Korean government collected opinions from diverse fields through a variety of channels in the course of preparing this report. First, comments and suggestions about the draft of the report were collected through meetings of relevant ministries and open discussions, some of which were reflected in the final outcome. In addition, opinions from the Policy Coordination Working Committee for Persons with Disabilities and Policy Coordination Committee for Persons with Disabilities, both of which encompass disabled individuals and related organizations, were collected, while the National Human Rights Commission of Korea conducted a final review of the draft of the report.

A. Purpose and General Obligations (Articles 1–4)

Reply to paragraph 1 of the Committee’s list of issues (CRPD/C/KOR/QPR/2-3)

3. With regard to the medical model of disability introduced in the Act on Welfare of Persons with Disabilities, the Committee pointed out in its concluding observations in 2014 that the model results in one-size-fits-all services for those classified into each disability grade in accordance with their medical assessment. The Korean government amended the Act on December 19, 2017, and replaced the notion of “grade of disability” with “severity of disability”. This amendment is aimed at providing individualized services based on the comprehensive service support survey, laying the groundwork for home visit counseling and case management, and thereby eliminating blind spots in welfare services. The amended Act shall take effect on July 1, 2019.

4. The Korean government plans to select and implement “deinstitutionalization and support for independent living” among its 100 Policy Tasks to promote the human rights of the disabled and build a welfare system centered on local communities. This task focuses on the reinforcement of residential support at the level of the central government, the diversification of residential facilities and pertinent services, the connection of medical and employment support, and the establishment of an effective service delivery system.

5. The Korean government amended the Act on Welfare of Persons with Disabilities (amended on June 22, 2015, and enforced from January 1, 2017) to lay the groundwork for the launch of an institution to promote the rights and interests of the disabled, prevent their mistreatment, and provide follow-up support for disabled victims of mistreatment. The said institution opened its doors to the public and is systematically responding to mistreatment, discrimination, and human rights violations regarding the disabled at 17 locations run by the governments of the cities and provinces of upper-level local autonomy (i.e. the special metropolitan city, metropolitan cities, special self-governing city, provinces, and special self-governing province). As for the shelters for disabled victims of mistreatment established pursuant to Article 59-11 (Shelters for Victimized Persons with Disabilities) of the same Act, five more are scheduled to open in the second half of 2019 in addition to the existing eight. The government plans to continue to expand these shelters across the nation. The government also launched a pilot project in 2018 for the development of the model of

the halfway house – an institution that allows mental patients to stay for a short term and prepare for reintegration into society and independent living.

6. Pursuant to Article 15 of the Act on Welfare of Persons with Disabilities and Article 13 of the Enforcement Decree of the said Act, those covered by the Act on the Improvement of Mental Health and the Support for Welfare Services for Mental Patients are allowed limited access to accommodation, counseling, treatment, and training services at welfare facilities for the disabled. As sanatoriums, living facilities, and rehabilitative training facilities dedicated to mental patients, separate from those for the disabled, are in operation and as the legal grounds for such facilities are provided in Articles 22, 26, and 27 of the Act on the Improvement of Mental Health and the Support for Welfare Services for Mental Patients, it is deemed somewhat necessary to limit mental patients' access to welfare facilities for the disabled established under the Act on Welfare of Persons with Disabilities. The Korean government fully recognizes the background of the Committee's concern that the Act on Welfare of Persons with Disabilities is defining mental patients as persons with mental disabilities and yet excluding them from the universal welfare service delivery system for the disabled. The Korean government plans to examine ways to resolve this issue from multiple perspectives (refer to Tables 1-1, 1-2, 1-3 and 1-4).

Reply to paragraph 2

7. The Korean government has pushed ahead with the abolition of the existing disability classification system that provides one-size-fits-all services for each grade based on medical assessment and moved forward with the establishment of a more individualized service system as one of its 100 Policy Tasks in an aim to better protect the rights and interests of the disabled and ensure their community-based self-reliance. The government has continued to consult organizations serving the disabled and pertinent experts about this issue since 2013 and formed the private-public disability classification system abolition council in 2017. The council has held ten in-depth discussions and has made continual progress regarding detailed implementation plans. The government has also continued to make preparations for new support criteria and a new service delivery system model oriented towards the disabled to replace the existing disability classification system through research conducted by experts and three pilot projects (first in 2015, second in 2016, and third in 2017) and has reviewed their feasibility. In December 2017, the government amended the Act on Welfare of Persons with Disabilities, the legal basis for the controversial disability classification system, to provide the legal grounds for its abolition scheduled to take effect on July 1, 2019.

8. The Korean government plans to introduce the comprehensive survey system for services for the disabled step-by-step from July 2019 to 2022, including daily life assistance (for activity assistance, provision of assistive devices, and admission to living facilities for the disabled), mobility assistance (call taxi services, parking permits, etc.), and employment and income support (disability pension, application of the mandatory employment system for persons with disabilities). This testifies to the government's will to remove any restrictions on access to welfare services and activity services incurred by the controversial disability classification system. The abolition of the disability classification system and the establishment of an individualized welfare service delivery system are expected to lead to the expansion of home visit counseling for those with disabilities in current blind spots and the development of welfare services that better cater to the needs of individual targets, while reinforcing the management of specialized cases. The government plans to reflect this in the 5th Comprehensive Policy Plans for Persons with Disabilities (2018–2022) and report it to the 20th Policy Coordination Committee for Persons with Disabilities (January 2018) to lay the solid groundwork for pertinent policy changes and continually expand the application of the survey system through discussions by specialized committees affiliated with the government and research by comprehensive survey instrument development experts.

9. As all disabled people will become eligible for applying for the activity assistant services starting July 2019, unlike in the past when only those in Grades I through III were eligible, the budget for the said services was drastically increased by 45.3% from KRW 609.7 billion in 2018 to KRW 1.0035 trillion in 2019. The budget for support projects for

the developmentally disabled rose fourfold from KRW 8.5 billion in 2018 to KRW 42.7 billion in 2019. In total, the budget of the Bureau of Policy for Persons with Disabilities under the Ministry of Health and Welfare rose by 25.3% from KRW 2.2213 trillion in 2018 to KRW 2.7825 trillion in 2019. The Korean government will continually expand the spectrum of its disability services and the amount of budget allocated for such services to ensure independent living and protect the rights of the disabled.

10. The Korean government clearly recognizes that the abolition of the disability classification system is not the ultimate goal but a turning point and a starting point for a paradigm shift in the nation's disability policy to achieve services truly centered on the disabled. The government is also well aware that it will face the challenging task of deciding the direction of the nation's disability policies after the abolition of the disability classification system. Korea will seek optimal policy alternatives to ensure complete social inclusion and participation of the disabled and develop disability policies in accordance with its priorities through continued communication and sharing of ideas with those with disabilities as well as related experts.

Reply to paragraph 3

11. The Korean government aims to root out all forms of disability-based discrimination in every aspect of life and effectively protect the rights and interests of those discriminated against due to disabilities. The government enacted the Act on the Prohibition of Discrimination against Persons with Disabilities, Remedy against Infringement of Their Rights, Etc., on April 10, 2007, to achieve a society where complete social inclusion and equality of the disabled are ensured and their human dignity is preserved.

12. The Korean government is well equipped with systems and procedures to safeguard the rights and interests of the disabled. The National Human Rights Commission of Korea has also played an instrumental role in protecting the disabled against discrimination as evidenced by the fact that the number of petitions submitted to the Commission related to disability-based discrimination has increased dramatically after the enforcement of the Act on the Prohibition of Discrimination against Persons with Disabilities, Remedy against Infringement of Their Rights, Etc (refer to Tables 3-1 and 3-2).

13. The Korean government views the Optional Protocol to the Convention as a vehicle that will effectively guarantee the implementation of the obligations of the Convention through the introduction of the petition filing system for individuals and groups. For most international human rights conventions adopted by Korea, which enable petition filing by individuals, the related optional protocols were ratified after a sufficient period of time to allow for the nation's institutional preparedness and other conditions to mature. As a decade has passed after the ratification of the Convention, the government recognize it is time to positively review the ratification of the Optional Protocol to the Convention. To push ahead with the ratification of the Optional Protocol to the Convention, the government plan to analyze precedents of cases of disability-based discrimination to check whether the rights specified in the Convention are ensured and closely examine procedures for safeguarding the rights of the disabled as prescribed in the Act on the Prohibition of Discrimination against Persons with Disabilities, Remedy against Infringement of Their Rights, Etc.

B. Specific Rights (Articles 5–30)

Equality and Non-discrimination (Article 5)

Reply to paragraph 4 (a)

14. The number of staff members (Disability Rights Division I and II) who were responsible for investigating disability-based discrimination and cases concerning mental health promotion facilities at the National Human Rights Commission of Korea stood at 20 to 21 from 2015 to 2017. Although the Commission requested the further reinforcement of five staff members for each of those three years to the Ministry of the Interior and Safety, only one staff member was added in total. The Commission is seeking to fortify its

independence through the amendment of the Constitution of the Republic of Korea to have its status constitutionally guaranteed and the amendment of the National Human Rights Commission of Korea Act to secure its rule-making authority. The amended National Human Rights Commission of Korea Act (enforced from February 3, 2016) stipulates the necessary qualifications for commissioners and the detailed procedures for their appointment. It also includes provisions to take gender equality into account when appointing commissioners, to relieve commissioners of any civil or criminal responsibility for their remarks and decisions made while performing their duties, and to give consideration to the Commission's independence when establishing regulations concerning the Commission's organization.

15. The Organization of the National Human Rights Commission of Korea and Its Affiliated Institutions was amended by the Ministry of the Interior and Safety on July 17, 2018, to include the reorganization of their structure. In accordance with this amendment, the Discrimination Remedy Bureau was established to fortify the Commission's role to investigate and remedy discriminatory acts that infringe the right to equality.

Reply to paragraph 4 (b)

16. Pursuant to Article 128 of the Civil Procedure Act, a court may grant a litigation aid, either ex officio or upon the request of the person who lacks the resources to pay litigation costs.

17. In order to help victims of disability-based discrimination stay informed on the litigation aid system, promotional posters were posted at courts and relevant government organizations and leaflets were distributed to the departments in charge of civil services at courts to be handed out to visitors starting from February 2013.

18. Currently, the Minister of Justice may issue an order for correction only when stringent conditions specified in Article 43 (1) of the Act on the Prohibition of Discrimination against Persons with Disabilities, Remedy against Infringement of Their Rights, Etc., are met. The Korean government is aware of the concern that the said conditions are excessively strict and are deemed to compromise the effectiveness of the system of order for correction. As such, the government is reviewing ways to make improvements, including the amendment of the said Act, and ensure that the system of order for correction works more effectively to remedy disability-based discrimination.

Reply to paragraph 4 (c)

19. The Korean government enacted the said Act to allow courts to take more remedial measures (both interim measures such as the discontinuation of the discriminatory act upon the request or claim of the victim and aggressive measures such as the discontinuation of the discriminatory act ex officio and improvement of wages and other working conditions). This is expected to encourage courts to aggressively exercise their discontinuation order right when any victim claims damages incurred by discrimination.

20. The Supreme Court of Korea and other courts have conducted disability awareness improvement education for judges and court officials once a year pursuant to the Act on Welfare of Persons with Disabilities and the Act on the Prohibition of Discrimination against Persons with Disabilities, Remedy against Infringement of Their Rights, Etc., since 2012.

21. In order to effectively implement the provisions of the Act on the Prohibition of Discrimination against Persons with Disabilities, Remedy against Infringement of Their Rights, Etc., during job training for judges and court officials, the Korean government will amend the Guidelines on Legal Support for Persons with Disabilities, develop more programs for disability awareness improvement education, and highlight the need for the discontinuation order right.

Reply to paragraph 4 (d)

22. As of June 2018, a total of 125 petitions were notified to the Ministry of Justice by the National Human Rights Commission of Korea in compliance with the Act on the

Prohibition of Discrimination against Persons with Disabilities, Remedy against Infringement of Their Rights, Etc. Of these, two were given the order for correction, 87 were formally brought to a close, and 36 are still in progress. The Disability Discrimination Case Compilation of the Commission introduces 58 disability-based discrimination cases that were handled from October 2010 to December 2017, with 29 concerning the provision of goods and services; eight concerning judicial, administrative, and political rights; eight concerning education; seven concerning bullying; and two concerning other reasons (refer to Table 401 for detailed reasons for petition filing).

Reply to paragraph 4 (e)

23. For the three years from 2015 to 2017, legal aid was provided for one case in 2017 regarding lawsuits filed due to the violation of the Act on the Prohibition of Discrimination against Persons with Disabilities, Remedy against Infringement of Their Rights, Etc. The Korean government would like to request the Committee to take into consideration the fact that the said Act was drawn to lay the legal groundwork for the disabled to receive legal aid through non-judicial proceedings, such as the recommendation of the National Human Rights Commission of Korea and the order for correction by the Ministry of Justice, without the need for filing a suit.

