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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

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The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[10 February 2013]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

The situation of persons with physical, motor and mental disabilities in the Islamic Republic of Iran

People of Iran live under tremendous hardships and impasses. Denial of civil rights, and repression, mismanagement of economy coupled by unilateral coercive measures has created unbearable conditions. Life for the persons with disabilities is made worse in this situation.

According to the World Health Organization, United Nations and the World Bank, approximately 15% of the world's populations are of people with physical, motor or mental disabilities. However according to the Statistical Centre of Iran's census in 1385 (2007), the official statistics of this social group is reported to be two million and seven hundred thousands, which is about 4% of the population. The inaccuracies in the statistics are partly due to cultural taboos in the Iranian society where disabilities are often kept hidden within families. The larger contributory factor to this discrepancy however is due to bad governance of the Islamic Republic of Iran.¹

Disabilities in Iran can be divided into five categories:

- Congenital and hereditary disabilities or disabilities that are caused by illnesses or accidents.

The majority of persons with disabilities in Iran belong to these social groups. Poverty is one of the reasons behind disabilities. According to governmental officials, currently the majority of Iranian people live under the poverty line. Also Iran holds a high number of road accidents in the world.²

- Disabilities caused during the eight years Iran-Iraq war.

Twenty-seven years after the end of war and there is still no exact and accurate statistics available on the number of war veterans. According to some estimates, the number of veterans was about three-hundred-seventy-eight thousands and five hundred (378.500) amongst which approximately one hundred thousand (100.000) are victims of chemical weapons.³

- People who got injured by gun shots and batons by the security and riot forces as well as those who were driven over by police cars and motorcycles during the mass protests after the 2009 presidential elections.

The majority of the victims remained silent because of the fear of detention, and only a small number of them were identified. Many of them were taken to prison while they were still under treatment at hospitals, and were tortured, while others are seeking treatments clandestinely due to fears of imprisonment. A number of them manage to flee the country and now are struggling in Turkey. Others live inside Iran under extremely difficult circumstances.

¹ http://www.mehrafarinorg.com/index.php?option=com_k2&view=item&id=92%20%D8%A8%D8%B9%D8%AF-%D8%A7%D8%B2%DA%86%D9%86%D8%AF%D9%8A%D9%86-%D8%B3%D8%B1%D8%B4%D9%85%D8%A7%D8%B1%D9%8A-%D9%87%D9%86%D9%88%D8%B2-%D8%A2%D9%85%D8%A7%D8%B1-%D8%AF%D9%82%D9%8A%D9%82%D9%8A-%D8%A7%D8%B2-%D9%85%D8%B9%D9%84%D9%88%D9%84%D9%8A%D9%86-%D9%83%D8%B4%D9%88%D8%B1-%D9%86%D8%AF%D8%A7%D8%B1%D9%8A%D9%85&Itemid=229.

² <http://www.shia-news.com/fa/news/34309>.

³ <http://rahavardenur.blogfa.com/post-81.aspx>.

Yet again there is no accurate statistic or grade of injuries and disabilities available regarding this group.

- Disabilities that are caused as a result of amputation, or extreme flogging, as a legal form of Islamic punishment of convicts and also the illegal act of torture of detainees which has caused disability in many cases.⁴
- The production of unrefined petrol due to sanctions and restriction on import has led to the increase of air pollution in Tehran and other large cities which according to some national and international experts, has destructive effects on human embryo, and thus birth defects.⁵

Increase in number of persons with disabilities due to various reasons is one of the main concerns of civil society campaigners in Iran.

Iran has ratified both national and international protection treaties concerning the rights of persons with disabilities, such as; “the Comprehensive Law on Protection of the Rights of Persons with Disabilities” legislated on May 5th 2004 (16/02/1383),⁶ the enactment of “the Convention on the Rights of Persons with Disabilities” by the Islamic Consultative Assembly (Parliament) of Iran on December 3rd 2008 (13/09/1387), “the Convention on the Rights of the Child” and the commitment of “General Comment No. 9 of the CRC committee”. However infringements of the rights of persons with disabilities are increasingly on the rise in Iran.⁷

