

Review of Issues Related to Crisis and Its Management in Civil Liability Law

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Abstract

Civil liability is a responsibility, which exist against damage caused and made causing damage to compensate. Civil liability means a liability to pay damages. So wherever someone is responsible for compensation against other one, there is civil liability. Civil liability laws enacted in 1960, there is no definition about responsibility and responsibility of the person has brought based on intentionally or fault of the natural or legal person including ordinary people or government employees and doesn't say a word of Cairo forces in the realization of civil responsibility of states. There is a special relationship based on the civil liability between prejudicial and injured which is the same compensation. So, civil liability in a general and extensive sense covers contractual liability and tort liability because for both important issues to discuss about compensation. But the basic difference between these two back together the presence or absence of a contract between the parties. The scope of civil liability begins where is not present any contract for the fulfillment of the obligations between the parties. In this paper, the history of civil liability in relation to crisis management and its evolution, as well as the duties of the Supreme Council of the crisis in the form of materials and auxiliaries which have been approved are briefly discussed.

Keywords: civil liability, crisis management, law, footnote, group work

1. Introduction

It is not mention explicitly definition of responsibility in civil law and bring it in the most general sense in the form of liability and the liability in the so-called jurists used in the sense of commitment and the current law is used synonym of responsibility, but liability in civility society has raised in terms of civil liability laws and despite of many uncertainties in the law on several points knows the principle on personal responsibility and has not mentioned to the civil liability. According to studies, types of responsibilities can be generally divided into the following types:

A: Tortuous liability

Tortuous liability is a responsibility which is imposed as a result of violence and overcome without the consent of the committed person to the rule of law, whether natural or legal capitation, however, this can be the natural or legal person or government. Such as Article 387 of the Civil Code that refers to the loss of sales before the bill. This responsibility could also extend in the issue of civil liability of government about unexpected events occur.

B: Liability arising from the contract

Directly is contract as a result of both parties agreement and or as a result of not implementation of the contract is imposed upon the offender the implementation of the contract that the liability arising from contract is either due to broken promises or breach of implement the provisions of the covenant and is created on the Exchange Guarantee or not happen the parties orders.

C: Contract responsibility or contract guarantee

Which means liability or responsibility in the form of a contract of liability and liability contract is including that a person accept property which is cope with anyone else that in this sense, his edema secured is free and guarantor's edema become busy than person who is content that in the rights of Iran the concept of guarantee

interpret to quotes of obligation to obligation in the modified concept. In theology there is a kind of responsibility that say the moral or natural responsibility in law world that rights world doesn't have specific guarantees executive for it and if a committed person play it in his desire, he cannot be identified as a responsible man and does not exerting the right.

2. Method

2.1 Moral Responsibility

The purpose of moral responsibility is which man is accountable for committed error against God or our own conscience. This responsibility appears in the act or omission which is in the form of opposition with religious teachings or rules of morality and conscience. But if the source of requirement is to meet foreign standards and based on common behavior of society people and is against the law, this responsibility is defined as legal responsibilities.

Moral responsibility has the inner and personal aspect and holds the agent losses; it should be inspected thoughts and his conscience conditions and personal circumstances. While civil liability objectively (identical) can be assessed compared to a normal behavior. So a simple idea may be caused a moral responsibility. Even though, it doesn't cause a tangible harm to another one. But civil liability is essential for thought external appearance as acts or omissions, which is associated with losses, and prejudicing is a condition of responsibility and in other form, it is separated from responsibility religion teaching. Law world doesn't allow executive guarantee for it and if one implements it for humanity sense, it doesn't recovery right for it. For instance, if one helps a poor man for help and communion without his allowance and commits it, law world doesn't know recovery right for him.

3. Results

3.1 Contract Essentiality Principle in Civil Responsibility

Contract essentiality principle in law system of any country seems an undeniable principle, because executive guarantee of any contract is put on government even if its administration and pressure to it and if its executive essentiality principle bypass in contracts, society and government will have tumble and anarchic undoubtedly and will lead recourse to guarantee of society law executive and in fact government to popularity among people of that society. But we should give it pressure flourish by theory to essentiality principle, but also ideal of law is a justice theory based on morality. Undoubtedly, impossibility if in administration of contract content is along with unpredictable hardship and an accident far from committed person's power, law juristic help to commitment person and frees her from responsibility for inability to deal with the incident.

The unpredictability of the accident from the realization of the theory is critical reception. In French law, if at the time the contract accident is unpredictable, it can be considered from the crisis with all the other circumstances of forbidden cases. But if the event is predictable at the time of the contract, and a committed person contract by its probability to the occurrence, naturally it is taken into account from not considered crisis and the fault of the covenant of the presentations. In such a case, committed immediately if the accident was foreseeable and is due to damage, it will be sentenced to compensation of the loss inflicted. Some lawyers also say by critical thinking may be accident is predictable but committed would not predicted it. This requirement is considered to be the fault of the contractor. The role of government appears when could make predictions about the incident.