Women with Disabilities (Article 6)

Reply to paragraph 5 (a)

24. The Korean government established the 5th Comprehensive Policy Plans for Persons with Disabilities (2018–2022) and adopted “the reinforcement of support for women with disabilities” as one of its 22 priority tasks. The 4th Comprehensive Policy Plans for Persons with Disabilities (2013–2017) also focused on the priority task of “the protection of the human rights and the promotion of the social participation of women with disabilities” to improve the income, employment, and education of women with disabilities, which remain relatively poor, and expand aid for their pregnancy, birth, and childcare.

25. The Korean government is providing aid for education and childbirth as part of its aid project for women with disabilities. The government is providing quality services tailored to meet the educational needs of women with disabilities, who are often deprived of the opportunity to reinforce their competence due to the double constraints of having disabilities and being women, and contribute to the expansion of their social participation through their empowerment and the improvement of their quality of life. The government provides KRW 1 million per baby to reduce the financial burden of pregnancy and childbirth of all women with disabilities and creates a more supportive environment for such mothers and their babies (refer to the responses for 4-c and 4-d).

26. A wide range of government subsidies are offered to promote the employment of women with disabilities. The promotional subsidies for employers to recruit the disabled were upwardly adjusted for female employees with both mild disabilities (KRW 300,000 for male employees and KRW 400,000 for female employees) and severe disabilities (KRW 500,000 for male employees and KRW 600,000 for female employees). When loaning facilities and equipment, those employers who have recruited women with disabilities are given priority. Additional points are granted in proportion to the percentage of female employees with disabilities when selecting employers of merit for employment promotion, while women with disabilities are given priority when applying for vocational training courses. The Korean government also supports the training and employment of women with disabilities by developing and promoting jobs tailored for female employees.

Reply to paragraph 5 (b)

27. The Korean government operates the Korea Sexual Violence Relief Centers for the Disabled at 22 locations and Domestic Violence Relief Centers for the Disabled at four locations, providing counseling, medical, and legal support. Upon the request of such a victim with disabilities, home visit counseling is arranged. The government also operates shelters for victims of sexual violence at eight locations and shelters for victims of domestic violence at two locations to provide counseling, protection, accommodation, medical and

legal support, and education and rehabilitation services. The government plans to expand the number of such support facilities dedicated to the disabled throughout the future.

28. The Korean government has provided financial aid for disabled victims of sexual violence, who are unable to seek support from their family members, to stay at shelters since 2014. The government has also provided the assistant service designed to accompany disabled victims to facilities of education, investigation, and treatment in case they are unable to access the services of the Crisis Intervention Center for Women and Children (an integrated support center for victims of sexual violence) due to the inability of their caregivers to provide such assistance.

29. Since 2015, the Korean government has been establishing the infrastructure for sexuality and human rights education for children and teenagers with disabilities nationwide. Courses requested by the Ministry of Gender Equality and Family and central support organizations are being offered with disability-specific teaching aids pursuant to the Guidelines on Sexuality and Human Rights Education for Children and Teenagers with Disabilities. The Korean government has focused on developing and distributing educational content that advances violence prevention from the perspective of human rights protection.

Reply to paragraph 5 (c)

30. The Korean government amended the Lifelong Education Act on May 29, 2016, to promote lifelong education for the disabled, including women with disabilities, and established policies to systematically support their lifelong learning. Article 5 (2) of the said Act stipulates that the central government and local government bodies must establish and implement policies to ensure lifelong education opportunities for the disabled.

31. The Career and Lifelong Education Team for Students with Disabilities and the National Lifelong Education Promotion Center for Persons with Disabilities were established on January 1, 2018, and April 3, 2018, respectively, within the Ministry of Education (refer to Table 5-1).

32. The Korean government conducts competence-building education for women with disabilities every year. The government organizations in charge of education support projects for women with disabilities (42 locations as of December 2018) provide counseling tailored for different life-cycle stages; information for legal, medical, housing, and employment needs; and tailored competence-building education. Counseling and case management services are offered on a permanent basis as part of the education support project to identify the grievances and needs of women with disabilities across different life-cycle stages. The expenditures of government organizations in charge of education support projects for women with disabilities are fully covered by central government subsidies (50% for Seoul and 70% for non-Seoul areas) and local government subsidies. For education for women with disabilities, KRW 612 million was allocated in 2015, KRW 1.596 billion in 2016, KRW 1.596 billion in 2017, and KRW 1.62 billion in 2018.

Reply to paragraph 5 (d)

33. The Korean government has operated a project to support the childbirth of registered women with disabilities, which provides KRW 1 million per childbirth (including miscarriage and stillbirth). Access to this support was further improved by expanding the targets from those in Grades I through III to those in Grades I through VI in 2015 and by streamlining the application procedures through the launch of the integrated one-stop Government 3.0 Happy Childbirth service in December 2016. As a result, the number of recipients continued to increase each year, from 1,160 in 2015 to 1,271 in 2016 and 1,404 in 2017 (refer to Tables 5-2 and 5-3).

34. The Korean government first implemented the maternal and infant healthcare support project in 2006, through which health managers are dispatched to homes to help mothers recover their health postpartum and nurture their babies, thereby reducing their financial burden. As of 2019, this service is provided to all families with newborns with an income level of up to 100% of the nation's median household income, regardless of the diagnosis of disabilities. Mothers who fall into the category of "persons with severe

disabilities” as specified in Subparagraph 1 of Article 2 of the Disability Pension Act are given higher priority and higher amounts of government subsidies for longer periods of time than non-disabled mothers (refer to Tables 5-4 and Table 5-5).

35. Even if families with mothers with disabilities or infants with disabilities fall outside the aforementioned median income criteria, the local government body in charge may provide support for them within the related budget. As such, out of the 17 jurisdictions of cities and provinces of upper-level local autonomy, 16 are currently allocating their budget to support mothers with disabilities and infants with disabilities irrespective of their household income level (refer to Table 5-6).

36. Although the government conducted research on the actual condition of induced abortion operations targeting women in their childbearing years, etc., research on cases of forced sterilization operations on women with disabilities admittedly has its limits. Should any case of forced sterilization be discovered, it will be punished severely based on pertinent acts (refer to the response for 18-1).

Children with Disabilities (Article 7)

Reply to paragraph 6

37. The Child Welfare Act affirms that children should be able to grow up without being discriminated against in any manner on the basis of their or their family members’ gender, age, religion, social status, wealth, disability, place of birth, ethnicity, etc. In this sense, the said Act is built on the principle of integrating disabled and non-disabled children. However, to better cater to the individual needs of children with disabilities, the Act on Welfare Support for Children with Disabilities was put into force. In the same context, the Act on Guarantee of Rights of and Support for Persons with Developmental Disabilities was also enacted and enforced to more effectively support those with developmental disabilities.

38. The Act on Welfare Support for Children with Disabilities was enacted on August 5, 2012, reflecting the needs and perspectives of disability-related organizations and families of the disabled. The Act on Guarantee of Rights of and Support for Persons with Developmental Disabilities was enacted on May 20, 2014. The government collected the opinions of a wide spectrum of stakeholders, including parents of disabled children, for the improvement of the eligibility of developmental rehabilitation service providers as specified in the Enforcement Rule of the Act on Welfare Support for Children with Disabilities amended on September 21, 2017 (refer to Table 6-1). The government reinforced the expertise of developmental rehabilitation service providers by adding criteria for the completion of courses required by law, instead of recognizing qualifications issued by diverse private-sector organizations based on their own standards.

Awareness Raising (Article 8)

Reply to paragraph 7

39. With the amendment of the Act on Welfare of Persons with Disabilities in 2015, the number of government organizations in charge of disability awareness education was increased. Pursuant to this Act, the heads of central and local government bodies; heads of childcare centers established under the Infant Care Act; heads of schools established under the Early Childhood Education Act, Elementary and Secondary Education Act, and Higher Education Act; and heads of other educational and public institutions must conduct education for their employees and students to raise awareness on the disabled and report the results.

40. However, despite such legal obligations for disability awareness raising education, the implementation rate of the target organizations of mandatory education still remains low (refer to Table 7-1). The Korean government plans to create a mid- and long-term roadmap for disability awareness raising education that will include disability awareness raising index development, standard curriculum development and assessment, lecturer cultivation, education monitoring institutionalization, and awareness raising education

expansion targeting the private sector. This will be carried out through related research for the mid- and long-term roadmap for disability awareness raising education and methods for its development (2018) to improve both the quality and implementation rate of the education.

41. The Korean government amended the Act on the Employment Promotion and Vocational Rehabilitation of Persons with Disabilities on November 28, 2017, to mandate employers to conduct disability awareness raising education in the workplace in an aim to eliminate any bias against persons with disabilities, create secure working conditions for disabled employees, and expand the employment of the disabled. The Ministry of Employment and Labor inspects the education implementation status of employers, develops and distributes educational materials, and designates educational institutions. The Ministry also plans to impose a fine on those who fail to implement the education as specified in the said Act to ensure its effectiveness.

42. The Korean government's continued efforts and the active participation of NGOs in the policymaking process are gradually coming to fruition and raising public awareness on the disabled. According to the results of the survey on the implementation status of the Act on the Prohibition of Discrimination against Persons with Disabilities, Remedy against Infringement of Their Rights, Etc., many note an improvement in disability-based discrimination and awareness on the said Act (refer to Table 7-2). However, as a high percentage of respondents agreed that a degree of discrimination against the disabled still exists, we must step up our efforts to further improve disability awareness.

Reply to paragraph 8

43. The Korean government has strived to faithfully implement the Convention since its ratification. It has participated in the Conference of State Parties to the Convention since 2013 and shared information on the nation's implementation status and networked with NGOs. At the same time, the government brought together 13 government organizations (Policy Coordination Committee for Persons with Disabilities) and crafted the plan for the national implementation of recommendations made by the Committee's concluding observations of 2016. The government staged the conference to reinforce the implementation of the Convention and hold meetings with experts and disability organizations to set up monitoring plans each year from 2014 to 2016 (refer to Table 8-1 and the response to 13-b). The government also translated the Committee's concluding observations of 2014 into Korean, added the text-to-speech feature, and posted it on the websites of the Ministry of Health and Welfare, National Human Rights Commission of Korea, etc., to actively promote the details of the Convention.

Accessibility (Article 9)

Reply to paragraph 9 (a)

44. In 2004, Korea introduced low-floor buses designed to facilitate the boarding and alighting of wheelchair users and senior citizens. Out of the 7,134 buses operated by Seoul Metropolitan City, 3,110 (43.6%) are low-floor buses. As of the end of 2017, the percentage of low-floor buses operated nationwide stood at 22.4% (refer to Table 9-1). In order to promote the introduction of low-floor buses, the Korean government preferentially grants licenses for regular-route passenger transport businesses to those that fulfill preset conditions for low-floor buses (at least one-half of total buses to be operated must be low-floor models for businesses in the special metropolitan city and metropolitan cities and at least one-third for those in cities and counties). Pursuant to Article 14 (4) of the Act on Promotion of the Transportation Convenience of the Mobility Disadvantaged Persons, the central and local governments must provide financial support within budgetary limits to the regular-route passenger transport businesses that introduce low-floor buses. Accordingly, government subsidies amounting to KRW 381.2 billion were provided to local governments from 2004 to 2017.

45. Since 2013, the Korean government has subsidized the introduction of specially adapted vehicles equipped with wheelchair mounting facilities, etc., for the mobility disadvantaged. The number of specially adapted vehicles operated by Seoul Metropolitan

City stands at 439 (132.6%), exceeding the legally required 331. The operation rate of specially adapted vehicles on the national level as of the end of 2017 was found to reach 126% (refer to Table 9-2). Article 16 (6) of the Act on Promotion of the Transportation Convenience of Mobility Disadvantaged Persons stipulates that the central or provincial government may partially subsidize the expenses incurred due to the introduction of specially adapted vehicles and installation of mobility support centers. Accordingly, government subsidies amounting to KRW 25.2 billion were provided to local governments from 2013 to 2017.

Reply to paragraph 9 (b)

46. The Act on Guarantee of Promotion of Convenience of Persons with Disabilities, the Aged, Pregnant Women, Etc., was amended in January 2015 to ensure the improvement of accessibility for physical environments open to the public in the nation's capital city, which is one of the detailed goals of the national action plan for the Incheon Strategy. To this end, the said Act stipulated the implementation of the "compliance verification" system. This system is aimed at verifying whether buildings, etc., have complied with the criteria for the installation of convenience facilities from their design stage.

47. The compliance verification system has been administered by the Disability Convenience Facility Support Center affiliated with Korea Association of Persons with Physical Disabilities since 2016. To date, a total of 155,000 cases have been handled (49,000 in 2016, 58,000 in 2017, and 48,000 as of the end of September 2018). The successful operation of the system that stringently inspects the compliance of convenience facilities based on the pertinent criteria in advance is evaluated to have provided great momentum for the improvement of the installation of convenience facilities and accessibility for the disabled.

