

Concluding Observation Committee on the Rights of the Child CRC/C/IRN/CO/3-4 para 68(b)

Full recommendation

Set up comprehensive measures to develop inclusive education and ensure that inclusive education is given priority over the placement of children in specialized institutions and classes.

Assessment using Impact Iran human rights indicators¹

Iran has made progress in expanding access to education for children with disabilities by significantly increasing the budget for specialized education and establishing physical accessibility requirements for newly built or renovated schools. It has also expanded some support to children with disabilities attending mainstream schools by offering accessible education material, including in braille or audio formats.

Article 30 of the Islamic Republic of Iran's Constitution guarantees free education for all through the secondary level.² Adopted in March 2018, the Comprehensive Law to Protect Disabled Persons³ guarantees fundamental rights and privileges for persons with disabilities in areas such as accessibility, tuition free education, rehabilitation, and employment. However, the legislation does not contain comprehensive measures to develop inclusive education and does not give priority to inclusive education over the placement of children in specialized institutions and classes.

The law requires "all ministries, government organizations, and public and revolutionary institutions to design, produce and construct public buildings and facilities, roads and service equipment" that are accessible to persons with disabilities.⁴ Although the law requests access to children with disabilities to newly and renovated public schools, it does not mention schools already built that are not accessible to children with disabilities.⁵

The Department of Special Education is responsible for providing education at the pre-primary to the secondary/vocational levels for children with mental, hearing, visual, physical and development disabilities.⁶

¹ CRC.25.S.1; CRC.25.S.2; CRC.28.1.S.1; CRC.28.4.S.1; CRC.25.P.1; CRC.25.P.3; ESCR.13.2.P.2; CRC.25.O.3; ESCR.13.1.O.3

² Constitution of the Islamic Republic of Iran, English translation, <https://irandataportal.syr.edu/wp-content/uploads/constitution-english-1368.pdf>

³ The law to Protect the Rights of Persons with Disabilities: < <http://rc.majlis.ir/fa/law/show/1054682> >

⁴ Article 9 of the Comprehensive Law to Protect Disabled Persons

⁵ <http://dotic.ir/news/6053>

⁶ UNESCO < <http://unesdoc.unesco.org/images/0022/002297/229715E.pdf> > pg. 34-35.

In 2011, Iran adopted the "Fundamental Development Document for Education", a national strategic document setting a number of goals for the government, including "the comprehensive expansion and provision of educational justice."⁷ Based on this strategic document, in 2013, Iran developed the "Executive Procedure for Integrated and Inclusive Education Regulations" and conducted a trial project in 7 provinces of Iran for 3 years to assess the concrete efficiency of such regulations.⁸ Reportedly, at the end of the trial project, 71.3% of the 7 provinces successfully held classes following the "development of integrated and inclusive education". About 86% of specialized teachers had relevant study degrees, and 90.6% of teachers followed during the project had relevant practical experience.⁹ The regulations became binding for all provinces in Iran at the end of the trial project.

Despite these legal guarantees and efforts, access to inclusive education is reportedly limited for children with disabilities. All Iranian children aged 6 years old must undergo a national medical assessment which determines whether a child can be educated, and if so whether he/she may attend mainstream education or be sent to a special needs school.¹⁰ The Ministry of Education's Special Education Organization is in charge of the education of children with disabilities who have been deemed as able to access education (whether mainstream or specialized), while the State Welfare Organization is responsible for children considered "ineducable".¹¹ Such an assessment has been criticized as maintaining segregation of children with disabilities and contributing to discriminations against them.¹²

In 2017, the Centre for Human Rights in Iran reported 5% of children with disabilities attending special needs schools.¹³ During the 2018-2019 school year, Human Rights Watch reported 150,000 children with disabilities who were enrolled in school out of an estimated 1.5 million, 43% of whom in mainstream education while the rest were admitted in special schools.¹⁴ Reasons explaining such a low enrollment include the national medical assessment, physical inaccessibility to educational infrastructures and lack of reasonable accommodations, lack of training for teachers and education officials in inclusive education methods, lack of information

⁷ <https://sccr.ir/Files/6609.pdf>

⁸ <https://www.solh.ir/regulation/7/6948>

⁹ See more: http://exceptionaleducation.ir/files/site1/user_files_237322/imanimehr-A-10-38-37-a6f7ccc.pdf

¹⁰ Center for Human Rights in Iran, <https://iranhumanrights.org/wp-content/uploads/Iran-Disability-Education-Children.pdf> and, Human Rights Watch https://www.hrw.org/report/2019/10/02/just-other-kids/lack-access-inclusive-quality-education-children-disabilities#_ftn97

¹¹ Center for Human Rights in Iran <https://iranhumanrights.org/wp-content/uploads/Iran-Disability-Education-Children.pdf>, and, Human Rights Watch https://www.hrw.org/report/2019/10/02/just-other-kids/lack-access-inclusive-quality-education-children-disabilities#_ftn10

¹² Human Rights Watch, https://www.hrw.org/report/2019/10/02/just-other-kids/lack-access-inclusive-quality-education-children-disabilities#_ftn10

¹³ Information from the Centre for Human Rights in Iran. "Some 137,000 students study at special schools in Iran", Tehran Times, 2 December 2017.

¹⁴ Center for Human Rights in Iran, <https://iranhumanrights.org/wp-content/uploads/Iran-Disability-Education-Children.pdf> and, Human Rights Watch https://www.hrw.org/report/2019/10/02/just-other-kids/lack-access-inclusive-quality-education-children-disabilities#_ftn97

about the right to inclusive education among parents, discriminations and social stigma.¹⁵ In its 2017 review the Committee on the Rights of Persons with Disabilities raised concerns on these issues as well as the absence of measures to improve access to education for children with disabilities living in rural communities.¹⁶

Article 24 of the ICRPD requires that “people with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability”.¹⁷ In its General Comment on Article 24, the Committee stipulated that the full realization of inclusive education “is not compatible with sustaining two systems of education: a mainstream education system and a special/segregated education system.”¹⁸

Although Iran has taken several positive measures as aforementioned, reports indicate that these measures are insufficient to ensure the access of children with disabilities to inclusive education. Additionally, measures taken by the Government of the Islamic Republic of Iran have not ensured that inclusive education is given priority over the placement of children in specialized institutions and classes.

Recommendation Status:

This recommendation has been **PARTIALLY** implemented.

¹⁵ Center for Human Rights in Iran, <https://iranhumanrights.org/wp-content/uploads/Iran-Disability-Education-Children.pdf> and, Human Rights Watch https://www.hrw.org/report/2019/10/02/just-other-kids/lack-access-inclusive-quality-education-children-disabilities#_ftn97

¹⁶ Concluding Observations, Committee on the Rights of Persons with Disabilities, May 2017, <https://undocs.org/Home/Mobile?FinalSymbol=CRPD%2FC%2FIRN%2FCO%2F1&Language=E&DeviceType=Desktop>

¹⁷ Convention on the Rights of Persons with Disabilities, art. 24, para 2(a)

¹⁸ General comment No. 4 (2016) on the right to inclusive education https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/4&Lang=en