

Need to Establish a Specific Article(15bis) on Women with disabilities

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Circumstances of Women with disabilities – Double Discrimination

About 80% of people with disabilities are living in developing countries, and half of them are women with disabilities, and inarguably, the number itself bears tremendous significance.

Although men and women with disabilities are subject to discrimination because of their disabilities, women with disabilities are at a further disadvantage because of the combined discrimination based on disability.

There are some chances for people with disabilities, it was men with disabilities who can reach out and take those chances, and moreover, affirmative actions for women have not been applied to women with disabilities.

Women with disabilities, a half of PWD, are suffering from multiple discriminations for traditional, social and religious reasons, but those facts are concealed now.

They get through all these discrimination for their entire lives. Just ask to girls with disabilities, women with disabilities who are adults with legitimate legal capacity, and senior female citizens with disabilities; what discrimination did you experience in your life?

Women with disabilities around the world deserve to have respect,

self-esteem as an independent personality. In addition, the International Convention on Human Rights for People with Disabilities will play a significant role in building a framework on which women with disabilities can compete with others and make contributions to a society on an equal basis. Law is supposed to support positive sentiments.

History of Neglect

Women with disabilities have historically been neglected by disability and women policy alike.

Almost all research on people with disabilities has assumed the irrelevance of gender as well as other social dimensions such as race, class, ethnicity, and sexual orientation.

Even sensitive policy maker of disability have focused on disability as a unitary concept and have taken it merely the 'master' status for disabled people (Asch & Fine, 1988: 3).

Disability law and policy have traditionally used a gender-blind approach and have neglected to explore the influence of gender in the lives of men and women with disabilities.

Specific needs

The field of disability has not yet recognized the combined discrimination of gender and disability experienced by women who have disabilities, and policies and practices in the field have not been designed to meet their specific needs.

The major characteristics of the issues of women with disabilities is its diversity, crossing disciplines and policies, and often interdisciplinary in nature. It reflects the diversity in the lives of women with disabilities presented by the type and severity of their disability, the wide variety of issues it addresses, as well as diversity

along social dimensions such as class, race, ethnicity, and sexual orientation.

Much of the scholarly writing has documented that they fare less well, than both men with disabilities and non disabled women, in education and employment in receiving economic security and social support, and in their access to sexuality and intimacy.

The major factor unifying the scholarly writings is the conceptualization of women with disabilities as a group with a multiple minority status (Deegan, 1985).

Three major areas of women with disabilities life section

Disability studies and feminist studies to explore the combined discrimination based on disability and gender.

Some authors have characterized women with disabilities as "roleless" because of the limited social roles available for them and the absence of institutional means to achieve valued adult roles (Fine & Asch, 1981).

Women with disabilities are not seen as fit to fill the traditional roles of mother, wife, homemaker, nurturer, or lover and economically productive roles are not seen as appropriate for them either.

And women with disabilities around the world deserve to have respect, self-esteem as an independent personality.

그리고 독립적이고 자립적인 삶을 위해서 교육과 고용이 중요하다. - 관련 내용 찾을 것

So There are three major areas of women with disabilities life section, compared to women without disabilities and men with disabilities. These three areas are the (1) traditional female sphere of reproduction and nurturing and Sexuality, and (2) education, and (3)

employment

(1) Motherhood, Nurturance, and Sexuality

• Rights of Reproductive, Motherhood, Nurturance

Women's traditional roles as nurturers, mothers, wives, homemakers, and lovers are usually not seen as appropriate for women with disabilities. While the ability to acquire women's most traditional roles is usually not regarded as the best measure of women's social success, examining the limitations women with disabilities face within this traditional women's sphere provides valuable insights into the restricted social options available to them.

Compared to both men with disabilities and non-disabled women, women with disabilities are more likely to never marry, marry later, and be divorced if they do get married (Simon, 1988).

Women with disabilities who often may have to put up with abusive or exploitative relationships because of their limited social and economical means or because the only other alternative may be a life in an institution.

In addition, Asch and Fine (1988) report that women with disabilities may return to abusive relationships because it may be the only intimate relationship they ever had and they may judge it better to have a bad relationship at all. It is very radically different from Women without disabilities aspects.

Women with disabilities are seen as childlike, helpless, dependent and in need of being taken care of, it is difficult for many to imagine how a mother with a disability can fill the caring and nurturing mothering role (Shaul, Dowling, & Laden, 1985).

There are only scattered accounts of motherhood as experienced by women with disabilities. Mothers with mental mothers are even more

invisible than other mothers with disabilities and very little is known about their lives and struggles.

