

In the name of God

The Islamic Republic of Iran

The Islamic Consultative Assembly

The Speaker

The Act
On
The formation of the
National Disaster Management Organization

Translated by:

HFA- IRAN

CHAPTER 1

Definitions

Article 1:

The terms applied in this Law shall have the following meanings:

A- Disaster:

Conditions determined as a result of incidents, events and acts of nature or man (except for areas regarding social and security concerns) that take place in an abrupt or uncontrollable way leading to suffering and hardship of a mass of population or human society, elimination of which requires urgent and extraordinary measures.

B- Comprehensive disaster management:

Comprises activities including the planning process, functions and executive actions taken by the Governmental, non-Governmental and public organizations in order to identify and reduce the level of hazards (Risk Management), as well as activities comprising response management operations, reconstruction and rehabilitation of the affected areas (Disaster Management). Efforts are made in this process to prevent disasters in an integrated, comprehensive and coordinated manner through observation and analysis of precursors and the available information by making use of accessible tools or to respond rapidly with appropriate preparedness aimed at reducing human and financial losses in the face of an actual disaster until normal conditions are restored.

Article 2:

Disaster Management consists of four phases as follows:

A- Prevention:

A set of activities undertaken to assess the community's risk level with the objective of preventing or reducing the adverse impact of disasters, as well as necessary actions to be taken, or studies to be conducted to reduce the level of risk to an acceptable level.

B- Preparedness:

It consists of activities designed to enhance the capacity of a community in carrying out different phases of disaster management. This is achieved through collection of information, planning, organization, development of management structures, provision of resources and facilities, public education, training, rehearsals and drills.

C- Response:

Decisions and actions taken to provide assistance or intervention or supply of urgent services immediately after a disaster in order to save lives and properties, as well as providing relative welfare for the affected population and preventing further expansion of damages. The response activities include dissemination of information, issuance of warnings, relief, search & rescue operation, health and medical care, security safeguarding, transportation, medical emergencies, burial of dead bodies, disposal of solid waste, firefighting, controlling hazardous materials, restoration of life lines, fuel supply as well as other related emergency services.

D- Reconstruction and Rehabilitation:

Reconstruction is the necessary and essential action taken after a disaster in order to restore normal conditions to the disaster stricken areas with a view to sustainable development features, safety rules, public participation and social, historical and cultural aspects. Rehabilitation is also a series of actions related

to restoring a stricken community to its former living state in terms of physical, psychological and social conditions.

CHAPTER ۲

The High Council of the National Disaster Management Organization

Article ۳:

In order to coordinate the activities of the organizations and institutions affiliated to the three State governing branches, the Armed Forces and the other institutes and agencies under the auspices of the Supreme Leader (with regard to delegation of authority by His Honor) as well as for enacting of regulations and standards governing the four phases of disaster management, the High Council of the National Disaster Management Organization (hereinafter referred to as the High Council) will be formed.

Article ۴:

The following are the functions of the High Council.

- ۱- To develop policies and national plans related to National Comprehensive Disaster Management Plan and to take legal actions for their enactment.
- ۲- To formulate the detailed budget of the comprehensive disaster management system to be proposed for inclusion in the State annual budget bill for its enactment.
- ۳- Taking legal action for approval of the specific functions and the role of ministries, governmental organizations, non _ governmental public institutions, Islamic councils, municipalities, organizations and companies whose names must be mentioned as a requirement for inclusion in the law, military and disciplinary forces and the entire institutions and organizations under the auspices of the Supreme Leader, mass media and the Islamic Republic of Iran broadcasting corporations and civil

organizations related to disaster management in the Islamic Consultative Assembly.

- ۴- Adoption of strategic policies, directing and motivating research and executive activities aimed at reduction of risks resulting from earthquake, climatic hazards and hazardous chemical materials.
- ۵- Taking necessary legal actions through the Islamic Consultative Assembly for approval of disaster management system in the country and appointment of response operations command in regard to magnitude of the disaster.
- ۶- Taking necessary legal actions through the Islamic Consultative Assembly for enactment of training and propagation policies, as well as dissemination of information by the Islamic Republic of Iran Broadcasting Corporation and the mass media.
- ۷- Taking necessary legal action for approval of the required regulations and standards related to the contingency plans to address unexpected disasters after obtaining information on their probable occurrence in the country.
- ۸- Taking necessary legal action for approval of the organization's structure, detailed organizational set up and suitable provincial and township sub – divisions proposed by the organization.
- ۹- Taking necessary legal action for approval of by – laws, regulations and guidelines related to this Law.