According to the law adopted by the National Disaster Management Organization 10/25/86 National Disaster Management Organization is forms to provide unified management in policy making, planning, coordination and coherence in the areas of executive management, centralized notification and monitoring stages crisis management and reorganization and reconstruction of the affected areas and use of all facilities and equipment required ministries, agencies and public corporations, banks, insurance, government, military and police forces, public institutions, NGOs, councils, municipalities, NGOs.

3.2 History of Civil Liability Relating to Crisis Management

The evolution of the civil responsibility of the state toward disaster is based on the following historical background.

- 1) Set up temporary headquarters reconstruction of flood-affected areas of the country and presidential executive deputy date in December 1986 to March 1990
- 2) Delegation of Cabinet to the minister about earthquake recovery of Gilan and Zanjan 24/05/1990
- 3) Submit a bill establishing the National Committee of the Interior Ministry (it was approved on 29/06/1991 in parliament and on 07.17.1991 in the Guardian Council) and approved by its executive of board meeting dated 12.02.72 Ministers

- 4) Council of Earthquake Risk Reduction and responsible Management organization and planning and the membership of Interior Ministry approved the Council of Ministers meeting dated 06.16.2000
- 5) Approved comprehensive plan of rescue of the country at a meeting of the Council of Ministers in 18/03/2003
- 6) The formation of Staff prevention and crisis management in natural disasters, chaired of the vice-president of the Cabinet session in 25.05.2004
- 7) A bill submitted of National Disaster Management Organization
- 8) Approval of the bill in the Assembly meeting dated in 01.13.2007
- 9) Approval of Council of Guardians 04/08/2008
- 10) Communicated to the Interior Ministry to run 21/05/2008
- 11) Approval of implementing regulations dated 04/11/2009
- 12) Issued regulations to implement 12/09/2008

In the first paragraph of the organization formation Act, it is mentioned the definition of a crisis whereby crises are as follows:

it is conditions caused by accidents, natural and human events and functions (except statutory social security fields) suddenly or uncontrollable and cause suffering and hardship to the human society or a set and its meeting needs to take emergency immediate and extraordinary measures. So, at the analysis of paragraph A of Article 1 we should say all circumstances that is as a result of non-accidental events is the responsibility of the organization's crisis management.

3.3 A Comprehensive Crisis Management

Pursuant to paragraph B of Article 1 of the Law of crisis management, crisis management planning process is said to performance and enforcement action which is done by government agencies, NGOs and the public on understanding and reducing the risks (risk management) and operations management response and recovery and rehabilitation of the affected area (crisis management). In this process, by observing and analyzing their precursors and available information resources there are some efforts to prevent crises as integrated, comprehensive and coordinated using existing tools or counter quickly by preparing to reduce life and property damages until conditions return to normal.

3.4 Functions of the Supreme Council of Crisis Management in Accordance with Article 4

- 1) National policies and programs related to country crisis management and legal action for approval.
- 2) Setting the detailed budget of a comprehensive crisis management system and suggestion to putting in the country annual budget for approval.
- 3) Necessary legal measures for approval precise duties and role of ministries and government agencies, non-governmental public organizations, councils, municipalities, organizations and companies that the law requires the mention of their names on them, and all military and police institutions and agencies under the supervision of the Supreme Leader, Islamic Republic of Iran Broadcasting and the media, civil institutions and people related to disaster management in the Islamic Consultative Assembly.
- 4) Strategic measures, coordination, guidance and encouragement of research activities and implementation in order to reduce the risk of earthquake, climatic hazards and dangerous chemicals.
- 5) Necessary legal measures for the adoption of country disaster management system and determination of Operations Command cope with crisis in accordance with the critical situation in the Islamic Consultative Assembly.
- 6) Necessary legal measures for the adoption of educational policies, advertising and information through the Islamic Republic of Iran Broadcasting and other media in the Islamic Consultative Assembly.
- 7) Legal action to approve criteria and instructions about precautions after receiving information about the possibility of unforeseen events in the country.
- 8) Necessary legal measures for the ratification of the structure, detailed organization and organizational proportional levels in the provinces and cities by propose of the organization.
- 9) Necessary legal measures for the adoption of rules, regulations and guidelines related to the law.