48. Pursuant to the Act on Guarantee of Promotion of Convenience of Persons with Disabilities, the Aged, Pregnant Women, Etc., buildings exceeding a certain size are mandated to install preset convenience facilities. As such, it can be viewed that accessibility for the disabled is ensured at a basic level. However, as privately-owned buildings occupying an area of less than 300 square meters and those constructed prior to the enforcement of the said Act are not obligated to install such facilities, the Committee's concluding observations to the Convention and the National Human Rights Commission of Korea expressed concerns over the lack of access to such buildings by the disabled in 2014 and 2018, respectively. The Korean government is striving to embrace the Committee's recommendations to promote the convenience of the disabled, while also giving consideration to the financial burden of small businesses, and is currently working to craft and revise pertinent policies for small-scale buildings, such as the installation of accessible facilities and access roads ensuring the safe and convenient entrance and exit of the disabled, installation of slope ways and ramps, and expansion of door widths.

49. To increase the compliance rate of privately-owned buildings, the Korean government excluded the areas of elevators, escalators, wheelchair lifts, and/or slope ways installed for the disabled at a building open to the public pursuant to the Enforcement Decree of the Act on Guarantee of Promotion of Convenience of Persons with Disabilities, the Aged, Pregnant Women, Etc., from the calculation of the floor area of the building through the amendment of Article 119 (1) 2 (c) of the Enforcement Decree of the Building Act in November 2014. This exclusion of the areas of convenience facilities for the disabled from the floor area of the building came to be extended to apply to multi-family housing complexes through the amendment of the same Enforcement Decree in January 2016.

50. The Korean government conducts an inspection of all disability convenience facilities across the nation every five years in association with local governments to incorporate the findings into the government's disability convenience promotion masterplan.

51. The findings from the 2018 inspection indicate that the percentage of buildings equipped with disability convenience facilities rose to 80.2%, a 12.3%p increase from the previous inspection of 2013 and a twofold increase from the initial inspection of 1998.

Reply to paragraph 9 (c)

52. The Korean government is working to resolve the digital divide and provide equal and convenient access to shared information for all, especially those marginalized from access to information such as the disabled and elderly, by ensuring web accessibility on all its websites (refer to Table 9-3). We have granted quality certification to outstanding websites that conform to the national web accessibility standards (KS X OT0003) since 2014. The websites are screened through a usability test with the participation of those with different types of disabilities.

53. In February 2018, Article 32 (2) of the Framework Act on National Informatization was amended to expand the coverage of its provisions to the accessibility of application software (mobile apps) installed on websites and mobile communication terminals, which originally only dealt with the accessibility and quality certification of websites. Article 32 (3) of the same Act stipulates that information communications-related manufacturers must endeavor to ensure the compatibility of their products with assistive devices if the disabled and elderly are unable to use their products without such assistive devices.

54. The Korean government established the national standards for accessibility of input devices (KS A 5560-1 in 2016 and KS A 5560-2 in 2017) following the establishment of the national standards for accessibility of closing and opening devices of home appliances (doors, handles, etc.) for the disabled and elderly. In particular, as touchscreen-operated home appliances are becoming more widespread, the Korean Agency for Technology and Standards under the Ministry of Trade, Industry and Energy released the guidelines on the accessibility of touch user interfaces of home appliances (KS A 7256) in 2017 to better cater to the accessibility-related needs of disabled users.

Reply to paragraph 10

55. The Korean government amended the Act on Guarantee of Promotion of Convenience of Persons with Disabilities, the Aged, Pregnant Women, Etc., in January 2015 to mandate that the central and local governments obtain Barrier-Free (BF) Certification for all newly constructed facilities. The BF Certification program was first introduced in 2008, and 4,243 applications have been certified as of December 2018. Out of these, 3,678 were from the public sector, equivalent to over 87%. This shows that the public sector is positively responding to this program (refer to Table 9-4).

56. As of December 2018, only 565 certified cases have been found to have been submitted by the private sector out of the total of 4,243 certified cases. This is equivalent to a mere 13% and highlights the fact that the participation of the private sector has not yet become widespread. As such, the Korean government is striving to increase the participation of the private sector through the improvement of BF Certification and amendment of pertinent laws.

57. The Korean government amended the Rules on Barrier-Free Certification in August 2015 to mandate the inclusion of at least one disabled person (or one disability-related organization) in the certification deliberation panel and the certification deliberation committee. In addition, the exiting uniform fee system (KRW 2.06 million for preliminary certification and KRW 4.03 million for regular certification) was revised and divided into five different sections based on facility area so as to reduce certification costs for small-scale privately-owned facilities, promote their participation in the BF Certification program, and raise the effectiveness of the program.

Situations of Risk and Humanitarian Emergencies (Article 11)**Reply to paragraph 11**

58. The Korean government reinforced safety management measures to mirror the characteristics of different disabilities in proactive responses to diverse types of disasters and thereby effectively implement the Sendai Framework for Disaster Risk Reduction and Incheon Strategy Goal 7 (to ensure disability-inclusive disaster risk reduction and management).

59. Accordingly, in January 2017, the Korean government included persons with disabilities in the safety-vulnerable groups defined in Article 3 of the Framework Act on the Management of Disasters and Safety and newly inserted the stipulation that measures to ensure the safety of safety-vulnerable groups should be mirrored in the Masterplan for National Safety Management in Article 22 (8) of the same Act, thereby laying the legal groundwork for inclusive and comprehensive disability-related safety policies (refer to Table 11-1).

60. The Ministry of the Interior and Safety, responsible for overall disaster control and safety management, established the comprehensive safety measures for the disabled in collaboration with nine ministries on September 28, 2017, to ensure universal accessibility and disability-related inclusiveness. The key tasks include the reinforcement of disaster and safety management (disability safety management, reporting and response systems, disaster alert and evacuation technique research, etc.), the creation of safe spaces (BF Certification expansion, safe living environment creation, reinforcement of the safety management of welfare and educational facilities, etc.), safety education and training, and cultivation of a safety-oriented culture (safety education for the disabled and caregivers, disaster response training, evacuation manual distribution and promotion, etc.) (refer to Tables 11-2 and 11-3).

61. Currently, we are delivering disaster information via TV, radio, the Safety Stepping Stone app, the emergency disaster text messaging service, and disaster alerts, while also using visual signs for those with hearing impairment to alert them in case of emergencies. For the hearing-impaired and speech-impaired who are unable to make reports via voice telephone, we are striving to advance and promote the 119 multimedia emergency response service that enables them to report via video, text messaging, and apps. For those with severe disabilities, fire and gas detectors are installed at homes to automatically submit reports in case of emergencies (refer to Table 11-4) and enable emergency rescue. However, the current disaster information delivery system and evacuation system fall short of catering to the needs of different types of disabilities.

62. The Korean government has developed and distributed safety education content and programs tailored for different types of disabilities, such as “Guidelines for the Vision-Impaired” and “Guidelines for the Hearing-Impaired”, since 2017. We provided disability safety education programs and the guidelines for disability disaster safety education using AR to Safety Experience Centers nationwide and are conducting safety education at schools for different types of disabilities for various situations (refer to Table 11-5).

Equal Recognition before the Law (Article 12)

Reply to paragraph 12 (a)

63. In its concluding observations on Korea’s initial report in 2014, the Committee expressed its concern over the adult guardianship system and recommended to replace it with supported decision-making. In response, the Korean government abolished the quasi-incompetency and incompetency system, which was criticized for uniformly restricting the legal capacity of persons with disabilities, through the amendment of the Civil Act and adopted the guardianship system that respects the remaining decision-making capacities and self-determination of the disabled and flexibly supports their decision-making. The guardianship system is comprised of adult guardianship for those persistently lacking the capacity to manage their affairs, limited guardianship for those demonstrating insufficient capacity to manage their affairs, specific guardianship for those requiring temporary help or help for specific affairs, and voluntary guardianship established in accordance with a guardianship contract between the concerned parties pursuant to the amended Civil Act. Should those with disabilities require supported decision-making, limited guardianship or specific guardianship designed as an alternative to actively reflect their will must be taken into consideration preferentially, and adult guardianship should be considered only when the aforementioned two forms of guardianship are not available. Limited guardianship, even after its commencement, still allows the limited ward to engage in legally effective acts in principle, and the family court may set the extent of legal acts that require the guardian’s agreement. Courts also ensure that the will of the disabled is respected as much

as humanly possible throughout the legal procedures for adjudications concerning the commencement of guardianship. Pursuant to the Family Litigation Act and pertinent laws, the family court may not commence specific guardianship against the will of the principal and must take into consideration the will of the principal for adjudications concerning the commencement of adult guardianship and limited guardianship. Under current law, the family court must take the will of the principal into account in adjudicating the commencement of adult guardianship or limited guardianship (Article 9 (2) and Article 12 (2) of the Civil Act), while specific guardianship may not be exercised against the will of the principal (Article 14-2 (2) of the Civil Act). Legal procedures require the hearing of the statement of the person to be placed under guardianship (Article 45-3 (1) 1 and (2) of the Family Litigation Act), and thus the family court may designate the date for examination and examine the principal. However, the same shall not apply where the principal is unconscious, is unable to express his/her own opinion for other reasons, or is under any special circumstance preventing the examination, including where he/she refuses to appear (provisos to Article 45-3 (1) and (2) of the Family Litigation Act).

64. With respect to the Committee's recommendations and civic society's opinions, the Korean government shall closely monitor all issues raised with the guardianship system, thoroughly examine points requiring improvement, and strive to establish a system that honors and supports the decision-making of the disabled. When the commencement of any guardianship is found to have incurred excessive restrictions on daily life and runs counter to the purpose of the system (i.e. the commencement of limited guardianship serving as a reason for disqualification for a certain profession), we work to mitigate such restrictions by bringing together pertinent ministries and seeking improvement measures, etc. However, the Korean government's view is that an immediate and complete abolition of adult guardianship may leave a vacuum in the protection of the rights of those who entirely lack or are impaired in their capacity to manage their affairs and that adult guardianship is a realistic solution needed to promote and achieve equality for the disabled in the current context. An immediate abolition may compromise the protection of the rights of the disabled in need of support for decision-making, and support for decision-making must be provided in an effective and well-directed manner for those of legal age who are incapable of managing their affairs on their own. The Korean government will work hard to advance the system and ultimately build a decision-making support system dedicated to guaranteeing the self-determination of the disabled by consulting and cooperating with disability organizations, etc.

Reply to paragraph 12 (b)

65. The Institute of Justice under the Ministry of Justice conducts diverse educational programs on the protection of the human rights of the disabled and the improvement of awareness on disabilities for prosecutors, correctional officers, investigation officers, immigration officers, and probation officers (refer to Table 12-1).

66. The Human Rights Bureau of the Ministry of Justice has conducted human rights education for the Ministry's government officials every year based on its annual human rights education plan. Various programs have been offered by human rights experts both within the Ministry and beyond and have contributed to the improvement of the Ministry's officials' awareness on the legal capacity of the disabled and sensitivity to their human rights.

67. The Ministry of Justice plans to examine ways to include the legal capacity and decision-making of the disabled in its education on the protection of the human rights of the disabled and the improvement of perceptions towards those with disabilities targeting the Ministry's government officials in association with pertinent ministries. In 2015, 1,792 officials attended 32 external sessions and 704 officials attended 28 internal sessions. In 2016, 1,748 officials attended 41 external sessions and 712 officials attended 28 internal sessions. In 2017, 3,219 officials attended 73 external sessions and 577 officials attended 22 internal sessions. As of June 2018, 1,787 officials attended 47 external sessions and 256 officials attended 10 internal sessions.

Access to Justice (Article 13)**Reply to paragraph 13 (a)**

68. Article 244-5 of the Criminal Procedure Act prescribes that, if a criminal suspect lacks the capacity for judgment and ability to make and communicate decisions due to a physical or mental disability, the prosecutor may allow a person who has a reliable relationship with the suspect to sit in company with the suspect during interrogation. When a mentally disabled person is the target of an investigation or interrogation, a prosecutor dedicated to persons with developmental disabilities is required to take charge pursuant to the Act on Guarantee of Rights of and Support for Persons with Developmental Disabilities and Guidelines on the Investigation of the Case Involving Persons with Developmental Disabilities. The Korean Prosecution Service conducts education on the characteristics of developmental disabilities and pertinent investigation techniques for such prosecutors every year. When courts examine victims with developmental disabilities as witnesses, the service to accompany them to court is offered upon the request of such victims in order to deliver information such as on the judicial process, the structure of the courtroom and seat positions, and the method of witness examination and provide counseling to ensure their mental security before, during, and after examination, thereby preventing secondary victimization and facilitating witness examination.

