



**THE RIGHTS OF PERSONS  
WITH DISABILITIES**  
THE 2019 I-MODEL UN UPR



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## THEMATIC ISSUE GUIDE

In 2006, 170 UN Member States adopted the Convention on the Rights of Persons with Disabilities (CRPD) to protect the rights and dignity of people with mental or physical disabilities and legally ensure their equality. The Convention made the pre-existing establishments of basic human rights more responsive in exercise for people with disabilities, by creating explicit, sound legal frameworks for each state to follow and implement. Rather than providing a singular definition, the Convention recognises that 'disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others'. The I-Model accordingly accepts a variety of interpretations of the term. As with the Convention, the UPR process seeks 'to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity'. (Article 1, CRPD). Issues to consider include: **personal mobility, access to education and employment, and community life.**<sup>1</sup>

### 1. MEASURES TO PROMOTE PERSONAL MOBILITY

Article 20 of the CRPD proclaims that 'States Parties shall take effective measures to ensure personal mobility with the greatest possible independence for persons with disabilities'. Yet the overall level of development in accessible and affordable transportation for persons with disabilities is still insufficient. Even in some More Economically Developed Countries, such as the ROK which has installed mobility convenience facilities, only 72.3 percent of means of transportation, 73.4 percent of passenger facilities, and 51.7 percent of roads were equipped with facilities that fulfilled the requirements of the law, falling short of the established policy (CRPD State Parties Report). Japan, the DPRK and China all pursue specialized 'reaching-out policies'. These countries embrace the [biological model of disability](#), and focus on welfare programs and government-subsidised medical facilities for persons with disabilities with professional personnel, prosthetic devices and so on, thus choosing not to alter the public transportation infrastructure. By observing these different courses of actions, delegates are encouraged to examine the shortfalls and progressions of accessible transport in each State Party.

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<sup>1</sup> Please note that the provided topics within the overall thematic issue are a general guide only. Participants are encouraged to explore other topics related to the thematic issue aside from the ones outlined within this guide.

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- Specialised welfare support for persons with disabilities (enabling the individual)
  - Expanding disabled-friendly transportation infrastructure (wheelchair ramps, lifts, accessible taxis, therapy and guide dogs) through cooperation with international and domestic companies/NGOs

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## 2. MEASURES TO ENSURE THE RIGHT OF PERSONS WITH DISABILITIES TO EDUCATION

Regarding the right of persons with disabilities to education, the CRPD strives towards 'realizing this right without discrimination and on the basis of equal opportunity...to ensure an inclusive education system at all levels and lifelong learning' (Article 24). Although there are currently over 160 countries which have ratified the CRPD, the actual implementation varies vastly. The ROK, in alignment with CRPD, has launched a couple of region-scale policies to improve the accessibility of education for students with disabilities, with the [Act on Special Education for Persons with Disabilities \(ASEPD\)](#) being one example. [The DPRK](#) and [China](#) have adopted similar approaches. [Japan](#) has taken an extra step by dispatching special needs education assistants across kindergarten to secondary school. The expansion in the educational resources used for people with special needs and their incorporation of normative educational content are essential in promoting the full integration of disabled persons in society. To avoid educational marginalization, it is also critical for countries to make up-to-date changes, standardized implementations, and appropriate adjustments to the educational infrastructure for students with disabilities (for example, with STEM education). Delegates may therefore consider:

- Establishment and expansion of specialised educational agencies such as Braille information terminals and sign language video books
- Ease of access and support for people with disabilities to attend college and university
- Quality, length and accessibility of education for children with disabilities across both primary and secondary education
- Eradicating cultural marginalization and/or stigmatization of disabilities in school

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## 3. MEASURES TO STRIVE FOR THE RIGHT OF PERSONS WITH DISABILITIES TO WORK AND EMPLOYMENT

Article 27 of the CRPD states that 'to work, on an equal basis with others...includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and [in a]

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work environment that is open, inclusive and accessible to persons with disabilities'. The International Labor Organization (ILO) states that in some countries, around 80 percent of the disabled population fails to seek any kind of employment due to presumptive discrimination. Many also face harassment and fewer work benefits. China, Japan, the DPRK and the ROK all have regulations in place to increase the employment rates of persons with disabilities and to monitor their working conditions. However, there is a lack of infrastructure to designate legal responsibility for pay gaps and workplace adversities. Additionally, most public sectors with mandatory quotas are almost all under subpar working conditions and have pay gaps, such as the Light Factory works in the DPRK for the blind, and mailroom work in the ROK for the neurologically impaired. Delegates are encouraged to review legal and economic infrastructures accountable for the employment and working lives of persons with disabilities.

- **General and widespread accessibility to places of work and transport**
- **Fair treatment of workers regardless of disability (discrimination of productivity, unfair firing of disabled employees or deduction in salaries)**
- **Clear regulations and mandatory quotas in public sectors to increase the employment rates and workplace benefits of the disabled**
- **Educational workshops with the education sector to ensure higher skilled level of employment for the disabled**

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#### **4. MEASURES TO PROTECT THE RIGHT OF PERSONS WITH DISABILITIES TO LIVE IN THE COMMUNITY**

Article 19 of the CRPD dictates that persons with disabilities should 'have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community'. This article directs to the deinstitutionalization of the disabled persons and advocates for persons with disabilities to be able to choose their own residence and community upon their own volition. [The ROK](#) and [Japan](#) have constituted concrete strategies and policies at both regional and national levels, with government funding in supporting the independent living of the disabled persons. The establishment of 'Group Homes with Aid' and 'Personal Assistant Service' in the ROK and Japan have proven substantially helpful to providing independent and comfortable life for many persons with disabilities. However, the scope of these schemes is still limited compared to the demand. China and the DPRK, although equipped with their own assistive system for the disabled, still lack a concrete infrastructure to oversee the

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independent living and integrated community life of persons with disabilities. States are advised to collaborate with specialized NGOs or international bodies for consultation and aid in setting up community integration schemes for the disabled.

- **Representation of persons with disabilities at the decision-making level for better representation and more equal social participation**
    - **South Korea's decision board of Center for Independent Living of Persons with Disabilities**
  - **Financial schemes and personnel training programs that can provide capital for assistive services for better quality of independent living**
  - **Rehabilitation subsidies, support groups and training workshops for disabled persons**
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## OTHER USEFUL RESOURCES

- **UPR Database:** recommendations to the [ROK](#), the [DPRK](#), [China](#), and [Japan](#)
  - **[Convention on the Rights of Persons with Disabilities \(CRPD\)](#)**
  - **Act on Welfare with People with Disabilities:** [ROK](#)
  - **Questionnaire from the Special Rapporteur on the Rights of Persons with Disabilities, Ms. Catalina Devandas-Aguilar:** ROK
  - **United Nations Special Rapporteur on the rights of persons with disabilities:** [DPRK](#)
  - **Law on the Protection of Disabled Persons:** [China](#)
  - **Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea**
  - **International Labor Organization:** [Facts on People with Disabilities in China](#)
  - **Convention on the Rights of Persons with Disabilities:** [Japan](#)
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