Article 5 - Council is formed headed by president and membership of the Ministers of Information, Interior,

Economic Affairs and Finance, Housing and Urban Development, Defense and Armed Forces Logistics, Welfare and Social Security, Transportation, Health, Treatment and Medical Education, Energy, Agricultural Jihad, Communications and Information Technology, Science, Research and technology, education, Tehran's mayor, chief of staff of the armed forces, police chief of the Islamic Republic of Iran, the Iranian Revolutionary Guards commander, commander in chief of the army, commander of Basij resistance force, one of the vice chairman of the parliament, deputy first judiciary, heads of state management and planning organization and the Islamic Republic of Iran Broadcasting (IRIB), head of the Red Crescent Society of the Islamic Republic of Iran, Imam Khomeini Relief Committee (RA), president of meteorology state, head of housing Foundation of Islamic revolution of Iran and head of organization.

Note 1 - Council meetings in the absence of the president is formed headed by the Minister of the Interior (as vice president) and decisions of the Council shall enter into force after it is approved by the president.

Note 2 - Governance, decisions and communicated the decisions of the Supreme Council of the Regulations will be adopted by the Council of Ministers

Note 3 - The Secretariat of the Council is based on organization, and its secretary will be selected in accordance with note (2) of this article.

National Disaster Management Organization

Article 6 - National Disaster Management Organization which is called Nations in this Act shortly, is form to Create and manage integrated in policy making, planning, coordination and coherence in the areas of administrative and research, focused information and monitor the various stages of crisis management and the reform and reconstruction of the affected areas and use of all facilities and equipment needed by ministries, agencies, and public, banks and insurance, government, military and police, non-governmental public organizations, councils, municipalities, NGOs, institutions that the law necessitates mention of their name, units under the authority of the supreme leader and armed forces require his face, for optimum utilization of national capabilities in the face of natural disasters and accidents regional and local unforeseen.

Article 7 – Organization is depends on the Ministry of Interior and its chairman is appointed by the Ministry of the Interior suggestion and the Council confirmation and the Minister of the country.

Organizational levels in the provinces and cities were held under the supervision of governors.

3.5 Disaster Management Organization Obligations under Article 8

- 1) Procurement policies and policies pertaining to the four stages of crisis management and planning to create and take advantage of all the features and capabilities needed by both governmental and nongovernmental, armed forces during operations and readiness to deal with the incident and submit it for approval by the Council of Ministers.
- 2) Coordination and coherence between different bodies of the four stages about crisis management.
- 3) Study, develop and recommend policies and comprehensive programs of cultural, research, educational, promotional, information and training in the four stages of crisis management to the Council.
- 4) Strengthening regional and international cooperation, exchange views and experiences and technical knowledge and international organizations and countries outside the four stages of crisis management and representatives of international coordination and cooperation with relevant organizations.
- 5) Documenting events, actions and their analyzing.
- 6) Planning and coordination for organizing and educating NGOs, non-governmental organizations and people's militia and volunteers in four stages of crisis management.
- 7) Follow up the implementation of the resolutions and decisions of the Council.
- 8) Coordination and monitoring systems in developing and promoting effective prevention, strengthening and seismic retrofitting of buildings, infrastructure and buildings and lifelines and major renovation of distressed areas, reinsurance and compensation methods, such as types of insurance, financial support and incentive mechanisms, special facilities and funds to support collaboration with relevant organizations.
- 9) Contribute to the development of scientific institutions and active consultation and cooperation in order to standardization and improve the quality control promotion and safety of goods and services, buildings and infrastructure of the country and monitoring compliance with the approved standards.

- 10) Formulation of national labor division system to promote a culture of safety for the public, in collaboration with ministries, institutions, organizations and institutions related to disaster management and submit it to the Council of Ministers for approval.
- 11) Develop rules for determining the level and method of declaring a state of emergency crisis caused by natural disasters.
- 12) Issued instructions on how to carry out emergency measures and precautions in the event of a disaster or likely to apply to the relevant agencies.
- 13) Coordinates suddenly all the facilities and capabilities required for crisis management in the country, including governmental and non-governmental public institutions and the armed forces during the time of crisis.
- 14) Developing regulations to address the violations and negligence of public authorities in all relevant agencies public institutions and non-governmental, military and police and all institutions and agencies in the implementation of directives and decisions of the Council under the supervision of the Supreme Leader and the crisis in cooperation with the judiciary and Armed Forces General Staff and submit it to the Council of Ministers for approval and follow up their implementation.
- 15) Proposed to develop rules and regulations related to preventive measures and dealing with trespassers, rioters and looters at the time of the events in collaboration with the Judiciary and Armed Forces General Staff and submit it to the Council of Ministers for approval, follow-up and monitoring their implementation.
- 16) Guidelines of instructions and regulations related to the absorption, distribution and use of donations, foreign and international cooperation with relevant organizations and submit it to the Council of Ministers for approval and track them.
- 17) The creation of a comprehensive information management system to help data networks relevant scientific-research centers and government departments responsible and the formation of the Center for Information Management Association events in order to timely warning before a possible accident and accurate and timely information at the time of the incident to the authorities and people.
- 18) Supervision and evaluation of the measures concerned executive agencies about the four stages of crisis management (including preparedness) and submit a report to the Supreme Council.