69. When prosecutors examine or interrogate persons with physical disabilities such as visual and hearing impairment, sign language and text services are provided throughout the investigation process as specified in the Human Rights Protection Investigation Standards. For victims of sexual assault or child abuse who have difficulties in communicating with the investigation agency and court due to their disabilities, the Ministry of Justice provides a “statement assistant” to assist their communication. The Korean Prosecution Service produced the Guidelines on the Investigation of Disabled Victims in Accordance with Their Disabilities reviewed by a panel of those with disabilities and distributed the materials to prosecutors on the front lines.

70. The Ministry of Justice ensures the application of convenience features for entrance and exit (doors removed of their frames) and hygiene facilities (accessible toilets and washbasins) at correctional institutions (prisoner wards, etc.) and the operation of wards for the disabled on the ground floor of each building to facilitate their movement in accordance with Articles 3 and 4 and Attached Table 2 of the Enforcement Decree of the Act on Guarantee of Promotion of Convenience of Persons with Disabilities, the Aged, Pregnant Women, Etc. When it is deemed difficult to apply convenience facilities or make improvements due to security and other reasons unique to the correctional institution, the Ministry takes measures for the disabled prisoners to receive the assistance of staff members and non-disabled prisoners.

Reply to paragraph 13 (b)

71. In 2013, the National Court Administration commissioned research on the production of a disability awareness improvement education program and the operation of a relevant curriculum to improve access to justice. As a result, an effective program and its implementation plan were proposed. In particular, the proposed program encompasses specific cases of disability-based discrimination (i.e. language), facts and status of the disabled, characteristics of different disabilities, support services optimized for characteristics of different disabilities, and ways to effectively respond to civil complaints and requests filed by the disabled.

72. Correct understanding of the disabled is a prerequisite for the protection of their right to a fair trial. As such, Korea’s judiciary is reinforcing disability awareness improvement education in recognition of the need to more effectively handle disability-related civil petitions and to raise awareness on the characteristics of different disabilities (refer to Table 13-1).

Reply to paragraph 13 (c)

73. The Guidelines on Judicial Support for the Disabled provide the directions on ways to support the disabled for each stage of the legal process. The Guidelines serve as an internal guide for specifying the detailed measures for different types of disabilities and stages and offer recommendations to ensure the convenience of the disabled. As such, it is deemed inappropriate to make the entirety of the Guidelines legally binding. The Korean government plans to review and set apart the provisions that need to be given legal force and initiate their standardization.

74. The Supreme Court of Korea distributed the Guidelines on Judicial Support for the Disabled to judges and court officials in July 2013 and has strived to improve support for access to justice by promoting adherence to the Guidelines. The Guidelines were uploaded on the website of the Supreme Court of Korea in November 2016 to ensure easy access by all.

Reply to paragraph 13 (d)

75. All prisoners can receive legal support from the Korea Legal Aid Corporation and through the public defense council system irrespective of disability status. Article 33 (1) of the Criminal Procedure Act stipulates that the court shall appoint a defense counsel *ex officio* when the defendant is hearing-impaired and speech-impaired and when the defendant is suspected of having a physical or mental disability. The government also ensures that disabled prisoners exercise equal rights as non-disabled prisoners by having pertinent documents drawn up on behalf of those with disabilities, etc.

76. The Institute of Justice under the Ministry of Justice offers a wide range of courses on the legal capacity of persons with disabilities and raising awareness on disabilities for prosecutors, correctional officers, prosecution investigators, immigration officers, and probation officers. The Human Rights Bureau of the Ministry also provides human rights courses on the legal capacity of persons with disabilities and raising awareness on their human rights taught by internal and external human rights experts (refer to the response for 12-2).

Reply to paragraph 13 (e)

77. The National Court Administration provides facilities and human resources to assist judges with visual impairment. It has installed braille blocks in and around court buildings as well as voice-guided building information maps at each major entrance on the ground floor. It has also set up support centers that provide equipment and supplies for assistants who create computer files for visually impaired judges, as well as a sound room. The Ministry of Justice installed a lift and remodeled its restrooms with the appointment of a prosecutor who uses a wheelchair due to Grade I myelopathy. The Supreme Court Library of Korea concluded an agreement with a publisher specializing in legal literature to convert the 19 volumes of Commentary on the Civil Act into audio files and provided them to visually impaired judges for the first time in the nation. In addition, work manuals are distributed to assistants, who are charged with converting all preparatory documents and important documentary evidence into computer-readable form as well as keeping daily support logs and case records.

Liberty and Security of the Person (Article 14)**Reply to paragraph 14 (a)**

78. The Korean government wholly amended the Mental Health Act on May 29, 2016, and enforced the Act on the Improvement of Mental Health and the Support for Welfare Services for Mental Patients on May 29, 2017, to prevent any unnecessary forced hospitalization and reinforce the criteria and procedures for forced hospitalization to protect the human rights of mental patients. Pursuant to the Act on the Improvement of Mental Health and the Support for Welfare Services for Mental Patients, only those diagnosed with mental diseases requiring treatment and those in danger of injuring themselves and others

due to acute conditions may be involuntarily hospitalized for treatment, provided that the deprivation of their freedom is kept to a minimum.

79. As it is difficult to delete provisions concerning involuntary hospitalization to protect the health and safety of mental patients lacking decision-making capacity against self-injury, etc., and ensure their treatment, we instead drastically reinforced the involuntary hospitalization criteria. Whereas involuntary hospitalization against the will of the patient was previously allowed with either of two criteria fulfilled (diagnosis of a mental disease requiring hospitalization and danger of injuring himself/herself and others requiring hospitalization) based on the former Mental Health Act, it is now possible only if both of the two criteria are met with the consent of the patient's caregiver and diagnosis of a psychiatrist. The hospitalization procedure was also made more stringent. Initial involuntary hospitalization for two weeks or longer now requires the concurring opinions of two or more psychiatrists (no two such psychiatrists should work for the same healthcare organization, and at least one should belong to national or public mental healthcare institution or a mental healthcare institution designated by the Minister of Health and Welfare) submitted within two weeks.

80. The Hospitalization Suitability Examination Committee was set up in May 2018 at national mental healthcare centers to review the suitability of hospitalization from an objective perspective within one month of the initial hospitalization. The Hospitalization Suitability Examination Committee consists of psychiatrists; judges, prosecutors, or attorneys; mental health professionals (nurses, social welfare workers, or clinical counselors with a background in receiving professional training in mental health for one to three years); families of mental patients; former mental patients who have been rehabilitated; and pertinent government officials, together charged with the objective assessment of the suitability of involuntary hospitalization cases of all mental healthcare institutions. The interval between initial hospitalization and the discharge review by the Mental Health Examination Committee was drastically shortened from six months from the date of initial hospitalization to three months to elicit intensive treatment in early stages and early discharge.

Reply to paragraph 14 (b)

81. In compliance with Article 6 of the Act on the Improvement of Mental Health and the Support for Welfare Services for Mental Patients, when a mentally ill person wishes to be hospitalized or to attend a training program for re-integration into society, the head of a mental health improvement facility (a healthcare organization, nursing facility, or rehabilitation facility) shall inform the mentally ill person and his/her legal guardian of the relevant rights under this Act and other laws and of methods of exercising such rights without delay and shall keep all documents necessary for exercising the said rights on the premises. The same Article also stipulates that the head of a mental health improvement facility shall respect the opinions of a mentally ill person in the course of treatment, care, and rehabilitation.

82. To protect the rights and property of those with mental disabilities without a legal guardian staying at mental health facilities, the Korean government plans to introduce the support system to appoint a public guardian to regularly monitor the patient and propose opinions from the viewpoint of the patient throughout the hospitalization and treatment process, thereby helping the patient be fully aware of his/her rights and make informed decisions.

83. After the enforcement of the Act on the Improvement of Mental Health and the Support for Welfare Services for Mental Patients, the rate of voluntary hospitalization decided at the discretion of mental patients themselves more than doubled from 38.4% as of December 31, 2016, to 62.9% as of April 23, 2018. This attests that the mental health services available and relevant information have been sufficiently notified to mental patients and an increasing number of mental patients has been ensured of their freedom to choose treatment options (refer to Table 14-1).

84. The Korean government is working to adopt the public guardian and procedural assistant system for the disabled without a legal guardian to better protect their rights and

interests. With the enforcement of the Act on the Improvement of Mental Health and the Support for Welfare Services for Mental Patients on May 30, 2017, the need to support the decision-making of residents of mental nursing facilities arose, such as the extension of stay of severe mental patients without family or caregivers. Accordingly, the court decided to initiate limited guardianship (including temporary guardianship) for 486 severe mental patients from June 2017 onwards. The public guardian visits those under guardianship at least twice a month to give counseling and help them with legal affairs and decision-making for the extension of stay at mental health facilities or for hospitalization. A total of KRW 1.166 billion is being subsidized, with KRW 200,000 provided to each public guardian per month. Also, the procedural assistant pilot project was launched in January 2019 to prevent the infringement of the rights and interests of mental patients due to limited communication capabilities. This project is scheduled to be expanded step-by-step.

85. The hospitalization and discharge management system, which mandates the reporting of hospitalization and discharge and the allocation of additional physicians to diagnose the suitability of hospitalization, has been in operation since May 30, 2017, to better protect the human rights of mental patients. This system enables the central government to identify the status of all involuntary hospitalization cases of mental healthcare institutions across the nation in real time.

86. In accordance with the 2016 Comprehensive Mental Health Plan, we declared the prohibition of forced hospitalization and treatment in principle, created stringent conditions and guidelines for exceptions that absolutely require forced hospitalization and treatment, and conducted pertinent education for medical staff to protect the right of mental patients to self-determination. We gave priority to an adult guardian over the person under duty to support the disabled regarding the agreement to hospitalization based on the Civil Act to eliminate the possibility of wrongful hospitalization forced due to property disputes involving family members, etc., and reinforce support for decision-making of those with severe mental disabilities. We also established necessary systems to foster, educate, and support adult guardians to promote the adult guardianship system.

Reply to paragraph 14 (c)

87. Pursuant to Articles 2 and 3 of the Habeas Corpus Act, those held, protected, or confined against their free will in any medical, welfare, confinement, or protective facilities managed by the central government, local governments, public corporations, private organizations, etc., may pursue a remedy at law. As such, remedial measures can be taken for those with disabilities accommodated at such facilities and deprived of their freedom under current law. However, although the wholly amended Act on the Improvement of Mental Health and the Support for Welfare Services for Mental Patients to reinforce the human rights of those at the said facilities was approved by the National Assembly on May 29, 2016, it is difficult to fully delete the provisions concerning forced hospitalization that inevitably deprives patients of their freedom as the need to treat those lacking decision-making capacity and prevent the danger of injuring themselves and others exists.

88. We are pushing ahead with the plan to include the protection of patients' rights and interests in the assessment index for the evaluation and certification of mental healthcare institutions to root out the deprivation of freedom of patients committed at hospitals and pertinent facilities. Also, Korea Institute for Healthcare accreditation, led by the Ministry of Health and Welfare, has been performed every year since 2015, with staff members visiting each organization door-to-door (114 organizations in 2015, 100 in 2016, and 209 in 2017).

89. The Ministry of Health and Welfare conducted an inspection of the safety and human rights conditions at mental health improvement facilities such as healthcare institutions, nursing facilities, and rehabilitation facilities each year from 2014 to 2017. A special inspection was carried out at a mental healthcare institution in Gyeonggi-do from July 18 to July 27, 2016.

Reply to paragraph 14 (d)

90. The Priority Support Center was first established in 2014 to guarantee the right to fair trial for the disabled. Counselors dedicated to support services are stationed at the

Center, handling civil petitions and requests filed by the disabled, including those that were not resolved by the civil service centers at courts or the court in charge. The number of courts equipped with the Center is increasing each year, and the number of consultations, satisfaction level, and improvement points are identified and reflected in its operation to upgrade and expand the service (refer to Table 14-2).

91. The Korean government is developing signs for legal terminology in a bid to guarantee the right to fair trial for the socially vulnerable. As legal terminology should be accurately interpreted into sign language, standardized signs for legal terminology are critically needed. In addition, we will develop educational videos for court sign language interpreters, judges, prosecutors and attorneys, and the hearing-impaired and publish and distribute the book of legal terminology signs to pertinent organizations and courts. To this end, the costs for the development of legal terminology signs and the publication of the book of legal terminology signs were included in the budget for 2019.

Reply to paragraph 14 (e)

92. Korea's criminal justice system ensures fair trials and equality in all legal procedures for the disabled in line with those of non-disabled people. If defendants are suspected of having physical or mental disabilities, the court appoints a defense counsel ex officio (Article 33 of the Criminal Procedure Act). For hearing-impaired and speech-impaired defendants, sign language interpretation is provided (Article 181 of the said Act) (refer to Tables 14-3 and 14-4).

