



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

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Committee on the Rights of Persons with Disabilities

**Information received from the Islamic Republic of
Iran on follow-up to the concluding observations
on its initial report***

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* The present document is being issued without formal editing.



Introduction

1. Every issue of concern for the Oversight Committee on Implementation of the Convention of the Rights of Persons with Disabilities or recommended by this Committee has been referred to its relevant entity and their cooperation has been demanded for each relevant issue. Also, in association with different concerned judicial branches, the final observations of this Committee and the functions and duties of each entity were discussed.

Measures taken regarding the Paragraph 9, Article A on removal of disparaging terms

A. Measures Taken

2. *Arranging necessary consultations* for amending civil and criminal laws in response to the demand laid out in Paragraph 9 of the Final Observations of Oversight Committee on Implementation of the Convention on the Rights of Persons with Disabilities.

3. *Holding internal meetings* to process the demand laid out in Paragraph 9 of the Final Observations of Oversight Committee on Implementation of the Convention of the Rights of Persons with Disabilities and acquiring views of various authorities to overcome legal barriers to intended amendments.

4. *Adopting plans and definition of duties* for each concerned entity with the goal of acquiring the necessary documents as well as conducting comparative legal, psychological and medical ethics studies to carry out legal amendments to every law that may contain disparaging terminology associated with Persons with Disabilities.

5. Arranging joint meetings with *the Committee on Finding Persian Equivalent for psychological terminology* as a part of *the Academy of Persian Language and Literature* to coin suitable legal terminology to replace the contested terms and receiving the views of this committee.

6. *Conducting comparative studies* on civil and criminal Acts of different countries.

7. *Perusing documents* produced by the Oversight Committee on Implementation of the Convention of the Rights of Persons with Disabilities as well as other UN documents concerning this population.

8. Studying Procedures of Medical Examination Organizations in other countries.

9. Investigating measures conducted in the field of medical ethics in Iran.

10. Proposing a directive to be passed by Iran's Medical Ethics Committee to forbid the usage of disparaging terms in the field of psychology.

B. Challenges Ahead

11. The disputed terminology (disparaging) and their associated, wide-ranging concepts have been developed over the course of centuries and seen widespread use in both specialized and Islamic jurisprudence texts. This has made jurists and legal practitioners resist the acceptance of a new terminology.

12. The possible opposition of the Judicature to the new legal terminology and diction.

13. Lack of knowledge of legal practitioners of the prevailing international climate of intellectual rights of persons with mental and psychic disabilities.

14. The protracted process of amending laws.

C. Achievements

15. The contribution of the Academy of Persian Language and Literature to targeted lexical amendments.

16. The Medical Examination Organization has been obliged to observe medical ethics in its diagnostic inquiries in compliance with the Directive on Psychiatric Examinations No. 69575 served on October 5, 2011. In recent years, the Medical Examination Office and Courts of Guardianship have reached an agreement to replace a number of legal terms such as ‘insanity’ and ‘wanting in reason’ by proper diagnostic terms in referring to mental conditions or disorders while addressing diagnostic inquiries (specimens of inquiries and the instruction text are available).

Measures taken regarding the Paragraph 35, Article A for Countering and Prevention of all Forms of Violence Against and Abuse of Persons with Disabilities and the Particular Risks of Gender-oriented Violence Against Women and Children With Disabilities

17. Dedicated Guardianship Courts in Tehran and other major cities as well as the judges of such courts have been assigned special functions and powers to take interventionist and supportive measures upon receiving information on any case of harm inflicted upon women and children with mental disabilities. Upon notification, Tehran’s Supervisory Court on Issues of Guardianship shall follow up the crimes committed against the victims and shall dispatch a special agent to uphold the rights of such individuals. This court may also intervene to support un-parented or ill-parented children with mental disabilities as well as aged women and send them to the Welfare Organization Care Centers to receive accommodations.