3.6 Article 9 - the following measures are necessary in order to coordinate the activities of organizations and institutions involved in crisis management, particularly in terms of preparedness and response:

A - Appropriate organizational units will be formed in crisis management in ministries and relevant agencies as required and approved by the Cabinet.

B - Disaster Management Coordination Council is formed headed by the President of the organization and the member fully authorized representatives of the Department of relevant agencies and institutions to coordinate activities related to the four stages of crisis management.

C - Disaster Management Coordination Council is formed headed by the governor of the province and the cities headed by the Governor, with membership of all concerned.

D - Considering the special circumstances and the importance of Tehran as the capital of Islamic Republic of Iran in Tehran Crisis Management Coordination Council is formed headed by the mayor of Tehran.

Note 1 - Deputy Governor and deputy governor respectively are alternative development governors and Provincial Disaster Management Coordinating Council and all cities will be responsible for the coordination and accountability of the organizations.

Note 2 - Legal action in connection with the approval of the Duties and Organization has taken in the Islamic Consultative Assembly and necessary bylaws shall be approved by the Committee of Ministers for implementation of this Article.

Article 10 - All entities referred to in Article (160) of the Fourth Development Plan, Economic, Social and Cultural Islamic Republic of Iran ratified in 1383 and non-public institutions, including agencies under the supervision of the Supreme Leader and the armed forces (with the permission of the Supreme Commander-in-Chief), municipalities and organizational units under the supervision of municipal and enterprises, organizations and institutions active in private and cooperative sectors, the comprehensive crisis management procedures (especially in preparation) are obliged to act within the framework of the assigned tasks and provide their performance report in school through relevant governmental authorities in a period that will be determined.

Note 1 - In times of crisis, all the devices mentioned in this article shall participate according to the Chairman of the Supreme according to predetermined programs in operation to deal with the crisis and report its actions to inform the organization of their usual ways. Detention and stop the operation against carried out by the President states the Supreme Council.

Note 2 –In cases where the private or cooperative sector by defining tasks of the authorities providing legal services, costs of services provided by the organization according to the instructions that subsequent to the mission the payment will be communicated.

Article 11 - Given the importance of arrangements and effective preventive measures and improving preparedness and improving the ability of dealing with incidents to the organization are allowed each year a percentage of credit under Article (10) of Drafting Part of State Financial Regulations adopted in 1380 in this regard.

Note 1 – mentioned percent in article (11) accompanied annually based on requirement and estimation and will approved in the organization by Council of the minister.

Article 12 –It is allowed to the government if in the event of natural disasters and accidents, unforeseen equivalent to a two percent (2/1%) of the general budget each year by increasing the revolving fund coffers to provide to be spent credit outside the scope of the proposal of the Supreme Council and approved by the president.

Article 13 - Government (Central Bank of the Islamic Republic of Iran) is obliged to rebuild the damages caused by natural disasters and unforeseen accidents and other areas affected by interest-free banking resources, necessary facilities survivors (especially the poor) with preferential rates approved through the banking system and differentials give them preferential rates to repay the bank in the country in terms of the annual budget bills.

Note 1 - The government must give the clients strengthening the required banking facilities in urban and rural residential building through the Central Bank of the Islamic Republic of Iran and the banking system by suitable conditions according to the proposed by-law of the Supreme Council that is approved by the Cabinet.

Note 2 – supervision on the process of strengthening operations and good conduct vice Governors is responsible for civil and performance reporting must be submitted quarterly to the organization.

Article 14 - This law is entry into force since the ratification and laws and the effect of regulations contrary to the law is canceled.

Article 15 –Executive administration of this law within three months at the proposal of the Ministry of the Interior approved by the Cabinet.

The law consists of fifteen and ten notes were approved in the meeting dated 31.02.1387 Social Commission of parliament Article eighty-five (85) of the Constitution and after legislative approval to its testing conduct for five years were approved by the Guardian Council on 08/05/2008.

3.7 Rule of Procedure of National Disaster Management Organization

Article 1 - In these regulations, the terms and detailed definitions of the following terms are used:

A - Law: the law of establishing the National Disaster Management Organization

B - Supreme Council: Supreme Council of National Disaster Management

C - Organization: National Disaster Management Organization

D - The Coordination Council: National Disaster Management Coordination Council

E – relevant administration: Ministries, government agencies, non-governmental public organizations, councils, municipalities, organizations and companies that the law necessitates mention of their name, military and police institutions and agencies under the supervision of the Supreme Leader, Republic Broadcasting Organization Iran, mass media, civil institutions and the public and private and cooperative sectors related to crisis management

Article 2 - Diagnosis crisis (accident) and notify the relevant agencies responsible for national and regional Interior Minister (Deputy Chairman of the Supreme crisis management) and diagnosis of provincial and local crises and notify the agencies with the governor of the province and city respectively and of governors.