Freedom from Torture or Cruel, Inhuman or Degrading Treatment or Punishment (Article 15)

Reply to paragraph 15 (a)

93. The Korean government ensured the elimination of cruel and inhuman forced treatment through the complete amendment and enforcement of the Act on the Improvement of Mental Health and the Support for Welfare Services for Mental Patients. Article 68 (Prohibition, Etc., of Hospitalization, Etc.) of the said Act prohibits forced hospitalization into mental healthcare institutions, etc., and the extension of forced hospitalization. Article 72 (Prohibition of Detention, Cruelty, Etc.) of the said Act stipulates that it is prohibited to detain mental patients in any place other than authorized facilities and to assault them or treat them cruelly. In order to monitor compliance on a continual basis, officials dedicated to related tasks at the Ministry of Health and Welfare and national mental healthcare centers were granted "special judicial police power" (December 19, 2017). They will continue to inspect related facilities and punish those found to have committed human rights infringement.

94. In accordance with Chapter VII (Protection of Rights and Interests, Support, Etc.) of the Act on the Improvement of Mental Health and the Support for Welfare Services for Mental Patients, the Korean government is striving to expand human rights education and reinforce its guidance and supervision regarding human rights to protect the human rights of those with mental disabilities at mental healthcare institutions and nursing facilities.¹ Conditions for separation and forced treatment will be clearly stipulated and objective criteria will be presented in 2019.

Reply to paragraph 15 (b)

95. Pursuant to Article 73 of the Act on the Improvement of Mental Health and the Support for Welfare Services for Mental Patients, medical treatment of a mental patient hospitalized in a mental healthcare institution by electric shock therapy, insulin coma therapy, hypnotherapy under anesthesia, psychosurgery therapy, removal of any body parts aimed at decreasing the probability of the symptoms of mental disabilities, or any other special treatment options using aversive stimulation shall be determined by a council organized by the said mental healthcare institution, provided that the said institution

¹ 2016 Comprehensive Mental Health Plan.

delivers necessary information to the patient or his/her legal guardian and obtains the consent of the patient or his/her legal guardian. Pursuant to the amended Act on the Improvement of Mental Health and the Support for Welfare Services for Mental Patients, the attainment of consent of the patient is required for the performance of special treatment in principle (the said Act prior to the amendment did not explicitly state this). Consent of his/her legal guardian can take effect only when the patient lacks the capacity to express his/her intention.

96. The Hospitalization Suitability Examination Committee was set up at national mental healthcare centers to review the suitability of all involuntary hospitalization cases within one month of initial hospitalization. This committee allows former mental patients who have been rehabilitated and equipped with practical knowledge about mental health to take part in the inspection of mental healthcare institutions for human rights infringement, as well as psychiatrists, family members of mental patients, and judges, prosecutors, and attorneys pursuant to Article 46 of the Act on the Improvement of Mental Health and the Support for Welfare Services for Mental Patients, thus is evaluated as an independent and effective external body dedicated to the protection of the human rights of the disabled.

Freedom from Exploitation, Violence, and Abuse (Article 16)

Reply to paragraph 16

97. A total of 1,828 cases of labor exploitation, sexual violence, and other forms of abuse against the disabled were reported to the Advocacy Agency for Persons with Disabilities across the nation from January to December 2018. Among these, 884 cases were assessed to fall into the category of abuse, and this number increases to 1,230 when separately accounting for multiple forms of abuse found in a single case. Physical violence ranked first at 337 cases among these 1,230, which is equivalent to 27.4%, followed by economic exploitation at 298 cases (24.2%) including labor exploitation and embezzlement. Of the 884 cases of abuse, 322 cases occurred at the location of the victim's residence (36.4%), followed by residential facilities for the disabled at 192 cases (21.7%). Of the 884 cases, 820 (92.8%) involved registered persons with disabilities, and 70.1% of the victims had intellectual disabilities.

98. The Ministry of Health and Welfare launched the Advocacy Agency for Persons with Disabilities in charge of preventing abuse against the disabled and providing remedial support for victims at 18 locations across the nation in 2017 and opened eight shelters for temporary accommodation of disabled victims in 2015. A variety of programs are also in operation to keep abusers apart from victims, provide psychological counseling, and help victims stand on their own and reintegrate into their local communities after leaving the shelters.

99. The Advocacy Agency for Persons with Disabilities conducts on-site investigations on instances of violence, abuse, and exploitation involving the disabled and takes the emergency measure of separating victims from their abusers and protecting them at the aforementioned shelters, if deemed necessary, to help them recover from psychological and economic damage. The National Advocacy Agency for Persons with Disabilities responsible for the prevention of abuse against the disabled and remedial and follow-up measures continues to monitor and provide ex post facto support for disabled victims to prevent the recurrence of similar instances. The Advocacy Agency for Persons with Disabilities is also operating a protection system for the rights and interests of those with developmental disabilities in collaboration with the government-designated public guardianship service provider and the National Center for Disabled Children and Developmental Disabilities.

100. The Korean government reinforced the investigation authority of the government organization dedicated to resolving abuse against the disabled in December 2017 and amended the Act on Welfare of Persons with Disabilities to step up protection measures for those who report instances of abuse. In May 2018, a nationwide inspection targeting over 11,000 people with disabilities classified to be at high risk of falling victim to abuse was conducted jointly by the central and local governments and the government organization dedicated to resolving abuse against the disabled.

Reply to paragraph 17

101. The Korean government established the Advocacy Agency for Persons with Disabilities at various locations across the nation to investigate instances of forced labor involving the disabled and provide protection and has also been operating shelters for disabled victims. The government organization dedicated to resolving abuse against the disabled conducts on-site investigations for instances of forced labor, accommodates victims at the said shelters to separate them from their abusers, supports their psychological and economic recovery, and performs ex post facto management and monitoring to prevent the recurrence of similar instances (refer to the response for 16).

102. The Ministry of Employment and Labor conducts inspections each year on those workplaces found to have violated and suspected of violating pertinent laws. In particular, the Ministry continues to crack down on salt farms, etc., which are highly prone to labor exploitation of the disabled, in association with the police. As a result, the number of workplaces that have violated labor laws continues to decrease, from 173 in 2014 to 70 in 2015, nine in 2016, and three in 2017. The Ministry plans to fortify control over those workplaces prone to forced labor of the disabled, such as salt farms, in close cooperation with pertinent ministries and the police.

Protecting the Integrity of the Person (Article 17)**Reply to paragraph 18**

103. It is illegal to perform forced sterilization on women and girls with disabilities in Korea.

104. We are continually conducting education, etc., to raise awareness on all aspects of disability, including the rights of women and girls with disabilities, and have mandated disability awareness raising education at workplaces since May 2018. We also conduct human rights education each year for those working at and using residential facilities for the disabled.

Liberty of Movement and Nationality (Article 18)**Reply to paragraph 19**

105. Pursuant to Article 11 (1) 5 of the Immigration Act, the Minister of Justice may prohibit the entry of those with mental disabilities lacking the capacity for judgment and without a person who can provide assistance for their activities during their stay in Korea, those incapable of covering their expenses incurred by staying in the nation, and those in need of relief and aid. However, the purpose of this provision is not to prohibit entry into Korea based on mental disabilities but to ensure the minimum safety of foreigners lacking the capacity for judgment and others by requiring them to secure a person who can provide assistance for their activities while staying in Korea (caregiver, host, friend, relative, etc.).

106. The Ministry of Justice has the Guidelines for Entry Examination of Persons with Disabilities in place to make sure that no person is denied entry into Korea or discriminated against based on mental disability and plans to ensure stringent compliance with these Guidelines. The Guidelines are designed to help immigration officers effectively examine the target's purpose of entry and whether the target has secured an assistant for activities during his/her stay in Korea, while exercising caution to prevent any discrimination. Based on the Guidelines, those who have secured an assistant for activities during their stay in Korea (caregiver, host, friend, relative, etc.) are examined in accordance with immigration procedures for non-disabled visitors. These Guidelines were delivered to all immigration offices at airports and ports across the nation in September 2016, and these immigration offices are combining the Guidelines with the immigration examination manual and conducting necessary training for staff members.

107. Under Articles 32 and 32-2 of the Act on Welfare of Persons with Disabilities, overseas Koreans and foreigners are also allowed to register as persons with disabilities and access welfare services provided to registered persons with disabilities in principle (refer to Table 19-1). In principle, only Korean citizens residing in Korea are qualified to apply for

benefits provided in cash based on income and property, such as disability pension, disability allowances, and medical benefits for the disabled, by pertinent laws including the National Basic Living Security Act, as it is difficult to identify income and property overseas. However, most social welfare services for the disabled, such as employment support and exemptions and discounts on expenses regarding the use of convenience facilities and transportation are also offered to those of foreign nationalities. The Ministry of Health and Welfare newly inserted Subparagraph 5 under Article 32-2 (1) of the Act on Welfare of Persons with Disabilities on December 19, 2017, to enable those recognized as refugees under the Refugee Act to apply for the registration as persons with disabilities and thereby provided access to a wider spectrum of disability welfare services for a greater number of foreigners. Article 31 of the Refugee Act ensures the provision of equal welfare services for recognized refugees as those for Korean citizens.

Living Independently and Being Included in the Community (Article 19)

Reply to paragraph 20

108. The number of those with disabilities accommodated at long-stay institutions (excluding group homes and short-stay institutions) stood at 26,775 in 2015, 26,461 in 2016, and 26,342 in 2017. The number of those discharged from such institutions (excluding those who passed away and were transferred to other institutions) recorded 861 in 2015, 853 in 2016, and 737 in 2017 (refer to Table 20-1). In accordance with the findings from the inspection conducted by the National Human Rights Commission of Korea in 2012, 57% of institutionalized persons with disabilities were found to wish to live outside long-stay institutions, and the disability circles have continued to call for “deinstitutionalization and support for independent living”.

109. The Korean government, in response to such demands, selected “deinstitutionalization and support for independent living”, which had not been realized in previous administrations, as one of its 100 Policy Tasks² and as an extension of its efforts to promote the human rights of the disabled and advance an inclusive society. In addition, the Ministry of Health and Welfare included “deinstitutionalization and reinforcement of living support” as one of the 22 key tasks of the 5th Comprehensive Policy Plans for Persons with Disabilities (2018–2022), commissioning pertinent research projects to outside experts and launching the Private-Public Council for the Promotion of Deinstitutionalization and Independent Living of the Disabled to come up with specific support measures (refer to Table 20-2).

110. The Ministry of Health and Welfare will conduct a community-based disability care project for two years starting in 2019 to formulate a service integration and connection model that caters to the different needs of local communities and the disabled for deinstitutionalization and support for independent living, which had been individually pushed ahead with by local governments (refer to Table 20-3). A total of KRW 2.8 billion will be allocated for this project (KRW 366 million for the realignment of the service delivery system, KRW 644 million for housing rental and management, KRW 1.6 billion for residential condition improvement, and KRW 556 million for in-home care) targeting two areas on the city/county/district level (refer to Table 20-4). The major points of the project are the expansion of living support infrastructure to help the disabled successfully reintegrate into society, diversification of residential facility types and services, reinforcement of support for medical and employment services, and establishment of an effective welfare service delivery system (refer to Table 20-4).

111. First, in order to expand living support, the central government will allocate a budget for housing support and support for the improvement of living conditions in two areas on the city/county/district level starting in 2019. Also, supportive housing equipped with living coordinators and living coaches who offer services (housekeeping, financial management, etc.) necessary for social reintegration will be developed and provided based on the case study of Chunghyeon Welfare Center, etc. (refer to Table 20-5).

² Policy Task 42: To provide customized social welfare guaranteeing the basic living standard – Creation of the condition for the disabled to better reintegrate into society.

112. Second, we will continue to reduce the number of disabled residents at large-scale long-stay institutions to reduce their sizes, while crafting a realignment model for overall institutions in the long term. We will work to induce such institutions to closely cooperate with the government for deinstitutionalization by resolving the current problems of such institutions and revising laws and systems to enable their conversion into other disability facilities or small-scale disability homes (refer to Table 20-6).

113. Third, given that more than 80% of disabled residents at institutions are persons with severe disabilities and require great medical attention, we will focus on expanding the physician-in-charge system and home visit nursing service to increase their access to medical services after their reintegration into society. Also, we will work to build a barrier-free community by ensuring the mobility of the disabled by reinforcing the call taxi system for the disabled and installing charging stations for electric wheelchairs. We plan to help secure income sources and lay a solid foundation to participate in the local communities by providing more job opportunities for those capable of working and ensuring eligibility for benefits under the National Basic Living Security Act for those discharged from facilities for low-income disabled people.

114. Lastly, we will establish individualized support plans tailored to meet the needs of the disabled discharged from institutions as well as a service delivery system to connect them with living, healthcare, and employment services. We will set up and operate the deinstitutionalization support center (refer to Table 20-7) to provide professional care for deinstitutionalized people with disabilities with complex needs.