18. As regards persons with mobility and physical disabilities and upon receiving information on criminal conducts against women and children with disabilities, the Prosecutor General’s office in whose jurisdiction a crime has been perpetrated shall intervene to support this population.

19. In recent years, Tehran’s Prosecutor General’s office has proceeded to set up a special deputy for the purpose of offering dedicated supports to and immediate interventions for women, children and families. The received reports point to paying visits to different care centers for women and children, immediate interventions in cases of child abuse and domestic violence, pleas for amnesty, requests for commutation or suspending the sentences of convicted women or taking supportive measures for them, in particular exceptional cases where the convicted women are disabled. There were also cases of interventions to help aged women and un-parented or ill-parented children.

20. Legal amendments to the Bill for Supporting Children and Adolescents for the benefit of children with disabilities (submitted to the National Consultative Assembly in February 2018, ratified as act in May 2020).

21. Article 3, 11, 12, 17, 22, 32, 33, 35, and 36 of above mentioned children related law is focused on the rights of persons with disabilities. (For detailed information refer to annex 1 of the report).

22. Further than code of Supporting Children and Adolescents that some of its articles were mentioned above, in the Bill on Providing the Security of Women against Violence (being finalized in the Judiciary with every type of violence criminalized), persons with disability and protecting them are duly considered.

23. Further information about Bill on Providing the Security of Women against Violence and disability related article of this law are mentioned in annex number Two.

24. Islamic Republic of Iran’s State Welfare Organization (SWO) that is one of the focal points in implementing the Convention on the Rights of Persons with Disabilities, has taken different measures to support women and children with disabilities who are exposed to violence or have fallen victim to it.

25. SWO is supporting vulnerable groups, in particular women and children with disabilities on its agenda via launching a program of Social Emergency Care (SEC). The details of this program are as follows:

26. SEC was formulated in 1999 and launched the same year with four major lines of activity:

- (a) A center for intervention in social, family and individual crises (social emergency care center) as a pivotal center for provision of specialized services;
- (b) Social emergency help line (123);
- (c) Social emergency mobile services;
- (d) Social Services bases in informal dwelling places, harm-prone and outer-suburban (slums and ghettos) areas.

27. This program that focuses on containing and reducing social harms via identification and timely, available of specialized services provision targets the following challenges and populations:

- (a) Child abuse, spouse abuse;
- (b) Abuse of the elderly and those with disabilities;
- (c) Boys and girls that have fled from their homes;
- (d) Those with sexual identity disorders;
- (e) Street children;
- (f) Those who entertain suicidal ideas or have attempted suicide;
- (g) Women and girls exposed to social harms or already experiencing such harms;
- (h) Acute family disputes;
- (i) Residents of informal dwelling places, harm-prone and outer-suburban (slums and ghettos) areas.

28. In the case of violation, Individuals could refer to The Crisis Intervention Centers (SECs).

29. SECs based on self-introduction or being introduced by mobile teams of social emergency care, emergency help line, judicial or law enforcement officials, organizations or other concerned entities and receive free-of-charge, round-the-clock services of this center in the form of outpatient treatment or temporary settlement (limited to girls and women). Following the admission and administration of specialized social, psychological, health, treatment and legal assessments, the SEC diagnostic team (composed of the SEC manager, social workers, psychologists, psychiatrists, and a legal advisor) makes decisions informed by the assessments and in relation to the client's problem(s) to provide them with specialized services.

30. Women and girls exposed to social harms or already experiencing such harms may use temporary settlement services from 3 to a maximum of 20 days. This period may be extended upon the approval of the SEC diagnostic team for another period. The experts shall attempt to re-introduce women and girls into the society via conducting timely examinations and provision of services. In case of their failure, these women and girls would be referred to places where they could be accommodated for longer periods such as centers run by Health Houses, Rehabilitation Centers for Socially Harmed women and Safe Houses.