Society's fears that women with disabilities will produce defective children. But it is for the most part groundless, because the vast majority of disabilities are not hereditary, these fears have resulted in severe discrimination against women with disabilities in general, and women with mental retardation in particular.

More important, these women were thought to lack moral restraints concerning sexual activities, and it was believed that as a consequence they would produce a large number of illegitimate and deficient children.

No group of women with disabilities has been as severely discriminated against in terms of their reproductive rights as women with disabilities.

- **Sexuality : asexual, sexual abuse**

It is widely documented that women with disabilities are typically seen as asexual (Finger, 1985). This is true of society in general as well as of most professionals with whom women with disabilities come into contact. Because women with disabilities are seen as asexual they are not seen as in need of information about birth control or what is possible in terms of having a sex life and children.

Sexual abuse of women and children with disabilities is an area that has received growing attention in recent years (Sobsey, et al., 1990; Watson, 1984).

Much of the literature in this area is based on studies which show that women with disabilities are at a much greater risk of being sexually abused than other women (Senn, 1988).

This is true in society in general, and within residential facilities in particular.

It may seem like a contradiction that women with disabilities are not seen as sexual beings at the same time they are at a much greater risk of being sexually abused.

Sexual abuse is more related to issues of control and power than to sex. Abusers look for and use vulnerability to create the opportunity to rape. This vulnerability is increased in people who are marginalized, dependent, and in need of affection. Thus, the more vulnerable and powerless people are, the more they are at risk of being sexually abused.

Existing studies have documented that women with disabilities are at a greater risk than any other group of women of being sexually abused

(2) EDUCATION -

When it comes to education, women with disabilities are likely to have received less education than both non-disabled women and men with disabilities

Despite the progress toward integrated education, most students with disabilities are still educated in segregation from their non-handicapped peers. Most studies indicate that boys are more likely to be identified as needing special education than girls.

Researchers have speculated why boys are more readily identified as needing special education. Some authors have suggested that this reflects discrimination against boys with disabilities and deprives them of the benefits of regular education. They suggest that boys are more readily labelled as having a disability and channeled into special education on the grounds of disruptive behaviors. Others have indicated that the overrepresentation of boys in special education reflects the view that educating boys with disabilities is regarded as a priority -- they are seen as in need of special education services in

order to develop the skills to be able to support themselves and a family later on (Disability Rights Education and Defense Fund, 1983).

The influence of gender on labeling and special education placement is further complicated by the influence of race and class. It has been documented that children of minority races, especially boys, are grossly over in special education programs, especially boys, are grossly overrepresented in special education programs, especially programs for students with mild mental retardation (Mercer, 1973; Tomlinson, 1982).

While all students, males and females, with and without disabilities are subject to sex-biased assumptions in most schools and curriculum, research seems to indicate that sex-role stereotyping may be even more pervasive when students have disabilities. For example, Gillespie and Fink (1974) found that sex-role stereotyping seemed to be especially pervasive for children who have mental retardation or behavioral problems. They report that these students tended to be taught traditional sex-role modes of behavior because that would supposedly enable them to better adjust to society. The authors also found that schoolbooks for children with disabilities tended to include stories and illustrations that were deliberately sex-role stereotypical in order to foster this adjustment.

(3) EMPLOYMENT

While men with disabilities have serious employment problems, women with disabilities are significantly worse off, and this seems to be true for all types and levels of disabilities. Men with disabilities are almost twice as likely to have jobs than women with disabilities

In addition, while more than 30 percent of men with disabilities work full-time jobs, only 12 percent of women with disabilities have full time employment (Bowe, 1984). Women with disabilities are also significantly poorer than men with disabilities, partly due to the fact that they are more likely to be unemployed and partly due to the fact

that when they work they receive considerably lower wages than men with disabilities. Women with disabilities who work full-time earn only 56 percent of what full-time employed men with disabilities (Bowe, 1984).

A handful of studies have been conducted to examine and explain the unequal employment status of women with disabilities as compared to men with disabilities. In a study of gender equity in access to rehabilitation services, Menz, et al., (1989) found that nationally, women represent less than one-third of the population in rehabilitation programs. They also found that women were more likely to be "successfully rehabilitated" into part-time jobs or to a homemaker status, while men were more likely to enter full-time jobs in the labor force.

Not only did women receive fewer benefits than men, they also received lower benefits. Thus, these programs do not protect women with disabilities from the economic threats associated with disability to the same extent they protect men.

Conclusion

Women with disabilities are one of the most vulnerable and marginalized groups in today's society. We need to establish a specific article in Convention and develop a better understanding of their lives in order to remove the obstacles that still remain in their way to equality.