115. In order to promote the nationwide application of the community-based care model perfected through the project, we will pursue the revision of pertinent laws and systems and the expansion of infrastructure from 2021 onwards. Based on such efforts, we aim to make the local communities themselves the center of disability welfare, not institutions.

Reply to paragraph 21

116. To assess the applications for the activity assistant service, both the basic investigation and the needs investigation are conducted. The former considers activities for daily living, instrumental activities for daily living, characteristics of different disabilities, and social conditions, while the latter looks into daily living and social living, the intention of use of activity assistance benefits, and the will to work. The assessment focuses on the would-be recipient of the service in principle, but the opinions of the applicant or the family members of the disabled are also collected and given consideration.

117. As of 2017, we empowered local governments regarding the expansion of benefits for the activity assistant service for the severely disabled, and many are currently using the activity assistant service 24 hours a day. The number of service users increased from 60,435 in 2013 to 86,926 in 2017, while the amount of benefits provided for the service rose from KRW 362.786 billion in 2013 to KRW 605.795 billion in 2017.

118. The Korean government is continually easing the obligatory provider requirements as an extension of its efforts to support those who are not eligible to receive benefits for basic living security under the National Basic Living Security Act but are economically distressed. Senior citizens aged 65 or older and persons with disabilities in Grades I, II, and III were added as recipient households in November 2017. If a recipient of the basic pension or disability pension or a person under 20 with multiple disabilities in Grade I, II, or III is included in the obligatory provider household, the obligatory provider requirements shall not apply. The obligatory provider requirements were abolished for living benefits in October 2018. We plan to stop the application of the said requirements for both livelihood and medical benefits if a severely disabled person (a recipient of disability pension) is included in the obligatory provider household and for livelihood benefits if a senior citizen (a recipient of basic pension) is included in the obligatory provider household step-by-step from January 2019 onwards.

Freedom of Expression and Opinion and Access to Information (Article 21)**Reply to paragraph 22 (a)**

119. The Korean government enacted the Korean Sign Language Act in February 2016 and enforced the said Act from August of the same year. Pursuant to Article 1 of the said Act, Korean sign language is a language unique to Korea that has the same stature as the Korean language and is designed to ensure the freedom of speech and improve the quality of life for the speech-impaired, hearing-impaired, and other users of the said language.

120. The Korean government established and put into operation the 1st Korean Sign Language Development Masterplan (2018–2022) based on Article 6 of the said Act. The 1st Korean Sign Language Development Masterplan has established the three overarching goals of improving proficiency in Korean sign language and disseminating the language, laying a solid foundation for the system pertaining to the language, and enhancing conditions to facilitate the use of the language, as well as the five tasks including establishing the support system for informatization of the language, reinforcing the foundation for research on the language and compiling its terminology, and expanding the use of the language through active promotions to raise the stature of Korean sign language and advance the development of the language by facilitating its use over the next five years.

121. The Korean government also enacted the Braille Act on May 29, 2016, and enforced it from May 30, 2017. The said Act is aimed at promoting the right of the visually impaired to use braille and enhancing their quality of life pursuant to Article 1 of the same Act. Article 4 of the same Act stipulates that braille is a set of letters used in Korea along with Hangeul and shall have the same effect as letters generally used in Korea.

Reply to paragraph 22 (b)

122. Pursuant to the Broadcasting Act and the Enforcement Decree of the same Act, the Korean government guarantees access to broadcasting by the disabled. The requirements that must be complied with by broadcasting business operators are explicitly specified in the Notification regarding the Guarantee of Access to Broadcasting by the Disabled, such as the Airing of Programs Made Accessible for the Disabled, and their compliance, etc., is managed and overseen by the government (refer to Table 22-1).

123. The Korean government enacted the Guidelines on the Provision of Broadcast Programs Accessible for the Disabled to improve the quality of broadcasting for the disabled. Laws and notifications pertaining to broadcasting for the disabled prescribe the compulsory programming percentage for programs accessible by the disabled but fail to provide specific production methods and requirements for quality improvement. As such, Korea Communications Commission has focused on policy examination, the collection of opinions of stakeholders, and the operation of research teams since 2016 to draw up the Guidelines on the Provision of Broadcast Programs Accessible for the Disabled announced on December 26, 2017. These Guidelines, addressing the basic requirements for the production of broadcast programs accessible by the disabled (closed captioning, sign language interpretation, and descriptive narration) for broadcasting business operators, Internet multimedia broadcasting content business operators, and broadcast program producers, testify to the government's efforts to ensure accessibility for those marginalized from broadcasting. We are also staging presentations for broadcasting business operators and producers to promote compliance with the Guidelines and raise their awareness on accessible broadcasting.

124. In a bid to reduce the financial burden of broadcasting business operators for producing broadcast programs accessible by the disabled, the Korean government has allocated a budget (Broadcasting Communications Development Fund) to partly fund the production costs of the said programs every year since 2006 (approximately KRW 4.3 billion in 2018) and has provided incentives for broadcasting business operators that fulfill preset criteria since 2015 to enhance the quality of the said programs. The amount of incentives provided has increased notably from KRW 200 million in 2015 to KRW 400 million in 2018, substantively contributing to quality improvement.

125. Also, we are seeking to raise the awareness of broadcasting business operators and non-disabled people on broadcasting accessible by the disabled by staging presentations across the nation (twice in 2017 and five times in 2018) and to push ahead with the amendment of the guidelines to improve the quality of accessible broadcasting, if deemed necessary, through the operation of the Committee for Guaranteeing Access to Broadcasting by the Disabled consisting of stakeholders and experts (refer to Table 22-2).

126. Due to such efforts, the results of the yearly survey on the satisfaction level of the vision-impaired and hearing-impaired for assistive broadcast programs showed notable progress. The score for closed captioning increased from 72.1 in 2014 to 81.7 in 2018. The score for descriptive narration increased from 78.3 in 2014 to 80.9 in 2018. The score for Korean sign language interpretation went up from 70.6 in 2014 to 81.3 in 2018. The result shows that overall satisfaction for assistive broadcasting is improving each year.

Reply to paragraph 22 (c)

127. The Korean government complies with web accessibility regarding all its websites in operation to provide improved access to public information for the information-disadvantaged, including those with visual impairment, to resolve information gaps and ensure equal and convenient access to information. The government grants the quality certification mark to outstanding websites in compliance with web accessibility and allows people with different disabilities to take part in the usability test among technical tests for the said quality certification (refer to the response for 31).

128. The National Library for the Disabled offers Nuriijip – online content developed exclusively for the developmentally disabled. It is a collection of easy-to-read materials, including “Guidelines for Safety on Rainy Days for the Developmentally Disabled” produced by EBS and original texts of easy-to-read books published by pertinent organizations, provided via <http://nld.nl.go.kr> from July 27, 2018.

Respect for Home and the Family (Article 23)

Reply to paragraph 23

129. The Korean government provides support for a variety of programs designed to assist parents of disabled children with childcare and protect the rights of disabled children and their families to participate in their local communities and has laid the legal foundation needed for such support.

130. The Ministry of Gender Equality and Family operates the childcare assistant service pursuant to the Childcare Support Act enacted in August 2012, which dispatches childcare assistants to each home with children aged 12 or younger with both parents working. Families with children with disabilities are also eligible to receive this service, excluding children who are the recipients of the Disabled Child Rearing Support Project aimed at families with disabled children in Grades I through III.

131. The Ministry of Health and Welfare provide developmental rehabilitation services (speech, auditory, arts, music, behavioral, play-based, psychological, and sensory training) for disabled children and work to ensure their integration into society through the activity assistant project, etc. Most importantly, we are striving to secure a larger budget to expand the targets of such services to help more disabled children grow into members of society free from discrimination. To reduce the financial and physical burden of caring for disabled children, we continue to push ahead with the childcare support project for families with disabled children (childcare service and temporary break support service).

132. The Korean government does not differentiate between biological parents and adoptive parents in providing welfare services for their disabled children. We focus on offering diverse services for families with disabled children and helping them achieve stability.

Reply to paragraph 24

133. Articles 807 and 856 of the Civil Act address marriage and the conditions for the formation of a family (conditions for adoption). Pursuant to the Civil Act, any person aged 18 or older can enter into matrimony by attaining the consent of his/her spouse and reporting the marriage as specified by law, and this applies to both the disabled and non-disabled. However, the consent of parents or legal guardians is required for adult wards after the court's adjudication on the commencement of adult guardianship is finalized due to their persistent lack of capacity to manage their affairs to marry.

134. The Ministry of Health and Welfare supports women with disabilities for their pregnancy and childbirth through such projects as the antepartum and postpartum care support project pursuant to Article 37 (Support of Helpers for Postnatal Care, Etc.) of the Act on Welfare of Persons with Disabilities, as well as financial aid for childbirth costs. Also, based on Article 10 (Eligibility, Etc., for Adoptive Parents) of the Act on Special Cases Concerning Adoption, people with disabilities are eligible to become adoptive parents.

Education (Article 24)**Reply to paragraph 25 (a)**

135. Through the operation of 'Jeongdaun School (Friendly School)', we seek to bring together teachers of general and special education; develop a cooperation model for inclusive education; reinforce support for inclusive education from preschool to elementary, middle, and high school; and promote the right to education of children with disabilities. Jeongdaun School opened its doors at 40 locations in 2018 for pilot operation and will be expanded to 100 by 2022.

136. We strive to advance inclusive education in a substantive manner by developing and distributing the Inclusive Education Implementation Guidebook (2017) to the front lines of education. We also plan to continue to develop and launch educational programs that bring together disabled and non-disabled students, one type each for elementary schools in 2018, middle schools in 2019, high schools in 2020, and preschools in 2021. Teaching and learning materials to promote inclusive education throughout all curriculums will be consecutively developed and distributed for each grade of elementary, middle, and high school by 2021.

137. Inclusive preschools, aimed at realizing full-scale inclusive education, will be expanded from one in 2017 to 17 by 2022, and the special education support centers specialized in visual- and hearing-impaired children were expanded from three in 2012 to 38 in 2018.

Reply to paragraph 25 (b)

138. The Korean government operates and continues to expand the Disability-Specific Special Education Support Center to provide tailored educational support for students with different disabilities in collaboration with pertinent community-based organizations. The Center loans assistive devices and provides counseling services and necessary information. The Center continued to grow from 31 locations in 2014 to 36 in 2015, 37 in 2016, and 42 in 2017 and will be increased to 50 by 2022.

139. Special education assistants are stationed for disabled students attending non-special-education schools. They provide assistance for educational activities, personal care, feeding assistance, and assistance for extracurricular and after-school activities. The number of special education assistants on duty stood at 7,269 in 2014, 7,223 in 2015, 7,681 in 2016, and 7,711 in 2017.

140. We strive to expand disability convenience facilities through investigations of such facilities at all schools and the announcement of the results for 11 mandatory items such as access roads to main entrances and parking spaces for the disabled. The installation rate of such facilities continues to increase from 86.5% in 2014 to 91.0% in 2015, 92.8% in 2016, and 94.1% in 2017.

141. To support integrated education and accessibility for general education, disability-specific educational materials are being developed and distributed to schools with integrated education. Textbooks and secondary learning materials for the visually impaired, including 13 volumes of braille picture books and alternative textbooks for 1,469 themes were distributed from 2014 to 2017, and 30 more volumes of mathematics and science books and independent living guidebooks for four themes will be developed and distributed by 2020. For secondary textbooks for English and Korean language learning, 14 volumes for the hearing-impaired were developed and released from 2014 to 2017, while 20 volumes of secondary textbooks centered on daily life activities (i.e. communication, independent living, learning activities, physical and recreational activities) for students with moderate and multiple disabilities were developed from 2014 to 2018. In 2019, five volumes of career guidebooks will be released.

142. Research on evaluation adjustment was conducted to ensure rightfully deserved convenience for disabled students, and the Disabled Student Evaluation Adjustment Manual was developed and distributed in 2016 to ensure that students with visual, hearing, and physical disabilities are evaluated in a proper manner when receiving non-special education.

Reply to paragraph 25 (c)

143. The number of teachers at preschools and elementary, middle, and high schools participating in integrated education training continues to increase. The number of integrated class teachers participating in special education-related training is also increasing, from 29,030 (58.8%) in 2014 to 38,537 (76.8%) in 2015, 40,371 (81.3%) in 2016, and 42,081 (81.7%) in 2017. We plan to increase this number to over 90% by 2022.

144. We conduct special education-related group training of over three hours for supervisors (principals) of elementary, middle, and high schools. In 2017, 7,724 (85.6%) of 9,526 supervisors took part in such training. We plan to have over 90% of supervisors, including the heads of preschools, complete the training by 2020 to strengthen their integrated education competence.