31. Services provided in SECs are as follows:

- (a) Social Working Services;
- (b) Psychological Services;
- (c) Health & Treatment Services;
- (d) Education Services;

- (e) Legal Services;
- (f) Specialized Team Services.

32. According to the mechanism of providing services by Social Emergency Mobile Service, A specialized team of the Mobile Service is deployed to densely populated and susceptible areas in a dedicated vehicle and provides target individuals with services. They provide services in following manners:

(a) Identification, attraction and guidance of target individuals through patrolling their deployment area;

(b) In case of receiving the news of a critical situation from the operators of the Help Line (123), the Mobile Service Team shall immediately proceed to the location in order to investigate and take action if necessary;

(c) In cases of Acts of God (flood, earthquake etc.) and man-made incidents, Mobile Service Teams shall deploy to the location to provide social-psychological services to people affected by critical events.

33. According to the mechanism of provision of services by Social Emergency Help Line (123):

(a) The operators of this Help Line respond to the calls which may be made by natural or legal entities;

(b) This Help Line is online round-the -clock and free of charge;

(c) Specialized services are provided in two stages: *First*, Guidance and provision of interventionist specialized services; *Second*, Referring the clients to social resources.

34. From 1999, 196 Social Emergency Centers (SEC) have been providing services to target groups across the country. Pursuant to Article 80 of Iran's Sixth Plan of Development, 150 Social Emergency Centers were initiated in cities with a population of more than 500,000 people. Social Emergency program is presently being implemented in 436 cities across Iran.

35. 1562 and 425 cases involving women, children and the elderly with disabilities were reported in 2016 and the spring and fall of 2017, respectively to SEC.

36. There are another Approaches and policies towards supporting women under domestic violence via their accommodation in safe houses.

37. Safe House centers (SHC) were introduced in 2011 to address the social demands of supporting women and children under domestic violence, containing and reducing domestic violence and its complications and different types of abuses (physical, sexual, mental) which not only jeopardize well-being, mental health and psychological and emotional balance of the people, but also damage the society. In other words, this initiative seeks to support and enable women who have fallen victim to domestic violence.

(a) Target group of SHCs include every woman under domestic violence and their children;

(b) *The process of admission to SHCs is through referring to Social Emergency Centers across the country;*

(c) *Types of services:* if the woman who has fallen victim to violence or exposed to it has no choice but to return to the house where violence is likely, the social worker prepares a safety plan in cooperation with the victim herself;

(d) *Maintenance Services:* if a woman who has fallen victim to violence or exposed to it may risk her life should she decide to return to her usual dwelling place, she shall be maintained and taken care of for two 4-month periods at the order of a judge. The services she may receive during maintenance periods include social working, psychological, legal and medical services.

38. After admitting the target group members (women and girls who have fallen victim to violence or are exposed to it) for the purpose of containing and reducing domestic violence

or prevention of the same, a number of measures shall be adopted to reform the acts of perpetrators.

39. Women and girls will naturally be more susceptible to social harms if they are stopped from getting engagement in social, educational, economic etc practices as a result of various types of violence or individual, family, social, cultural, economic and other relevant preventive factors.

40. For this, Iran's Welfare Organization embarked upon establishing Well-being Houses for girls in 1999 to serve a two-fold objective: maintenance and support of girls in need of social supports until they achieve individual and social independence and self-sufficiency and prevention of this population from being vulnerable as a result of possible conflicts with socially harmed women.

41. Objectives of these houses are as follows:

(a) *Overall Objective:* Prevention of affection of girls who are already exposed to social harms;

(b) *Specific Objectives:* Maintenance and support of girls exposed to social harms and thus in need of social supports; Laying the groundwork for education, employment, self-sufficiency and independence of this population; Identifying the talents and potentials of girls exposed to social harms and guiding them to realize these potentials.