So We must consider women with disabilities in the same way that we have taken in recognizing the matters of people with disabilities.

Generally, a number of the existing international guidelines on human rights have included people with disabilities not to be discriminated against others but all of these declarations failed to fully reflect specific and unique experience of people with disabilities. This shows

a need to establish the International Convention on Human Rights for People with Disabilities.

It is necessary to articulate the recognizing perspective into the preamble in a comprehensive manner. However, if we scatter more special considerations on women with disabilities, which are requested at present, in a number of articles and preamble only, the key matters on women with disabilities will be seriously diluted and undermined.

Referance

* This article is based on a the original report, Information Package on Women with Disabilities, is available from the Center on Human Policy.

And it is most affected from article of International Disabiliy Convention Solidarity in Korea Womens' Committee And Korean Women with disabilities network for 15bis in Convention

Kicki

Comments:

Most countries do not have special laws and legislation for protection of women or PWD. Could it instead be:

1. State Parties shall ensure the full and equal rights and participation of women with disabilities in political, economic, social and cultural life without any discrimination on the basis of gender and/or disabilities and otherwise consistent with provisions in this convention.

2. State Parties shall take legislative and other measures to ensure the full enjoyment, freedom, safety and dignity of women with disabilities. To that end State Parties shall:

- (a) protect the right of motherhood of women with disabilities;
- (b) support women with disabilities during pregnancy and childbirth and provide the necessary assistance in this regard;
- (c) ensure that women with disabilities are protected from sexual exploitation, abuse and violence at home, in public and in their communities;
- (d) ensure that women with disabilities are not deprived of their right to work on the basis of gender;
- (e) assist women with disabilities to overcome poverty and provide a realistic opportunity for independent economic viability;

3. State Parties recognizes the right of women with disabilities to live a life in autonomy. To this end State Parties shall:

- (a) collect gender-disaggregated data in surveys and statistics with a specific reference on women with disabilities;
- (b) develop and disseminate policies and programs during pregnancy, childbirth and postpartum health care and child-

care for assistance based on the recognition of the special needs of women with disabilities;

- (c) provide assistance to and facilitate networking among women with disabilities to overcome isolation;

Move to Article 18?

- (f) incorporate sensitivity training for government personnel of welfare, social services and related agencies, to alert them to the unique situation of women with disabilities.

Korean Gov.

□ 15bis : WOMEN WITH DISABILITIES

1. State Parties undertake to ensure the enjoyment of full and equal rights and freedoms by women with disabilities and their equal participation in political, economic, social and cultural activities without any discrimination on the basis of their gender and/or disabilities.
2. State Parties shall take the following steps from a gender perspective so as to ensure that women with disabilities are able to live with dignity in freedom, safety, and autonomy
 - (a) Include a separate reference to the protection of the rights of women with disabilities in laws pertaining to women and persons with disabilities ;
 - (b) Incorporate women with disabilities in social surveys and statistics collection efforts and collect gender-disaggregated data on persons with disabilities;
 - (c) Protect the motherhood of women with disabilities by developing and disseminating policies and programs for assistance based on the recognition of the special needs of women with disabilities in pregnancy, childbirth and postpartum health care and child-care;
 - (d) Ensure that women with disabilities are not deprived of their right to work due to their pregnancy or childbirth, and provide the necessary assistances in this regard;
 - (e) Ensure that women with disabilities are protected from sexual exploitation, abuse and violence at home, institutional facilities and communities.

Korean NGO's article

PROPOSED NEW ARTICLE 15(BIS):

WOMEN WITH DISABILITIES

26 May

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- (a) Include a separate reference to the protection of the rights of women with disabilities in laws pertaining to women and persons with disabilities;
- (b) Incorporate women with disabilities in social surveys and statistics collection efforts and collect gender-disaggregated data on persons with disabilities;
- (c) Protect the motherhood of women with disabilities by developing and disseminating policies and programs for assistance based on the recognition of the special needs of women with disabilities in pregnancy, childbirth and postpartum health care and child-care;
- (d) Ensure that women with disabilities are not deprived of their right to work due to their pregnancy or childbirth, and provide the necessary assistances in this regard;
- (e) Ensure that women with disabilities are protected from sexual exploitation, abuse and violence at home, institutional facilities and communities.

- (f) Incorporate sensitivity training for government personnel of welfare, social services and related agencies, to alert them to the unique hardships of women with disabilities.
- (g) Assist women with disabilities to overcome poverty and provide realistic opportunity for independent economic viability.
- (h) Provide assistance for women with disabilities to come out of isolation and enter civil society. To this end, governments should facilitate networking among disabled women.