145. Content for distance training for integrated education was developed in 2017 targeting administrators and teachers at general schools and special education teachers, and we plan to launch integrated education training courses for over 15,000 teachers, staff members, etc., on the front lines by 2022.

Reply to paragraph 25 (d)

146. The Korean government has made it obligatory for students of preschools and elementary, middle, and high schools to receive disability understanding education at least twice a year and has strived to create positive perceptions of persons with disabilities through the development of awareness raising content, essay contests, mobile disability understanding classes, and awareness raising campaigns.

147. We staged a campaign to raise the public's awareness on disabilities using media and public transportation across the nation. We appointed celebrities as honorary ambassadors and distributed public service advertisements (videos, posters, etc.) featuring these celebrities starting in December 2017. We also developed and distributed educational content (videos, e-books, leaflets, etc.) designed to help students of preschools and elementary and middle schools better understand disabilities.

148. We conducted a series of investigations on human rights infringement of disabled students at special education schools where school violence was reported and established and announced the Comprehensive Measures for the Protection of Human Rights of Disabled Students on December 18, 2018, aimed at the prevention of recurrence of human rights infringement of disabled students and the reinforcement of the response system. These Measures, drawn up jointly by pertinent ministries, consist of five key goals and 16 priority tasks designed to advance the realization of an inclusive society ensuring a better quality of life for disabled students and focus on the creation of learning environments and a society that guarantee the protection of their human rights. As an extension of these Measures, a pan-government council of pertinent organizations was established to promote the implementation of human rights policies for disabled students and ensure continued

support. Also, a group of experts from the private and public sectors visited special education institutions in the 17 cities and provinces of upper-level local autonomy to examine the current implementation status of the Measures and identify the needs on the front lines of education.

Reply to paragraph 26

149. The Korean government agrees to the need for inclusive education as stated in General Comment 4 and is striving to gradually mobilize national efforts to espouse integrated education to achieve inclusive education. In this context, we have sought to develop educational materials for the disabled, provide training for teachers and school personnel, and increase awareness on disabilities. However, due to limitations in our educational environment, families with disabled children have demanded the establishment of special education schools, and we are in need of special education schools that offer efficient education tailored for different disabilities (refer to the response for 25).

150. As of 2018, 176 special education schools are in operation across the nation. However, 14% of the total classes are overcrowded, and it takes more than one hour for 1,853 students (7.4%) to commute to their school. This necessitates the expansion of special education schools and classes. As such, the Korean government plans to build a total of 26 new special education schools – three in 2018, another three in 2019, five in 2020, nine in 2021, and six in 2022 – and enhance the special education opportunities for disabled students.

151. As of 2018, 71% of the target students of special education schools are placed in non-special-education schools, and the Ministry of Education continues to reinforce support for the integrated education of disabled and non-disabled students at non-special-education schools. However, as the needs of disabled students vary by disability type and characteristics, learning capacity, and the conditions of individual schools, it is deemed desirable to come up with a wide spectrum of options for the disabled from special education schools to special education classes at non-special-education schools and fully integrated classes and provide necessary support.

Health (Article 25)

Reply to paragraph 27

152. The Korean government amended Article 732 of the Commercial Act on March 11, 2014, which had entirely prohibited the mentally disabled from subscribing to a life insurance policy, to enable those with decision-making capacity to join a life insurance policy to implement the obligations of the Convention. We will positively consider the withdrawal of reservation on Article 25 (e) of the Convention through consultations with relevant ministries.

153. The Convention mandates the provision of life insurance for the disabled in a “fair and reasonable manner”. Article 732 of the Commercial Act is designed only to limit a mentally disabled person lacking decision-making capacity from subscribing to life insurance with the event of his/her death covered as insurance risk. Thus, it is not a form of discrimination against the mentally disabled but a reasonable measure necessary to protect them against insurance crime and malevolent neglect. France prohibits the subscription to life insurance by disabled adults under guardianship and inpatients of mental healthcare institutions. Also, Anglo-American law deems it difficult to recognize insurable interest when the insured is a mentally disabled person lacking decision-making capacity.

154. Pursuant to the aforementioned amendment of Article 732 of the said Act, a mentally disabled person recognized as equipped with the minimum self-defense capacity and to be in need of life insurance is now enabled to subscribe to life insurance in a comparatively safe manner. Thus, the Korean government views the obligations under Article 25(e) of the Convention to have been fulfilled. However, we plan to positively review the withdrawal of reservation on Article 25(e) of the Convention through consultations with relevant ministries.

155. The Korean government enacted the Act on Guarantee of Right to Health and Access to Medical Services for Persons with Disabilities in December 2015 to guarantee their right to health and access to healthcare services and enforced the said Act from December 30, 2017. Article 9 of the said Act mandates the guarantee of access to and use of healthcare institutions by the disabled. More specifically, it stipulates that, when a disabled person uses a healthcare institution, the state and local governments may provide convenience in the form as seen fit based on the characteristics of the said person, including mobility assistance to guarantee access and that in-home healthcare services may be provided for those with disabilities who are incapable of visiting such healthcare institutions. The said Act also specifies that a healthcare institution may be designated as a general physical check-up institution for persons with disabilities or a central or regional healthcare center for persons with disabilities if criteria for facilities, human resources, equipment, etc., as set forth by the Ordinance of the Ministry of Health and Welfare are met. As explained hereinbefore, the Korean government has laid the legal groundwork for ensuring the right to healthcare and access to healthcare services for the disabled and has implemented pertinent laws.

156. Pursuant to Article 16 of the Act on Guarantee of Right to Health and Access to Medical Services for Persons with Disabilities, the Ministry of Health and Welfare has operated the physician-in-charge pilot project for the disabled since May 2018. This project enables those with severe disabilities to choose their own physicians in charge and receive continual consultations and treatment in a comprehensive manner for chronic diseases and disabilities. Targets of this project are severely disabled people in Grades I through III. This project offers general healthcare service, major disability care service, and integrated care service in accordance with the conditions of the targets.

157. The Korean government operates the system to subsidize healthcare service expenses borne by the disabled and part or the entirety of healthcare expenses apportioned to the recipients of type II medical benefits and the disabled registered as targets of the reduction in apportioned healthcare expenses as the second-lowest income bracket pursuant to Article 17 of the Act on Guarantee of Right to Health and Access to Medical Services for Persons with Disabilities. More specifically, KRW 750 is provided to subsidize the amount apportioned to the disabled patient for outpatient treatment received at a primary healthcare provider, while the entire amount apportioned to the disabled patient is provided for outpatient treatment received at a secondary or tertiary healthcare provider. We also subsidize the entire amount apportioned to the disabled patient for hospitalization at a primary, secondary, or tertiary healthcare provider. As of 2017, the number of people with disabilities registered as the recipients of type II medical benefits and targets of the reduction in apportioned healthcare expenses as the second-lowest income bracket stands at 85,320.

Work and Employment (Article 27)

Reply to paragraph 28 (a)

158. Through its recommendations on the improvement of the regulations that limit the attainment of certificates and licenses by the mentally disabled in April 2018, the National Human Rights Commission of Korea recommended the Prime Minister take necessary pan-government measures to abolish or ease regulations regarding the attainment of certificates and licenses by the mentally disabled found in 27 laws currently in force (refer to Table 28-1) and advised the Minister of Health and Welfare to abolish the provisions that disqualify the mentally disabled from attaining the social worker license from the Social Welfare Services Act enforced from April 25, 2018.

159. The Korean government had defined the mentally disabled as “the severely ill who have serious restrictions in conducting activities for daily life independently” with the promulgation of the Act on the Improvement of Mental Health and the Support for Welfare Services for Mental Patients in an attempt to resolve social prejudice and prevent discrimination. The amendment of the Social Welfare Services Act enforced on April 25, 2018, stipulates that the mentally ill defined in Subparagraph 1 of Article 3 of the Act on the Improvement of Mental Health and the Support for Welfare Services for Mental

Patients are restricted from attaining a social worker license, but it does not apply to those recognized by a medical specialist as suitable to serve as a social worker. This was aimed at improving social welfare services delivered to citizens through enhancing the competence of social workers.

160. The Korean government remains committed to the recommendations of the National Human Rights Commission of Korea and is determined to ensure that mentally disabled people are not denied the opportunity to attain certificates and licenses due to unjustifiable reasons. That said, whether to abolish discriminatory legal provisions pointed to by the Committee and whether grounds for disqualification are proper must be reviewed with discretion as different ministries and departments are in charge of different licenses and as the grounds for disqualification can vary in accordance with the requirements for each license.

Reply to paragraph 28 (b)

161. The Korean government recently reinforced the criteria for the permission for the exclusion from minimum wage application in an effort to promote the wellbeing of disabled workers marginalized from the benefits under the Minimum Wage Act and stay faithful to the purpose of the minimum wage system. Whereas the said permission was given when the result of the assessment came out to be “inadequate” (less than 90%) in the past, it now requires “very inadequate” (less than 70%) to obtain the said permission from January 1, 2018.

162. The Korean government believes that all disabled people, including those with severe disabilities, should be able to receive appropriate wages and enjoy job security. In this context, we are considering a further reform of the permission system for the exclusion from minimum wage application to realize appropriate wages that can bring stability to the lives of disabled workers, refrain from overly burdening employers, and require a feasible level of support. To this end, we set up the system reform task force participated in by disability organizations and experts and plan to make institutional improvements through amendments of pertinent laws starting in 2019.

Reply to paragraph 28 (c)

163. Although the employment of persons with disabilities is continually expanding due to the mandatory disability employment system, employers in the labor market tend to prefer mildly disabled workers capable of performing tasks of a certain level, and thus, employment opportunities for those with severe disabilities remain limited. While the number of those with developmental disabilities continues to rise, related employment opportunities remains low compared to such opportunities for those with physical disabilities. The employment rates for different types of disabilities in 2017 were 45.9% for physical disabilities, 43.1% for visual impairment, 33.4% for hearing impairment, 22.9% for developmental disabilities, and 11.6% for brain disabilities.

164. The Korean government hereby clarifies its belief that, when considering the employment gap between those with different disabilities of varying severity and non-disabled people, the creation of and policy support for a “protected employment environment” are necessary to provide more opportunities for the severely disabled, including those with developmental disabilities, to access workplaces within their communities and prepare themselves for integration into the competitive labor market.

165. The Ministry of Health and Welfare operates the aforementioned vocational rehabilitation facilities mainly for the severely disabled who encounter difficulties in finding jobs in the general labor market. These facilities make sure to recruit non-disabled workers as well to prevent the segregation of the disabled and guarantee integrated work settings similar to non-protected workplaces.

Reply to paragraph 28 (d)

166. Korea has witnessed a continued increase in the rate of the disabled hired based on the mandatory disability employment system put into operation in 1990 under the Act on the Employment Promotion and Vocational Rehabilitation of Persons with Disabilities

powered by a wide range of government support to encourage employers to recruit workers with disabilities, along with measures such as the upward adjustment of the mandatory disability employment rate, imposition of charges, and announcement of the list of employers in non-compliance (2.35% in 2012, 2.48% in 2013, 2.54% in 2014, 2.62% in 2015, 2.66% in 2016, and 2.76% in 2017). To further promote the hiring of the disabled, we offer diversified services to employers, including integrated consulting for disability employment, presentations for large corporations, support for the establishment of standard workplaces, facility and equipment loans, and the provision of work assistants and assistive devices.

167. The Korean government plan to adopt stronger incentives, such as the differentiation of charges in accordance with company size to elicit the compliance of large corporations, strengthened corrective instructions for corporations with low employment of the disabled, and the announcement of the list of employers in non-compliance to improve the effectiveness of the system. Also, we plan to realign the connected employment system to expand the reduction of charges and introduce the employment contribution recognition system, through which large corporations and public organizations provide free training or job experience programs at their own training facilities on the premise of employment and become recognized to have hired a certain percentage of trainees for the training period.

Reply to paragraph 28 (e)

168. The Korean government conducted research on the current implementation status of mandatory disability employment, the panel survey on employment for the disabled, and surveys for three types of national statistics in an effort to ensure the effective implementation of the mandatory disability employment system and conform to the recommendation to publish statistics regarding the outcomes in the employment sector (refer to Table 28-2).

169. The Korean government is pushing ahead with diverse projects aimed at influencing ministries and public organizations with a poor track record of disability employment. As for ministries, we launched the disability assistant officer system to assist disabled public officials and workers on duty (refer to Table 28-3). We also concluded the disability employment promotion agreement with local governments to hire more disabled workers.

170. As a result of such unyielding efforts, the employment rate of the disabled in the public sector (government sector and public organizations) appears to have increased gradually. The employment rate of disabled government officials rose by 0.07% in 2017 compared to the previous year, while the employment rate of disabled civilian employees rose by 0.42%. Also, in the case of public organizations, the number of disabled civilian employees stood at 13,064 as of December 2016, which rose by 0.06% to 13,853 as of December 2017 (refer to Table 28-4).