42. Definitions and Concepts of these well being houses are:

(a) *Well-being house:* it refers to centers that in line with their legal functions cover those girls who are exposed to social harms and are deprived of family and social supports pave the way for their social and economic independence and help them prevent the social harms and meet the minimum of economic needs. These centers are herein referred to as "houses";

(b) *Girls in need of social supports:* Refers to those girls who have lost, on a temporary basis, the required social and mental performance as a result of not receiving the effective social support or being domestically abused and thus becoming exposed to social harms. As a result of failure to develop social and economic capabilities, they will not be able to start an independent life and are herein referred to as "girls";

(c) *The provincial committee on the affairs of socially harmed individuals:* it is a committee composed of the deputy for the social affairs as well as the expert of the provincial Welfare Organization on the affairs of the socially harmed individuals, the president of the city's Welfare Organization and the supervisor as well as the social worker of the concerned entity. This committee is based in the HQ of each provincial Welfare Organization;

(d) *Enablement:* A process during which a set of measures and services are provided for the purpose of realizing a normal lifestyle with minimum dependence on support resources, enhancing training and education skills and capabilities and holding training courses for clients and their families.

43. Target group of these well being houses includes Girls over 18 exposed to social harms.

44. *In all the ESCs,* admission is governed by Provincial Centers. Girls admitted to *houses* are solely referred by *Centers for Intervention in Personal, Family and Social Crises* and houses shall not exercise any right of independent admission. From the outset of admission, efforts must be made to lay the groundwork for returning the affected girl to her family or relatives or other ways of discharge to shorten her stay in the house. This process shall be overseen by provincial committees for the affairs of socially harmed individuals.

45. The maximum support duration in *houses* is six months for girls during which its managers shall make the necessary arrangements for empowerment and independence of these girls. This period may be extended for another six months in special cases upon the approval of provincial committees for the affairs of socially harmed individuals.

46. After being admitted by Centers for Intervention in Personal, Family and Social Crises, the girls shall be introduced to *houses* where they receive the following specialized services:

- (a) Social working services;
- (b) Psychological services;
- (c) Health and treatment services;
- (d) Training services;
- (e) Educational, cultural and religious services;
- (f) Provision of Legal services that includes Legal advice and Following-up of the legal affairs with concerned authorities.

47. Some Services are provided by specialized teams. these teams which is supervised by the center's president and composed of social workers, psychologists, psychiatrists, physicians, legal advisors and nurses and trainers (if proved necessary) provides the following services:

- (a) Studying the assessments by other experts of the *house*;
- (b) Making appropriate and proportionate decision from the admission to discharge;
- (c) Post-discharge follow-ups: Discharging shall take place based on the views and approval of every member of the specialized team and subject to fulfilling the following conditions:
 - (i) Returning to family (delivery of the girl to her family or her relatives, familial or consanguineous) is the primary goal of these centers. The *house*'s specialized team shall decide whether the conditions for returning to one's house are met;
 - (ii) An independent life while meeting the legal requirements;
 - (iii) Marriage;
 - (d) Introducing them to concerned organizations and entities as well as other relief and support institutions (public or private).

48. Social workers are obliged to administer post-discharge follow-ups. Some forms of follow-ups are as follows:

- (a) In- person Contacts (could be initiated by the client as well);
- (b) Phone contacts (could be initiated by the client as well);
- (c) Correspondence (could be initiated by the client as well).

49. To win support for the private sector and expand service packages considering the effective, efficient role played by NGOs in promoting the proper culture, realizing the potentials of the society and mustering them to achieve a certain goal which is enhancing the quality of individuals' lives and enabling the target group for individual growth, development and transcendence, Iran's State Welfare Organization formulated the instructions of "Initiation, Management and Dissolution of Well-being Houses for Girls and Women". Informed by this set of Instructions, this Organization served a specialized set of instructions to all provincial centers to initiate centers called "Centers for Mental-Psychological Supports of Girls and Families, (Nedaye Mehr or Call of Compassion Centers).

