

The Laws of the Rights of Persons with Disabilities in Iran

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Chapter 1 – General Provisions

Article 1 – Definitions

- A. **A Person with a Disability:** A person with a disability is a person whose type and severity of his/her disability is determined by State Welfare Organization and is confirmed by the medical/rehabilitation commission. The persons with disabilities face considerable limitations in their daily activities and social life due to their physical, sensory (visual, auditory), intellectual, psychological or a combination of multiple health issues.
- B. **The Ministry:** The Ministry of Cooperatives Labor and Social Welfare.
- C. **The Organization:** State Welfare Organization.
- D. **The Liable Organs:** Executive organs subjected to article 5 of the civil service management act, adopted on 30/09/2007 with its subsequent amendments and addendum which includes the judiciary, the legislative, the expediency discernment council, the Guardians Council, the dependent and subsidiary organizations and institutions, municipalities and all organizations and corporations that their inclusion is required to be mentioned and are somehow using governmental budget support either partially or completely.
- E. **Accessibility:** Measures to be taken in order to create a barrier-free and accessible environment for the inclusion of persons with disabilities in different areas of life and to provide equal opportunities so that the persons with disabilities benefit from amenities of social life on an equal basis with others. Accessibility incorporates transportation system, physical environment, information, education, technologies, employment, appropriate communication and media sources.
- F. **National Networks of Non-Governmental Organizations of Persons with Disabilities:** They are national (civil) networks composed of organizations of persons with main disabilities (including visually, auditory, physically, mentally and psychologically impaired) which are constituted so as to generate coordination and unification between the activities of member organs and to create a strong national voice.



Chapter 2 - Appropriate Measures, Accessibility and Mobility

Article 2 – All ministries, organizations, institutions, government corporations and public and revolutionary organs responsible for the design, production and construction of buildings, public places, roads, and other facilities are required to facilitate the accessibility and use of these facilities for the people with disabilities on an equal basis with others.

Note: The ministries, organizations, institutions, government corporations and, public and revolutionary organs are required to standardize the buildings, public leisure and sporting facilities, roads and layout services according to the needs of the people with disabilities and by using the yearly adopted budget in order to ensure the accessibility of these facilities for them.

Article 3 – In order to monitor and harmonize the standardization process and ensure the enforcement of article 2, coordination headquarters will be established with the following staff:

1. Minister of the Interior or a direct assistant (chairperson)
2. Chief Executive of the Organization (secretary)
3. The direct assistant of the Ministry of Roads and Urban Development
4. The direct assistant of the Ministry of Industry, Mine and Trade
5. The direct assistant of the Ministry of science, research and technology
6. The direct assistant of the Ministry of education
7. The direct assistant of the Organization of Planning and Budget
8. The direct assistant of the Broadcasting organization of Islamic Republic of Iran (as an observant and without the right to vote)
9. The direct assistant of the Foundation of Martyrs and Veterans Affairs
10. A representative of the Civil Societies of Veterans (as an observant and without the right to vote)
11. A representative of National Networks of Non-Governmental Organizations of Persons with Disabilities (as an observant and without the right to vote)



12. Chief Executive of the Supreme Council of Provinces (as an observant and without the right to vote)

13. A representative of the other governmental organs under the discretion of the chairperson.

Note 1 - The staff shall monitor the standardization of the buildings and the governmental and public places and shall request the proceedings reports from the aforementioned organizations.

Note 2 – The procedural rules of this article will be prepared in a six-month period after the notification of the law by the related organization, with the participation of the Ministry of Interior, the Ministry of Roads and Urban Development, and the chief executive of the Organization of Planning and Budget. The procedural rules will be further ratified by the council of the ministers.

Article 4 – Municipalities shall set the conditions for the issuance of construction, reconstruction and completion licenses for all buildings and public places such as residential, commercial, official, medical and educational buildings based on the adopted rules and standards of the supreme council of Urban Planning and Architecture of Iran and subsequent amendments regarding the accessibility of people with disabilities by the executor.

Article 5 – The Ministries of Roads and Urban Development and Municipalities are required to take appropriate measures according to national rules and international

standards to provide accessibility of all terminals, stations, urban and suburban transportation systems, and public transportation systems for persons with disabilities. Furthermore, they shall provide persons with disabilities with access to land, sea, and air transport terminals, and will train their staff to offer their practical and proper assistance to passengers with disabilities.