Note 1 - Instructions and confirm the diagnosis of the crisis (in each of the national, regional, provincial and local) is approved by the Supreme Council.

Note 2 - Warning signs and alert to timely and relevant agencies shall immediately declare to the organization and organizational unit in the province. The role and responsibilities of ministries and related agencies crisis

Article 3 - The exact role and responsibilities of relevant organizations will be approval in each of the stages of crisis management and approved the proposal of the Supreme Coordination Council and approved by the Council within three months by the Interior Minister (Deputy Chairman of the Supreme) in accordance with paragraph "3" Article (4) of the Act for the course the legal process.

Note 1 - Notified rescue tasks in the master plan, the subject of Decree No. 2282 d / e 24 412 dated 23/1/1382 and its amendments approved and promulgated the constitution and functions of the new devices is still valid.

Note 2 - Agencies concerned shall within six months appropriate organizational unit structure in the area of disaster management related to preparations and deal with the crisis at the national, provincial and county planning and the Supreme Council of the as required to be present to the Cabinet for approval (Tabatabaie Yazdi, 1941).

Article 4 - Relevant agencies are required to tasks related to the prevention, preparedness, response and recovery in accordance with the decisions of the Supreme Council under Article (2) and during operation deal with the crisis, the crisis management chain of command assigned to subordinate our country.

Article 5 - Given the need to prepare a comprehensive plan for provincial and country risk, are obliged to act crisis management in coordination with other relevant organizations and agencies and provincial departments to prepare a comprehensive plan of priority and monitor the risk areas and the organization is obliged to develop a comprehensive plan for the whole country risk and report the steps taken action to periodically (quarterly) to the Supreme Council.

Note 1 – organization is required to allocate special funds for this purpose to be achieved in a specified timing due to the necessity of theme.

Note 2 - Measures taken by the minister reflected for a six-month periods to the Supreme Council.

Note 3 - Organization is required for the full implementation of this Article, the relevant and responsible agencies in this regard have consistent and complete oversight.

Note 4 - Responsible agencies for prepared comprehensive plans of risk and how to take action in the form of duties under Article (4) of these regulations will be determined.

Article 6 - Provincial organizations and units can use from their employees to tackle the crisis if needed to serve each of the employees concerned by the need to end the crisis through the organization in the following order:

Note 1 - Heads of organizations, institutions and agencies shall immediately request the written and oral functional units of the organization and the person or people to send comments.

Note 2 - Devices of place of employment for employees covered by this Article and such other personnel as part-time officer or agency or provincial units to apply their pay and benefits.

Article 7 - If you deal with the crisis stage, each of the officials and employees referred to in Article (6) Regulations, the decision of the Head of the governor or the governor's fault or failing in their duties, senior director of relevant government agency is obliged to meet the criteria in paragraph "14" Article 8 of the tasks someone else to act immediately.

Note –If each of the managers and staff of relevant organizations hypothyroidism and negligence in each of the stages of crisis management, they will be defined by the head of the organization, or superior to governors and legislative authorities.

Article 8 - The crisis, if the governors and other concerned agencies use the services of non-governmental public institutions or companies and entities under private and cooperative sectors and even individuals is essential, can be written to needed services to their rule. In case of non-fulfillment of their mission by institutions and companies, the issue will be pursued by competent authorities.

Note - The private sector, including legal services and real tariff is paid by customs and regulations of the country.

Article 9 - The terms of paragraph "18" Article (8) of the Act on have the supervision of the relevant agencies in the four stages of crisis management and relevant agencies are obliged to report Programs and measures for each of the four phases of crisis management that it is done within the law and administrative regulations, periodically in the form of sheets, evaluation and monitoring provided by the organization, organizations and provincial units for submission to the Supreme Council.

Article 10 - During the crisis, specialized agencies concerned are obliged according to given the size of the incident and determined under the command perform for defend operation assigned duties and private

responsibility for crisis management expertise on any device is cope with the highest authority of the executive is proportional to the incident. Third chapter: Secretariat and the Administration and notified of High Council

Article 11 - Council meetings, is administered by the President of the Council or his deputy, based on instructions that appear Council. The decisions announced are after approval of the president or deputy president of the Board (Minister), respectively.

Note 1 - Council will hold twice as normal, every year.