Article ۵:

The High Council will be chaired by the President and its membership will include Ministers of intelligence, Interior, Economy and Financial Affairs, Housing and Urban development, Defense and logistics of the Armed Forces, Welfare and Social Security, Road and Transportation, Health, Treatment and Medical Studies, Power, Agriculture Jihad, Communication and Information Technology, Science, Research and Technology, Training and Education, Mayor of Tehran, Commander in Chief of the Armed Forces, Commander of Disciplinary Forces of

the Islamic Republic of Iran, Commander in Chief of Guard Corps, Army Commander in Chief, Commander of Basij Resistance Forces, one of the deputies of the Speaker of the Islamic Consultative Assembly, First deputy of the Judiciary, Heads of Management and Planning Organization, the Islamic Republic of Iran Broadcasting Corporation, Head of Red Crescent Society of the Islamic Republic of Iran, care taker of the Imam Khomeini Relief Committee, Head of State Meteorological Organization, Head of Housing Foundation of the Islamic Revolution, as well as the Head of the Organization.

Note ١

In the absence of the president, the meetings of the High Council will be held under the Chairmanship of the Minister of Interior (as his substitute).

Ratification of the Council will be binding after being endorsed by the President.

Note ٢

Mode of directing, decision making and communication of ratifications of the High Council will be in accordance with a by- law which will be approved by the Cabinet of Ministers.

Note ٣

The Secretariat of the High Council will be based in the Organization and the Secretary will be elected in accordance with Note (٢) of this Article.

CHAPTER ٣

The National Disaster Management Organization

Article ٦:

The National Disaster Management Organization (hereinafter referred to as organization) will be formed in order to utilize the national, regional and local capacities to confront the natural and unexpected disasters as well as creating an integrated management system for policy making, planning, coordinating

research and executive activities in a cohesive manner, concentrated information dissemination and supervision over different phases of disaster management as well as rehabilitation and reconstruction of disaster stricken areas by utilizing the entire required potentials and means pertaining to ministries, governmental and public institutions and companies, banks, governmental insurance companies, Armed and military forces, non– governmental public institutes, Islamic councils, municipalities, public associations, and institutions whose names need to be mentioned for inclusion in the Law and organizations under the auspices of the Supreme Leader and the Armed forces (in the case of delegation of authority by his Honor).

Article ٧:

The organization is affiliated to the Ministry of Interior and the Head will be appointed on the proposal made by the Minister of Interior, endorsed by the High Council and the decree given by the Minister of Interior.

The provincial and township sub- units will be formed under the supervision of Governor Generals and Governors respectively.

Article ٨:

The functions of the organization are as follows:

- ١- Development of policies and plans of action related to the four phases of disaster management, and planning for provision or making possible use of the potential & capacities pertaining to the governmental, non-Governmental organizations and the Armed forces during the preparedness and response operations, in order to be presented to the Cabinet of Ministers for approval.
- ٢- Facilitate coordination and create cohesion among the various organizations in the country regarding the four phases of disaster management.

- ٣- Arrange for review and develop policies and comprehensive plans on culture, research, training, and propagation, dissemination of information, as well as rehearsal and testing activities in the four phases of disaster management in order to be proposed to the High Council.
- ٤- Strengthen regional and international cooperation, exchange of views and make use of experiences and the know-how of countries and international organizations in relation with the four phases of disaster management, as well as representation of the country in the international communities with coordination and collaboration of related organizations.
- ٥- Documentation of disasters, the measures taken and the analysis made in this regard.
- ٦- Planning and coordinating the organization and training of the entire people-centered organizations including non-governmental institutions, Basij forces and volunteers in the four phases of the disaster management.
- ٧- Follow up to the ratifications and decisions of the High Council
- ٨- Coordination and supervision over development and expansion of effective prevention systems, retrofitting and seismic improvement of constructions, infrastructures, buildings and crucial and important lifelines as well as reconstruction and improvement of the old textures, development of reinsurance and compensatory methods including different insurances, financial support and encouraging mechanisms in cooperation with the related organizations.
- ٩- Supporting the development and expansion of active scientific and consultative institutes and benefiting from their collaboration for the purpose of standardization and safety control of products, services, building and infrastructural facilities, as well as supervision of approved standards that should be taken into account.
- ١٠- Develop the system of national work division for enhancing the culture of safety for each member of the community with cooperation of the

Ministries, organizations, institutions and the organs related to disaster management in order to be presented to the Cabinet of Ministers for approval.

- ١١- Develop directives on determining the level of disasters as being of national, regional or local significance, including emergency situations and the methods by which the crises resulting from unexpected disasters are announced.
- ١٢- Provide directives to related organizations on procedures of the emergency and contingency plans that can be executed in the event of or likely occurrence of a disaster.
- ١٣- Coordinate deployment of the entire potentials and capacities of both governmental or non – governmental organizations and the Armed forces which are required by the disaster management during the disaster response phase.
- ١٤- Develop appropriate rules and regulations concerning the investigation of violations and breach of approvals and orders of the High Council and the organization as well as negligence in performance of duties by officials in the entire related organizations, public non- governmental organizations, the Armed forces and the organizations under the auspices of the Supreme Leader during the disaster response phase with cooperation of the Judiciary and the Armed forces general staff to be submitted to the Cabinet of Ministers for approval and the consequent implementation and follow – up.
- ١٥- Develop draft on rules and regulations concerning the pre-emptive measures to address abusers, rioters and plunderers during the disaster with cooperation of the Judiciary and the Armed forces General staff to be submitted to the cabinet of ministers for approval, the consequent follow up and monitoring the implementation.
- ١٦- Develop operating procedures and guidelines with cooperation of related organizations on receiving and distribution of national, international

and foreign aids to be submitted to the Cabinet of Ministers for approval and the subsequent follow – up.