Note 1 - Municipalities are required to create special transportation systems for people with disabilities by equipping a series of vehicles in order to enable travelling of people with severe disabilities. The government shall assist municipalities that lack the necessary funds in setting up such systems.

Note 2 - The use of governmental and public urban rail and bus transportation systems by persons with severe disabilities is free and their use of governmental and public intercity rail, air, and marine systems is half-price. To implement this note, the Ministry shall predict the



required budget in the yearly bills and the Organization of Planning and Budget and shall consider this budget in the yearly bills.

Note 3 - Violators of this article will be convicted to a pecuniary punishment of a fifth to eighth degree based on article 19 of the Islamic Penal Code, adopted on 22/04/2013. They shall be subjected to temporary or permanent dismissal from public services, job demotion, deprivation of holding sensitive and managerial positions or dismissal from the relevant organ.

Chapter 3 –Health, Treatment and Rehabilitation Services

Article 6 - The Ministry of Health, Treatment, and Medical training is required to provide persons with disabilities with health insurance coverage that not only meets their medical requirements but also offers physical and mental rehabilitation services.

Article 7 – In order to support and maintain the care of persons with severe, very severe, and multiple disabilities in the family environment, the organization is required,

after providing training and consulting services to the families, to pay a nursing or assistance pension to their legal guardian or spouse, and or to provide the required care and support through the dependent institutions or giving support to non-governmental institutions (private, cooperative, charities and NGOs).

Note 1 – The amount of the pension for the payment of the nursing or assistance fees subjected to this article, should conform to the type and severity of disability of each person and the number of the disabled people in each family. Furthermore, the amount of the pension is determined based on the usual costs of custody and care of persons with disabilities and in proportion to annual inflation and the annual amount of allowance that is given to the non-governmental centers for the fulfillment of these services. The exact amount of this pension is decided with the cooperation of the supreme society of Non-Governmental Rehabilitation Centers, the Ministry and the State Planning and Budget Organization and is finally ratified by the cabinet.

The fixed price should be submitted to the relevant non-governmental institutions as a grant.

Note 2 - The services and allowances covered by this article also extend to the elderly with disabilities.



Chapter 4 - Sports, Cultural, Creative and Educational affairs

Article 8 - The use of sports facilities of governmental centers and organs that are administered by municipalities in cities and rural districts is free of charge for persons with disabilities.

Article 9 – The qualified persons with disabilities of different ages who are in need of free higher education, with the approval of the organization, can derive benefit from the allowances of the annual budget. These services are provided by the affiliated educational units of the Ministries of Education, Science, Research and Technology,

Health, Treatment, and Medical Education and other government agencies, as well as the Islamic Azad University and other non-governmental higher education centers.

Note: The procedural rules of this article will be prepared in a three-month period after the notification of the law by the organization, the ministry, the ministry of science, research and technology, the ministry of health, treatment and medical training and the Islamic Azad University, and shall be submitted to the ministry council for the final enactment.

Chapter 5 - Entrepreneurship and Employment

Article 10 – The ministry is required to establish an organizational fund covered by the adopted financial credits to support job opportunities for people with disabilities. The statute of the fund will be prepared in three-month period after the notification of the law, and will be submitted to the ministry council for enactment.

Note: The central bank shall provide the Ministry with the required authorizations to establish the job supporting fund for persons with disabilities within the framework of relevant laws and regulations.

Article 11 - To create job opportunities for the people with disabilities, the state shall provide the following facilities:



- A. Payment of credit facilities to the manufacturing, service, development, trade units, and vocational productive job sites to support the employment of persons with disabilities based on the amount that is specified in the annual budget bill.
- B. Payment of self-employment credit facilities (managed funds) to persons with disabilities according to the amount that is specified in the annual budget bill.
- C. Payment of credit facilities (managed funds) for the establishment of manufacturing and service units is allocated to the companies and institutions
- D. That more than sixty percent (60%) of their shares and assets belong to persons with disabilities.
- E. Allocating thirty percent (30%) of the organizational position of telephone operator of agencies, government corporations and public organs to persons with visual impairment and persons with mobility disabilities
- F. Allocating thirty percent (30%) of the organizational positions of clerk and typist of agencies, government corporations and public organs to persons with physical and mobility disabilities.