Note 2 - extraordinary meetings is formed in critical necessary time by the invitation of Deputy Chairman of the Board (Minister).

Note 3 - Council Secretariat is in the organization and the boss secretariat is the President of the organization.

3.8 Composition and Duties of the Coordination Council

Article 12 - Members of the Coordination Council shall be determined as follows:

Head of the organization as the president of the Council, deputy Minister of Health and Medical Education, vice Minister of Commerce, deputy Minister of Roads and Transportation, deputy minister of Agriculture Jihad, deputy Minister of Science, Research and Technology, deputy minister of Energy, the head of the country's municipalities and RMs, deputy Strategic Planning and vice president, deputy Armed Forces General Staff, president of the Islamic Revolution housing Foundation, crescent Head Ahmad of the Islamic Republic, vice President of the Islamic Republic of Iran Broadcasting (IRIB) and deputy mayor of Tehran.

Note 1 –it is invited from other relevant organizations with the right to vote at meetings based on subject and diagnosis of the head of organization.

Note 2 - Provincial Disaster Management Coordination Council was established chaired by the governor and members of authorities as well as the corresponding units in the province.

Article 13 - The Coordination Council duties shall be determined as follows:

Coordination of activities related to the four stages of crisis management

Review and endorse educational, promotional and information through the media and propose it to the Supreme Council

Monitor on the performance of specialized working groups

Examine and approve proposals for submission to the Supreme Council of National Disaster Management Affairs

Examine and approve the proposed changes in the number, topics, tasks and issues related to crisis management Specialized Committees and submit it to the Supreme Council

Examine and approve projects and programs proposed by the Working Group, relevant agencies and provinces and validation they require and offer it to the Supreme Council

Evaluate and verify the precise duties and the role of relevant agencies in crisis management and submit it to the in order to plan the Supreme Council and the process of the ratification process

Examine and approve draft bills on crisis management at different levels

Approval studies conducted in four stages National Disaster Management

Approval of the relevant exercise programs and coordinates their implementation

3.9 Other Related and Assigned Matters

Article 14 - At the time of need and crisis and the necessary maneuvers, members of the Coordination Council in the central and provincial requirements, shall present at the location predicted for crisis management and apply to carry out missions assigned (by the end of the necessity or coping and exercise).

Note0 - The end of the maneuver or deal with the crisis will be announced by crisis management headquarters.

3.10 Specialized Committees Associated with the Four Stages of Crisis Management

Article 15 –organization have fourteen of specialized and operating working groups as follows:

Working with the responsibility of the Ministry of Communications and Information Technology and Telecommunication Deputy of the Ministry

Health Working Group with the responsibility of the Ministry of Health, Treatment and Medical Education and

the Deputy of the Ministry

Working drought, frost and risks of Agriculture (agriculture, horticulture, animal husbandry, fisheries and poultry) with the responsibility of the Ministry of Agriculture and Deputy of the Ministry

Transportation Task Force, lifelines, weather disasters and storms and the responsibility of the Ministry of Roads and Transportation and Deputy of the Ministry

Working with non-governmental organizations and Deputy Interior Ministry responsible for social affairs, cultural and councils Interior Ministry

Insurance Working Group, reconstruction and rehabilitation, equipment supply and distribution, building debris, fire, hazardous materials and transport and burial of deceased civil liability Vice President and Head of the Interior Ministry and the country's municipalities and RMs

Deputy Interior Ministry and Security Committee with responsibility for security and Interior Ministry police

The Working Group on floods and marine risks, electricity, water and sewage responsibility of the Ministry of Energy and Deputy Minister

Working with the responsibility of the Ministry of Petroleum and supply of fuel and oil products headed by the Deputy of the Ministry

Working with the responsibility of providing housing for the Department of Housing and Urban Development (Islamic Revolution Housing Foundation)

Environmental hazards and liability Committee headed by the Deputy of the Organization Department of the Environment

The Education and Information Science with responsibility for the Islamic Republic of Iran Broadcasting and vice president of the organization

Relief and Rescue Committee, and public education with responsibility, headed by Chairman of the Red Crescent Society of the Islamic Republic of Iran and Rescue

Note 1 - The head of each specialized will be appointed by offering the highest authority of the relevant working group of deputies associated with the same device with the decree of Minister of Disaster Management (Deputy Supreme Council).

Note 2 - Heads of specialized working groups could be invited to their meetings as necessary from other people.

Note 3 - Specialized Committees members and the duties of each Committee will be notified after examining the proposal of the Chairman of the Coordination Council and approved by the Interior Minister (Deputy Supreme Council).

Note 4 - Similar provincial subset of specialized working groups specialized working groups if necessary and accident-prone due to be proposed by the governor of each province in harmony with the needs will be established and approved by the Council. The decisions referred to in this note signed by Minister (Deputy Supreme Council) communicated.