- ١٧- Develop a comprehensive information management system assisted by information networks of the scientific and research centers and the responsible executive organizations as well as establishing the Disaster Information Management Center in the organization in order to provide timely warning before occurrence of the likely disaster together with sound dissemination of information to the authorities and the public at the time of disaster.
- ١٨- Overseeing at the highest level and evaluating the activities of the related organizations on the four phases of disaster management (particularly preparedness and response) in order to be reported to the High Council.

Article ٩:

In order to coordinate the activities of the related organizations and bodies regarding the comprehensive disaster management, particularly for the purpose of preparedness and response, the following measures and actions need to be taken.

- A- Suitable organizational unit on disaster management will be formed by necessity and approval of the Cabinet of Ministers in the related ministries and organizations.
- B- Disaster Management Coordination Council will be formed under the chairmanship of the organization Head and membership of the plenipotentiary representatives deputizing the related organizations and organs in order to coordinate activities regarding the four phases of disaster management.
- C- Disaster Management Coordination Council in the provinces will be formed under the chairmanship of Governor Generals and Governors in the provinces and cities respectively. Its membership will include the entire related organizations.

D- With respect to special features and the importance attached to the city of Tehran as the capital city of the Islamic Republic of Iran, the Disaster Management Coordination Council of Tehran will be formed under the Chairmanship of the Mayor of Tehran.

Note ١

The deputy Governor General for development affairs and the deputy Governor will respectively substitute the Governor Generals and Governors in the Disaster Management Coordination Council in provinces and cities, who will be obliged to play their role as coordinator and reporting to the organization.

Note ٢

The necessary legal actions concerning the approval of objectives, functions and structure will be taken through the Islamic Consultative Assembly. The required executive by – laws for implementation of this Article will be proposed to the cabinet of ministers for approval.

CHAPTER ٤

Other regulations:

Article ١٠:

The entire organizations included in Article (١٦٠) of the Law on the fourth socio-economic and cultural development plan of the Islamic Republic of Iran ratified in ٢٠٠٤ and the public non – governmental organizations under the auspices of the Supreme Leader and the Armed forces (authorized by the Supreme Commander of the three forces), municipalities and their subordinate units as well as organizations and the active private and cooperative agencies are obliged to discharge their duties in the framework of assigned functions and norms. They will report to the organization of their functions through the governmental related authorities within the intervals that will be determined.

Note ١.

During the disaster, the entire above mentioned organizations are obliged to participate in the response operations upon the call of the Head of the High Council in accordance with preplanned programs. A report will be presented to the organization accordingly. The cessation and termination of the response operations will be announced by the Head of the High Council.

Note ٢.

In cases where the private or cooperative sector renders services on the basis of duties assigned to them by the legal authorities, the cost of services rendered will be reimbursed after the completion of their mission in accordance with directions which will be communicated by the organization.

Article ١١:

With respect to the importance attached to the studies, measures, preventive effective activities, enhancement of preparedness and response capacity, the organization is authorized to expend a percentage of funds annually for this purpose, allocated in the Article (١٠) of the Law on formulating part of the government's financial regulations enacted in the year ٢٠٠١.

Note ١.

The percentage mentioned in Article (١١) needs to be approved by the Cabinet of Ministers on the basis of requirements and the estimation made by the organization in this regard.

Article ١٢:

In case of occurrence of natural and unexpected disasters, the Government is authorized to provide an amount equivalent to one and two tenth percent (١. ٢%) of the annual public budget from the increase in the resources of the treasury's

revolving fund for utilization upon the proposal of the High Council and endorsement by the President.

Article ١٣:

The Government (the Central Bank of the Islamic Republic of Iran) is obliged to put at the disposal of the affected people (the deprived strata of people in particular) the required facilities from the credit obtained from interest free resources, as well as the banking resources with preferential approved rates for reconstruction of disaster stricken areas and to compensate for losses resulting from natural and unexpected disasters. The balance of preferential rates will also be provided in the annual total of the State budget bills of the Government in order to be reimbursed to the Bank.

Article ١٤:

This law is binding upon enactment. The contradictory laws and regulations to this law are henceforth considered null and void.

Article ١٥:

The executive by – law of this law will be proposed by the Minister of Interior to the Cabinet of Ministers for approval within a time span of three months.

The above law, comprising of fifteen articles and ten notes was approved at the Social Commission of the Consultative Assembly, in accordance with Article (٨٥) of the Constitution on May ٢١, ٢٠٠٨. It was endorsed by the Guardian Council upon the approval of the Consultative Assembly with its tentative implementation for a period of ٥ years.

Ali Larijani

Speaker of the Islamic Consultative Assembly