Note: All ministries, organizations, institutions and government corporations and public and revolutionary organs are allowed to use the limit of their annual employment licenses to hire the eligible persons with visual, auditory and spinal cord injuries by holding a special test for the community of people with disabilities.

Article 12 - Employers of the non-governmental sector who hire applicants with disabilities in their business centers, during the period of their employment, will use the allowance to improve the efficiency of employees with disabilities by observing the following conditions:

- A. The duration of the employment contract with an employee with a disability is at least one year.
- B. The salary and wages of the employees with disabilities shall be paid by the employer in accordance with the rules of the Supreme Labor Council and other relevant laws and regulations.



C. Other legal benefits specified in the Labor Law (workers' welfare benefits) shall be paid to the employees with disabilities.

Note 1 - In this document, a job seeker with a disability is a person with a disability who has the ability to work and has acquired the necessary skills and training for employment.

Note 2 – In this document, the allowance for improving the efficiency of employees with disabilities includes a payment of a maximum of fifty percent (50%) of the minimum monthly salary of the Supreme Labor Council to a person with a disability. This amount is decided based on the severity of the person's disability (moderate: thirty percent (30%), severe: forty Percent (40%) and very severe: fifty percent (50%)) and is provided by the Planning and Budget Organization under the credit line item annually.

Note 3 - The allowance for improving the efficiency of each employee with a disability in the non-governmental sector is payable for up to five years.

Note 4 - The manner in which the allowance for improving the efficiency of persons with disabilities to the non-governmental sector is allocated and paid will be determined based on procedural rules that are prepared in a three-month period after the notification of the law by the ministry and with the cooperation of the organization, and shall be submitted to the ministry council for enactment.

Article 13 - Employers who are hiring job seekers with disabilities, according to article 12 of this document, are exempt from paying the employer's share of insurance premiums for employees with disabilities. Also, persons with disabilities who are self-employed or work in home employment workshops or work through job support centers, are exempted from paying the employer or self-employed share of insurance premium. The insurance premium share for the employer or self-employed persons with disabilities will be paid by the government.

Note: The procedural rules of this article will be prepared by the organization and the ministry, with the cooperation of the organization of Planning and Budget, in a three-month period after the notification of the law, and shall be submitted to the ministry council for enactment.

Article 14 - Technical and Vocational Training Organization shall accept trainees with disabilities directly or with the participation of the non-governmental sector, and shall improve their technical skills by taking the appropriate measures and developing the existing centers or by establishing of schools and training centers that offer the necessary support and specialized training equipment



that are compatible with the conditions of trainees with disabilities. Technical and Vocational Training Organization shall also allocate fellowships for the fulfillment of such a purpose.

In addition, in order to ensure the high quality and efficiency of technical and vocational education of people with disabilities, this organization, under the professional guidance of the organization and the Special Education Organization of Iran, shall codify the standards and comprehensive regulations of technical and vocational skills training of trainees with disabilities within a six-month period, and shall notify the centers that are subjected to this article.

Article 15 - The government shall allocate at least three percent (3%) of the employment licenses (official, contractual, and labor) of government and public agencies, including ministries, organizations, institutions, companies, and public and revolutionary organs, and other agencies that are subjected to the public budget except for the cases mentioned in paragraphs (d) and (e) of Article (11) of this law, to the eligible persons with disabilities.

Note 1 - All ministries, organizations, institutions, government corporations, and public and revolutionary organs shall allocate three percent (3%) of the employment licenses, except for the cases mentioned in paragraphs (d) and (e) of Article (11) of this document, to persons with disabilities.

Note 2 - The highest officials of the executive bodies, public non-governmental organizations, municipalities, and banks are strictly required to implement the provisions of this article. The violators, according to circumstances, shall be punished by the qualified authorities for a fifth to an eighth degree crime based on article 19 of the Islamic Penal Code. The violators shall be penalized by temporary or permanent dismissal from public services, demotion or deprivation of appointment to sensitive and managerial positions or expulsion of the obeyed institution or organization.

Article 16 - The heads of the provincial welfare organizations are allowed to participate in the meetings of the provincial planning and development council as their working members.