3.11 Financial Regulation, Organization and Funding of the Organization Crisis Management

Article 16 - The organization has legal personality, financial and administrative independence and a separate budget line in the annual budget for that purpose, and the head of the countries vice minister of the country.

Note 1 - In each organizational unit is established in the Office of the Governor General Office of the Provincial Disaster Management.

Note 2 - Responsible for the Provincial Disaster Management Council with voting rights will be planning and development of the province.

Note 3 - county unit franchise organization responsible for planning and development of the city will be a member of the Council.

Article 17 - Organizational charts and detailed organization and its provincial and district units and the Supreme Council approved by the proposal of the management and human capital development vice president. Roof organizational posts in accordance with Article (29) approved by the Management Committee of country Ministers - approved 1386.

Article 18 - Duties, obligations, assets, property, equipment, facilities and human resources and coordination of formerly Office of Reconstruction and Safety Secretariat and provincial units have been Unexpected accidents,

compliance with laws and regulations relating to the organization and transferred units in the province.

Note - Duties, obligations, facilities-based Prevention and Crisis Management presidency will be transferred to the organization.

Article 19 - In other concerned agencies and organizations affiliated center will be form in the management of the critical organizational unit maximum at the level of the General Administration of up to five Directorate under the deputy relevant organizations and provincial administrations in the management of a maximum of three office premises organizational posts in the forming machine.

Note 1 - In cities with directors and heads of departments, cities will be crisis management. At least one organizational position or office management experts for this purpose will be assigned relevant agencies mentioned in this article.

Note 2 - In the absence of organizational positions in instruments mentioned in this Article shall issue a license for organizational position will be announced in the Cabinet.

Article 20 - Interior Ministry is obliged to cooperate in the executive bodies of the organization, manpower requirements of the contract between the employees and the state.

Note 1 - Managers and troops deployed in crisis management in addition eligible for the post should also be eligible for other proprietary by the president prepared in coordination with the Department of Development and Management of Human Capital and communicating with employees is ethical charter.

Note 2 - The contractual requirements of the share of employment in Article (145) of the Fourth Development Plan compliance with laws and regulations, is for organization to act about the force required to supply the whole country, compliance with employment standards.

Note 3 - Those that in any way involved in crisis management in units being applied that is formed pursuant to Article 19 of the Code, during the tenure of the extra special super addition to other staff to identify up to twenty percent of their superiors.

Note 4 - Employees and others who cooperate in various stages of crisis management, in the event of injury or death to take advantage of the law will be introduced to the competent authorities. Organization will perform for people involved in crisis management arrangements in order to admire and appreciate (Katoziyan, 1997).

Article 21 - Organizational jobs crisis management units referred to in Article 19 of these regulations are considered hard and hazardous jobs. Guidelines prepared by the organizers of this Article shall be communicated after the approval of the Supreme Council.

Note - Government employees and private sector entities that cooperate at every stage of preparedness. With credit in the annual budget forecast by the organization, liability insurance, and accident insurance premiums by participating public and private resources paid from the funds of the organization (Shahid Sani, 1998).

Article 22 - Interior Ministry Credit shall, in addition to article 10 of the law regulating the part of the government's financial regulations - adopted by the Organization - approved in 1380- that is, from other financing sources related to the purchase or construction of buildings and robust standards and provision of equipment and facilities the required organization acting provincial administrative units.

Article 23 - The concerned executive agencies responsible for crisis management for detailed budgeting system's comprehensive crisis management including prevention, preparedness, response and recovery, and reliability needed to organize your programs offered after reviewing and confirming the Coordination Council and approval of the Supreme Council for inclusion in the annual budget bill set in separate rows in the Cabinet.

Note - Relevant agencies and governors are obliged to report every three months, a significant funding provided to the organization.

Article 24 - Responsible for attracting, guidance and distribution facilities and domestic and foreign non-governmental aid both movable and immovable properties and cash the Red crescent Society of the Islamic Republic of Iran conducted with the cooperation of the Imam Khomeini Relief Committee and the State Welfare Organization and is responsible for attracting, guidance and distribution facilities and domestic and foreign governmental aid both movable and immovable properties and cash with respect to the objectives of donors is one of the organization duty. It is prohibited any manipulation, use, distribution and possession of the said assistance by legal or natural persons.

Article 25 - Councils and provincial development planning in the province's budget adopt an attitude that every year at least five percent of funding is allocated to perform the functions and programs foreseen the four stages

of crisis management in a separate chapter as the Provincial Disaster Management.

Article 26 - In application of Article (11) and (12) of the Act, in order to facilitate the organization of horse areas and provide annual planning and implementation of prevention, preparedness, response and recovery, approved by the Cabinet in Article (10) of Drafting Part the financial regulations of the state treasury directly through the relevant organizations and provincial organizations and be equal to the cost of regulations.