Adequate Standard of Living and Social Protection (Article 28)

Reply to paragraph 29

171. Based on the disability pension system under the Disability Pension Act adopted in July 2010, the Korean government provides a monthly allowance of KRW 209,960 to KRW 289,960 to the severely disabled of low-income households who are over 18 years of age to compensate for income loss and extra costs incurred by severe disabilities. However, it has been pointed out that the amount of the said allowance is insufficient to make up for such income loss and extra costs. Accordingly, we increased the amount of basic benefits from KRW 209,960 to KRW 250,000 in September 2018. We also plan to upwardly adjust the amount of additional benefits to compensate for the extra costs incurred by disabilities.

172. The Korean government provides disability allowances to the mildly disabled of low-income households who are over 18 years of age pursuant to Article 49 of the Act on Welfare of Persons with Disabilities, while providing disabled child allowances to disabled children of low-income households who are under 18 pursuant to Article 50 of the same Act. The amount of monthly disabled child allowances ranges from KRW 20,000 to KRW 200,000, but disability allowances stand at KRW 20,000 to KRW 40,000. Although we

increased disability allowances by KRW 10,000 in 2015, it is being pointed out that the amount falls far short of achieving the goal of bringing stability to lives of the disabled. As such, we plan to further increase disability allowances step-by-step in the future.

Participation in Political and Public Life (Article 29)

Reply to paragraph 30

173. The National Election Commission provides disability-specific convenience throughout the entire election process, from accessing election information to casting a ballot, to help the disabled exercise their voting rights. We also have a system in place to support the disabled in seeking public office.

174. In order to help disabled voters freely exercise their political rights, we provide election information in a wide variety of formats using braille, text-to-speech technology, sign language interpretation, and “easy read” optimized for different disabilities. We also provide transportation services to polling stations, activity assistants, temporary convenience facilities, and vote-by-mail service to ensure seamless access to voting. Based on the Public Official Election Act, an elector incapable of filling in the ballot due to a visual or physical disability may be accompanied by up to two family members or companions designated by the said elector for voting assistance (refer to Table 30-1).

175. Pursuant to Article 26-2 (Subsidies for Fielding Disabled Persons to Run in Elections for Public Office) of the Political Funds Act, we encourage the political participation of the disabled by subsidizing those political parties that nominate disabled candidates above a certain percentage for full elections held to elect metropolitan, provincial, and municipal legislatures after fully served terms in proportion with the number of disabled candidates nominated and ballots earned.

Participation in Cultural Life, Recreation, Leisure, and Sport (Article 30)

Reply to paragraph 31

176. Article 33 (Reproduction, Etc., for the Visually Impaired, Etc.) of the Copyright Act permits the reproduction of published works for those with visual disabilities. Article 33 (1) of the said Act stipulates that it shall be permissible to reproduce works already made public in braille and to distribute them for the visually impaired, etc. Article 33 (2) of the said Act also permits braille libraries, etc., at disability residential or rehabilitation facilities for the visually impaired, etc., to make sound recordings of literary works already made public or to reproduce, distribute, or interactively transmit them in a recording format exclusively for the visually impaired, etc., for the purpose of their use by the visually impaired, etc., and not for profit-making purposes.

177. The National Library for the Disabled held a string of video conferences with the Accessible Book Consortium (ABC) operated by the World Intellectual Organization (WIPO) to join it on the day that the Marrakesh Treaty entered into force (September 30, 2016).

178. The Ministry of Culture, Sports and Tourism pushed ahead with the Actualizing the Dream Project (ADP), which was a bid commitment for the 2018 PyeongChang Olympics and Paralympics, as well as diverse disability convenience policies, in an aim to further the parameters of awareness on the disabled and disability sports during the 2018 PyeongChang Winter Olympics and Paralympics based on the legacy of the acclaimed 1988 Seoul Summer Paralympics.

179. To ensure the convenience of all disabled people regardless of disability type during the 2018 PyeongChang Winter Olympics and Paralympics, sign language interpretation, braille maps, assistance for the mobility disadvantaged, wheelchair assistance, and other services were provided. During the Paralympics, the operation hours, frequency, and scale of the said services were expanded to a drastic extent, while lift vans for wheelchairs and carts were stationed on site. During the opening and closing ceremonies, in-ear FM receivers were distributed to the visually impaired to provide detailed descriptive narrations of the scene (refer to Table 31-1).

180. Prior to the opening of the 2018 Winter Paralympics, we enhanced the accessibility of the event facilities such as the competition venues and athletes' villages, as well as nearby restaurants, accommodations, and public restrooms, to ensure the convenience and comfort of disabled athletes and spectators throughout their stay (refer to Table 31-2).

181. ADP was designed to promote the development of winter sports and raise awareness on disabilities. It entailed the staging of international events (i.e. Paralympic test events), the operation of programs to broaden the base of athletes (i.e. distribution of sports equipment and operation of the Dream Programme), the operation of educational programs (i.e. IPC Excellence and awareness raising programs for local residents and students), and promotional activities and policy development targeting the public (i.e. Paralympics Day and promotional events both online and offline). We were able to attract the highest number of athletes and spectators in the history of the Winter Paralympics and contribute to raising awareness on disabilities and disability sports through such efforts.

C. Specific Obligations

Statistics and Data Collection (Article 31)

Reply to paragraph 32

182. For the 2015 population and housing census, Statistics Korea incorporated disability-related questions based on the Washington Group's Short Set of Questions on Disability into the questionnaire (refer to Table 32-1). Through this census, Statistics Korea constructed a statistical population to conduct diverse disability-related sample surveys. It also included questions about registered persons with disabilities in the social survey and the survey on household finances and living conditions in 2013. The government also conducts diverse statistical surveys targeting the population and households with persons with disabilities and further segments this group by gender, age, and disability type. The Ministry of Health and Welfare regularly investigates the current status and conditions of the disabled using these segmented surveys, while the Ministry of Employment and Labor and the Korea Employment Agency for the Disabled conduct the panel survey on employment for the disabled, the survey on the current status of economic activities of the disabled, etc., to regularly identify the status of employment of the disabled based on their characteristics and disability types and economic activities of the disabled (refer to Table 32-2). The Ministry of Culture, Sports and Tourism investigates the participation of the disabled in sports activities by gender, age, disability type, location of residence, and economic activity type through the survey on the current status of the participation of the disabled in sports activities and utilizes the findings as basic data for future policy direction to promote the sports activities of the disabled. The Korea Disabled People's Development Institute has conducted its panel survey on the lives of the disabled since 2018 to keep track of how they accept and cope with their disabilities and what changes they experience within their social relationships and analyze such changes from individual, familial, and social perspectives.

183. Statistics Korea monitors the appropriateness and legitimacy of the compilation of all national statistics and recommends government ministries to adhere to international standards throughout the entire process of disability statistics from compilation to analysis and publication. The websites of Statistics Korea, the Korean Statistical Information Service (KOSIS), and government ministries all conform to web standards to improve web accessibility (i.e. screen reader). KOSIS provides access to disability statistics in over 1,100 forms of statistical charts sorted by theme and organization of compilation and services online publications and the database of statistical descriptions, which are used as statistical metadata, to better the understanding of users.

International Cooperation (Article 32)

Reply to paragraph 33

184. The Korean government has strived to effectively implement the Incheon Strategy and realize SDGs through a variety of international cooperation projects. The Ministry of Health and Welfare provides support for UNESCAP's disability statistics construction project. In this context, the Ministry has provided consulting for disability statistics compilation to less developed countries in the Asia-Pacific region each year and helped complete the project in 17 countries. The Ministry also completed the development of 15.1 indicators on average out of the 30 key indicators of the Incheon Strategy (13.6 indicators on average for those countries that did not receive national consulting). In October 2018, the Ministry took part in the Incheon Strategy workshop entitled "Make the Right Real" for Persons with Disabilities in Asia and the Pacific 2013–2022 organized by UNESCAP, shared Korea's achievement in consulting for disability statistics compilation, and discussed improvement points (refer to Table 33-1).

185. The Korean government reviewed the developments of the Incheon Strategy through its participation in the Fourth Session of the Working Group on the Asian and Pacific Decade of Persons with Disabilities (2013–2022) in March 2017 (refer to Table 33-2) and evaluated the implementation status of the Incheon Strategy for the first half (2013–2017) and discussed plans for the second half of the Strategy at the High-level Intergovernmental Meeting on the Midpoint Review of the Asian and Pacific Decade of Persons with Disabilities (2013–2022) held in Beijing, China, in November 2017.

186. The Korean government has strived to take disability into consideration for development cooperation projects to better contribute to the achievement of SDGs by less developed countries. As an extension of such efforts, we amended Article 3 (1) of the Framework Act on International Development Cooperation³ in July 2013 to define disability as a cross-cutting issue. Also, Korea International Cooperation Agency (KOICA) established the Guidelines for Disability-Inclusive Development Cooperation Projects in October 2017 and the Guidelines for Planning and Implementing Disability-Inclusive Development Cooperation Projects in July 2018, testifying to the government's focus on the implementation of this framework.

187. At the General Assembly of UNESCAP, the Incheon Strategy Roadmap was established, and it was decided that the member states would develop and adopt national action plans for the implementation of the Incheon Strategy. As Korea and other countries in the Asia-Pacific region lacked an action plan for the implementation of the Incheon Strategy, we came up with an exemplary and viable action plan for the second half (2019–2022) of the Incheon Strategy as the leading state party of the Third Session of the Working Group on the Asian and Pacific Decade of Persons with Disabilities. This action plan specifies our targets for 2022 in areas involving the ten goals of the Incheon Strategy, namely poverty reduction, participation in political processes, enhanced accessibility, social protection, education, gender equality, disability-inclusive disaster risk reduction, reliability of disability data, and international cooperation. We plan to continually seek areas of sustainable development and specific implementation measures even after the Incheon Strategy comes to an end. We will form a private-public council of competent government agencies and disability organizations to share strategies and information through regular exchanges and come up with an effective evaluation and feedback system by reporting the results of their yearly monitoring of the implementation status to the Policy Coordination Committee for Persons with Disabilities.

³ Article 3 (Basic Ideas and Objectives) of the Framework Act on International Development Cooperation

(1) The basic ideas of international development cooperation are to reduce poverty; improve the human rights of women, children, and persons with disabilities; achieve gender equality; and realize sustainable development and humanitarianism in less developed countries as well as promote economic cooperation relations of partner countries and pursue the peace and prosperity of the international community.

National Implementation and Monitoring (Article 33)**Reply to paragraph 34 (a)**

188. The Policy Coordination Committee for Persons with Disabilities is convened once or twice a year pursuant to Article 11 of the Act on Welfare of Persons with Disabilities and deliberates the five-year Comprehensive Policy Plans for Persons with Disabilities, action plans for each year, and major policy decisions (refer to Table 34-1). The Policy Coordination Committee for Persons with Disabilities held in March 2018 reviewed the 5th Comprehensive Policy Plans for Persons with Disabilities and established and announced measures to abolish the disability classification system.

189. In recognition of the fact that the Policy Coordination Committee for Persons with Disabilities has limitations in dealing with disability policies across all areas and delving into each area in depth and that it cannot be convened frequently as it is chaired by the Prime Minister, the Ministry of Health and Welfare decided to form specialized subcommittees during the 19th Policy Coordination Committee for Persons with Disabilities in March 2018. Subcommittee I is in charge of welfare, health, and rights and interests, while Subcommittee II is responsible for education, culture, economy, and social participation. This provided the forum for relevant organizations, academic circles, and government ministries to talk about disability policies in depth and reinforced feedback on the Comprehensive Policy Plans for Persons with Disabilities.

Reply to paragraph 34 (b)

190. During the period of 2014–2018, only one single staff member was charged with tasks regarding the implementation of the Convention, and the National Human Rights Commission of Korea lacked staff dedicated to such tasks. The related budget increased by approximately KRW 20 million, from KRW 25 million in 2014 to KRW 45 million in 2016. This budget amount has remained unchanged since 2016.

191. The Commission has continued to request an expansion of staff dedicated to the effective implementation of the Convention and necessary budget increases to the Ministry of the Interior and Safety and the Ministry of Economy and Finance and plans to strongly appeal for expanded human and material resources for the effective monitoring of the implementation status of the Convention through continued discussions.

Reply to paragraph 34 (c)

192. One of the major tasks of the National Human Rights Commission of Korea is cooperation with human rights organizations in Korea and beyond. It has ensured the participation of disability organizations in discussions and forums aimed at monitoring the implementation status of the Convention and has collected and reflected the opinions of such organizations when creating the statements of the Commission's view on the Convention (refer to the response for 8 and Table 8-1). As the involvement of the disabled and disability organizations in the monitoring of the implementation status of the Convention is not mandated under current law, the Commission is seeking to include necessary provisions in pertinent laws.