Note: In order to support the employment of people with disabilities, the head of the country's welfare organization is allowed to participate in the meetings of the Supreme Employment Council.

Chapter 6 – Housing

Article 17 - The Ministry of Roads and Urban Development and other relevant agencies shall guarantee, by supporting the builders of housing units, including mass builders, cooperatives and



the private sector, to allocate at least ten percent (10%) of high quality and appropriate housing units to persons with disabilities who are without property (the priority is given to disabled couples and families with more than one member with a disability) with a lower cost. The organization shall introduce the builders and observe the construction process as well.

Note 1 - The Central Bank of the Islamic Republic of Iran is required to provide low-cost credit facilities with preferential and long-term interest for the housing of the subjects of this article. Persons with disabilities who are under the aegis of the Organizations, cooperatives, and or philanthropic institutions, with the confirmation these organizations, cooperative and institutions, can use such a credit facility for one time only.

Note 2 - The required credit for the payment of the difference between the four percent (4%) interest rate and the interest rate approved by the banking system is included in the annual budget bill.

Article 18 - The National Land and Housing Organization shall provide the land required for the construction of housing units for people with disabilities who are without properties, in the form of a long-term lease of ninety-nine years and it shall allocate these properties to the persons with disabilities or housing cooperatives and charities approved by the organization for one time only.

Article 19 – Persons with disabilities are exempt from paying for the building permits, land preparation, and renovation fees. Furthermore, they are exempt from paying for water, electricity, gas, and sewage disposal subscription charges in accordance with the adopted housing model.

Note 1 - The persons with disabilities are allowed to use the facilities of this article only for one residential unit.

Note 2 - The government shall provide the necessary funding for the implementation of this article in the annual budget bills.

Chapter 7 – Culturalization and Public Awareness Raising

Article 20 - The Ministry of Culture and Islamic Guidance, the Islamic Development Organization, the Broadcasting Organization of the Islamic Republic of Iran, municipalities and other organizations and institutions with movie and theater halls are required to display educational teasers approved by the organization about the rights of people with disabilities and how to interact with them without charging a fee.



Article 21 - The Broadcasting Organization of the Islamic Republic of Iran is required to dedicate at least five hours of its programs per week-at appropriate times and for free- to the programs of the Organization and non-governmental organizations of persons with disabilities in order to acquaint the society with their rights, capabilities, and problems. In addition, it is required to subtitle movies and programs of different TV channels, use the deaf hearing interface (DHI), and provide audio descriptions of movies for persons with visual impairments.

Chapter 8 – Judicial Protection and Tax Facilities

Article 22 - If the persons with disabilities need a guardian, the judicial authorities shall appoint a guardian by taking the advice of the organization into consideration. If there are no qualified persons to take or accept the role of the guardian, the court will recognize the organization as the guardian.

Article 23 - At the request of a person with a disability or her/his guardian, in cases where the right of the person has been violated or is claimed to be violated due to her / his disability, in the case of confirming such a claim, the organization can appear at court as the person’s representative.

Article 24 - One hundred percent (100%) of the costs of natural and juridical persons that are spent for the construction, equipment, development, and adaptation of all rehabilitation centers, care institutions, vocational training, education, entrepreneurship, welfare and housing and are needed by people with disabilities, with the approval of the organization, will be considered as an eligible tax fee.

Article 25 – One of the parents of a person with a severe or very severe disability are exempt from paying the fifty percent (50%) of the taxable salary or wage as long as the parents are responsible for paying the costs of the person’s disability. The medical commission will provide a certificate diagnosing and confirming the type and severity of disability of the persons subjected to this article and shall present it to the organization.

Note: The procedural rules of this article will be prepared by the Ministry of Economic Affairs and Finance and the Ministry within a six-month period after the notification of the law and shall be submitted to the ministry council for enactment.

Article 26 - One of the children of the disabled parents (one or both of them can be disabled) or one of the children of the parents with at least two disabled children is exempted from compulsory military service.



Note: Spouses who take care of their disabled women are exempted from compulsory military service as long as they continue to do so.

Chapter 9 - Livelihood and Administrative and Employment Support

Article 27 - The government shall determine the livelihood allowance for the unemployed persons (without any income) with very severe or severe disabilities as the same amount as the minimum of annual wage, and shall include the necessary credits in the annual budget bills.