The custodian organization for disabilities affairs in Iran is the “State Welfare Organization of Iran”. The monthly benefit rate for every person with disability that is covered by the state welfare system is sixty thousands Tomans (10 RLS), which is currently less than twenty five US Dollars, yet again that often is deferred for months and sometimes years. According to government news agency, *Fars*, on 31st December 2012, the vice president of the Welfare Organization’s management development, stated that “this organization is at present looking into payments of overdue salary for seven hundred athletes with disabilities.”⁸

According to specific regulations and instructions of the “the Comprehensive Law on Protection of the Rights of Persons with Disabilities”, the government, the State Welfare Organization, all ministries, governmental and public institutions, and the Broadcasting Corporation, are responsible to meet all the economical, social and cultural needs of persons with disabilities. For instance in article 7 of this convention, it states that employers are required to have 3% disabled in their workforce. According to article 12, The Islamic Republic of Iran Broadcasting Corporation is liable to dedicate two hours of their weekly airtime to educational and cultural programs to persons with disabilities, in order to familiarize and educate the public. Also, according to the article 1 of the convention, the government and public organizations are liable in their building constructions and public places to make access for persons with disabilities. Prior to this, Tehran Municipality in 1995 passed a legislation to alter the city plans (remedial regulations), but the laws were

⁴ http://www.friiran.com/2012/07/blog-post_9097.html.

⁵ <http://blog.tums.ac.ir/nicunursing/1391/10/25/%D8%A7%D9%81%D8%B2%D8%A7%DB%8C%D8%B4-%D8%AA%D9%88%D9%84%D8%AF-%D9%86%D9%88%D8%B2%D8%A7%D8%AF%D8%A7%D9%86-%D9%85%D8%B9%D9%84%D9%88%D9%84-%D8%A8%D9%87-%D8%AF%D9%84%DB%8C%D9%84-%D8%A2%D9%84%D9%88%D8%AF/>.

⁶ <http://iranianhna.ir/%D9%82%D9%88%D8%A7%D9%86%DB%8C%D9%86/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AC%D8%A7%D9%85%D8%B9/>.

⁷ <http://iranianhna.ir>.

⁸ <http://www.farsnews.com/newstext.php?nn=13910901000462>.

never implemented and only a minor percentage of those plans were executed. The persons with disabilities, especially those with wheelchairs, are mostly isolated in their homes and live in appalling conditions.

On 16th October 2012, Hamzeh Shakib, the head of development commission at Tehran's city assembly stated: "The city of Tehran is not appropriate for persons with disabilities and the elderly. Although laws exist, the council does not pay attention to them and 90% of the approved remedial regulations have not been applied."⁹

The protests of veterans in front of the Foundation of Martyrs and Veterans' affairs, in front of the Islamic Consultative Assembly and in front of the Presidential Office are indicators of widespread denial of rights towards them.^{10,11,12}

The living condition of veterans who have either been amputated or affected by chemical weapons during the war is deplorable as their medical benefits have been stopped.

Such conditions are far worse for the mentally ill, women or minors with disability.

Iran, as an old member of the United Nations and signatory to the "Convention on the Rights of Persons with Disabilities", ought to stand by its commitments and implement those rights through legislations. Furthermore, the state's duty is to assign specific considerations to the rights of women, and sexual minority groups, with disabilities, as these groups are more vulnerable to discrimination, exploitation and abuse.

Iran's civil society campaigners, appeal to the Human Rights Council at the United Nations, to compel Iran's government into implementation of the convention, in partnership with NGOs that work on enabling the rights of persons with disabilities. This would meet the main objectives of the convention that consists of protection and empowerment of persons with disabilities and endowing them with their natural equal civil and human rights.

Recommendations

1. To provide a detail statistic of persons with physical, motor and mental disabilities,
2. To provide free health services for persons with any kind of disability;
3. To change city planning and construction norms to a disabled friendly system;
4. To ban legislation which allow corporal punishments of convicts such as amputation, flogging and torture of detainees.

⁹ www.isna.ir/fa/news/91072516644.

¹⁰ <http://janbazweb.blogspot.com/1389/04/16/post-716/>.

¹¹ <http://ettelaat.net/09-maj/news.asp?id=37850>.

¹² <http://janbazweb.blogspot.com/1385/07/18/post-168/>.