50. In such centers, it is hardly tried to increase the contributions of NGOs is an effective measure on this path. Improved knowledge of the people on issues and complications of social harms combined with the development of community-based approaches have prompted NGOs' considerable inclination towards resolving social harms and challenges and take the leading role to reduce the prevalence of such issues. Therefore, increased involvement of NGOs as well as stronger civil participation of women in handling and reducing social harms contributes to a sense of security, creation of job opportunities, promotion of proper cultures in different areas and extending coverage to various target

groups with the ultimate result of enhanced mental health, education, goal-oriented acts and well-being of women and girls.

51. *Overall objective of Nedaye Mehr centers* is Empowering girls exposed to social harms along with their families.

52. *Their Specific objectives are* recognition and attraction of girls exposed to social harms; and administration of personal and family interventions to enhance the life quality of girls exposed to social harms.

53. *Target Group of Nedaye Mehr centers* are Girls over 12 who are exposed to social harms (girls whose parents or guardians are drug addicts, girls who have quitted addiction, girls who have been exposed to rape and abuse, girls who have been raped or abused, girls considering fleeing home, girls with suicidal ideas, girls exposed to or experiencing domestic violence).

54. As definition, *Centers for Mental-Psychological Supports of Girls and Families* (NedayeMehr or Call of Compassion Centers): it refers to centers that provide girls over 12 who are exposed to social harms with daily specialized social working, psychological, legal, medical etc services to enable this population as well as community-based social working services with the ultimate objective of raising awareness, promoting the proper culture and creation of a safe environment through adoption of a 'case management' approach (further information is provided in annex 3).

55. *Well-being House of Women and Girls*: supervised by Iran's State Welfare Organization, it refers to centers that provide women under domestic violence and socially harmed women and girls or exposed to such harms with daily or round-the-clock specialized social working, psychological, legal, medical etc. services for the purpose of empowering his population.

56. For supporting Socially Harmed Individuals, some centers for rehabilitation are created.

57. Further information and statistics about the number of Houses and Centers are provided in annex 4.

Measures taken regarding the Paragraph 35, Clause E:

58. Since the content of Note 3, Article 66 of Code of Criminal Procedure passed in 2013 requiring drafting the list of NGOs by Ministry of justice, Ministry of the Interior and the subsequent approval of the Head of the Judiciary had delayed the execution of Article 66, this Note was revoked and later superseded by Clause C of Article 38 of Code of Permanent Rulings of the Country passed on January 29, 2017. According to Clause C of Article 38 of this Act, licensed NGOs may use the rights laid out in Article 66 of Code of Criminal Procedure. However, if their claims of impeach are rejected by competent courts for three consecutive times in a final manner, they will be deprived of exercising this right for one year. Along these lines, the Social Deputy of the Judiciary for Crime Prevention has taken the following measures:

(a) From July 2017, the General Bureau of Public Prevention and Civil Participation as a department of the Social Deputy of the Judiciary for Crime Prevention has arranged meetings attended by representatives of 20 associated entities for implementation of Article 66 of the Code of Civil Procedure;

(b) The conclusions of such meetings have led to holding a number of training workshops for various NGOs from December 2017 for the purpose of implementation of Article 66 of the Code of Civil Procedure and working on crime and social harms prevention:

(b.1) The first workshop took place on November 22, 2017 represented by 19 NGOs active in the field of activities of persons with disabilities (such as Rheumatism, Rehabilitation, White Stick, Leprous Capable, Supporters of the Elderly People's Health, Supporters of Schizophrenic Individuals, Iran's Autism, and Dystrophic People Associations etc.);

(b.2) The second workshop took place on December 5, 2017 represented by 34 NGOs and different departments of Tehran Municipality active in the field of working children;

(b.3) The third workshop took place on January 2, 2018 represented by 20 NGOs active in the field of working children and children's rights.

Challenges Ahead

59. In spite of legal amendments and creation of legal capacity for NGOs to take legal action by NGOs to support the rights of persons with disabilities, such claims can't be registered at the moment with judicial authorities.