Employed women with a disabled spouse or child, in case of taking care of her / him at home, (with the approval of the organization) will benefit from the facilities that are specified in the relevant law adopted on 12/01/ 1983. concerning part-time services for women.

Employed men with a disabled spouse or with a disabled child who is without a mother or supervision, in the case of taking care of her / him at home, (With the approval of the organization), will benefit from a quartile reduction in weekly working hours and full payment.

Article 28 - Subject organs are required to reduce the weekly working hours of employees with severe and very severe disabilities by ten hours.

Chapter 10 - Planning, Monitoring, and Funding

Article 29 - The Statistics Center of Iran shall plan the general censuses of the country in such a way that the population of people with disabilities is determined by the type of disabilities.

Article 30 - In order to clarify the financial resources allocated for the enactment of the current document and to support people with disabilities, the Planning and Budget Organization, is required to consider a credit line item under the social welfare chapter, relevant to the titles of the chapters of this document in the annual budget bills.

Article 31 - In order to fulfill the provisions of this document and with the ultimate goal of exercising high supervision over the proper implementation of all regulations aimed at people with disabilities or affecting their lives, a coordination and monitoring committee for the implementation of current document will be formed under the Supreme Council of Welfare and Social Security with following members:



1. First Vice President (Chairman of the Committee)
2. Minister of Cooperatives, Labor and Social Welfare (Secretary of the Committee)
3. Chairman of the Organization
4. Minister of Roads and Urban Development
5. Minister of Education
6. Minister of Science, Research and Technology
7. Minister of Health, Treatment, and Medical Training
8. Minister of Industry, Mines and Trade
9. Minister of Interior
10. Minister of Sports and Youth
11. Head of the broadcasting organization of the Islamic Republic of Iran
12. Head of the Planning and Budget Organization
13. Head of the Administrative and Employment Affairs Organization
14. Plenipotentiary representative of the head of the judiciary
15. Head of the Martyr and Veterans Affairs Foundation
16. The chairpersons of the health and social affairs commissions of the Islamic Consultative Assembly and other chairpersons of the commissions of the Islamic Consultative Assembly who are chosen according to the subject (as observers and without the right to vote)
17. Five representatives of persons with disabilities selected by the National Networks of Non-Governmental Organizations who are chosen based on the main groups of disabilities (as observers and without the right to vote)
18. Three prominent experts of the country who are adept in the affairs of people with disabilities are introduced by the Minister of Cooperatives, Labor and Social Welfare (as observers and without the right to vote)
19. A representative of trade unions of non-governmental rehabilitation centers (as observers and without the right to vote).

Note 1 - Other invited ministers and officials shall participate in the committee according to the circumstance.

Note 2 - The secretariat of this committee will be held in the organization.



Note 3 – The committee is required to receive and review the annual report of the measures taken for the enactment of this document, and after the confirmation of the Supreme Council of Welfare and Social Security, send it to the council of Islamic assembly through the government. The social, health, judicial and legal commissions shall read the summary of the report in the open court of the parliament and publish the results for public information within one-month after reviewing the report and confirming its accuracy.

Article 32 – Each year, subject organs must submit a report on the implementation of this document and a report on the enactment of the law of the convention's ratification concerning the rights of persons with disabilities which was issued on 12/03/2008 to the Coordination and Supervision Committee.

Article 33 - The Comprehensive Law of the Protection of the Rights of Persons with Disabilities, adopted on **05/05/2004**, shall be repealed from the date of entry into force of this document.

Article 34 - The by-laws required by this document, except for the explicit authorizations specified in this document, shall be prepared by the Ministry, the organization, and the relevant authorities within a six-month period after its notification, and will be submitted to the ministry council for enactment.

Note: Until the approval of the bylaws of this document, the bylaws of the comprehensive law of the protection of the rights of persons with disabilities, in case of having no incompatibilities with this law, will remain in force.

All the laws mentioned above, including thirty-four articles and twenty-nine notes, were passed by the Islamic Consultative Assembly in an open session on Sunday, March 11, 2018, and were confirmed by the Guardian Council on 11/04/2018.



Disability Association of Tavana