Article 27 - Central Bank of the Islamic Republic of Iran is bound by agent banks to rebuild the damaged sections of damages caused by disasters by providing subsidies and loan interest from the funds of the government of the internal sources of banking facilities inexpensive deeds According to the proposal of the provinces and damaged territories.

Note - Every year the difference between the amount of fees and loan interest paid to banks on behalf of the organization's annual budget will be in order.

Article 28 - If necessary and the need to provide liquidity to deal with incidents, organizations can work with the Ministry of Economic Affairs and Finance to guarantee repayment of the Agreement and the Central Bank of the Islamic Republic of Iran, about twenty percent of the total credit approved comprehensive crisis management system and Article 10 of Regulation Law government financial regulations of the receiving agent bank. The organization shall receive financial resources from the receipt of the resources approved at the end of the fiscal year shall be provided and paid.

Article 29 –Treasury is required in order to minimize the time to deal with the damage from the disaster at the beginning of each year, equivalent to twenty percent of credit under Article 12 of the Law on directly to the organization.

Article 30 – Ad Hoc Committee on credits allocate according to Article 10 of Law drafting Part of State Financial Regulations and Article (30) of the program and budget deficit relating to disaster in terms of legal necessity for immediate action and immediate use of these credits, the speed and short courses. Ministers of the Interior (Crisis Management Organization) in case of difficulties in allocating funds and interference in the affairs accelerate the victims of disasters; declare the matter to the Council of Ministers (Ameli, 1993).

Article 31 – Prevention, forecasting and preparedness systems and relief efforts to victims of disasters such as earthquakes, such as the credit under Article (101) of Drafting Part of State Financial Regulations proposed by the Interior Ministry (agencies national disaster management) and the related agencies approved by the Cabinet in crisis management and the provincial disaster management coordination Council will appear to apply to projects identified as priority.

3.12 Accident Insurance

Article 32 - Ministry of Economic Affairs and Finance responsible for the coordination in cooperation with the Islamic Republic of Iran Central Insurance and related agencies in different sectors, with priority given to act the development of Accident insurance in the unlikely events (floods, earthquakes, agricultural and livestock pests and diseases, frost, drought, etc.).

Note 1 - Ministry of Economic Affairs and Finance is required to provide a plan to expand the coverage of events in the general level of priority (residential buildings, public buildings, infrastructure and commercial and industrial buildings and the like) to by the end of 1388 to study and suggestions for course approval procedures to the Organization (Emami, 1997).

Note 2 - Ministry of Agriculture is responsible for about Obligatory insurance of agricultural crops and livestock will take action according to the Insurance Act of 1362.

Note 3 - Municipalities Organization and RMs country cause in the context of organizational goals in order to support financial, technical, administrative and managerial municipalities and organizations and to improve the financial ability of municipalities in the response and recovery events, the accident insurance fund compliance with related laws and regulations. Regulations relating to the proposed organization would be approved by the Minister. Regulations relating to the proposed organization would be approved by the Minister.

Note 4 - Note the above-mentioned guidelines for approval by the Supreme Council of the relevant agencies and organizations should be introduced.

3.13 Other Regulation

Article 33 - In order to control and mitigate the effects of disasters caused by natural disasters, the relevant agencies are required rules, regulations and laws and other issues related to the control of natural disasters has

been approved by the Coordination Council and communicated carefully by the organization and to reflect its report once every three months the organization.

Article 34 - Relevant agencies are required to develop annual plans, five-year horizon landscape and its functions, dimensions and safety measures in four stages of crisis management in terms of their own program.

Article 35 - High Council after notification is necessary to Article (160) of the Fourth Development Plan and public institutions and non-governmental organizations, organizations and agencies, the private sector and cooperative binding.

The decree approved on 09.18.1388 Honorable President of the Republic of Iran.

4. Discussion and Conclusion

In the history of Iran in civil law introduced the theory of natural disasters but in what the government has a responsibility for the occurrence of such incidents, civil liability law, which passed it dates back to before the Islamic Revolution the principle of personal responsibility had and accordingly rule that the current system has several drawbacks the government had no responsibility until the 1386 Islamic State with the approval of the crisis management is a matter of law the government's responsibility revealed to prevent, prepare for and deal with such incidents and actions after the accident and filled the absence of state responsibility which was not foreseen in the law of civil liability and knew responsibility solely on personal responsibility which it seems that the law is very comprehensive. Although it is mandatory administratively completely unnoticed, in every way this law can be extended to the base damage reduction damage reduction rule is a rule whereby the injured person is required to take reasonable measures to prevent damages or losses do it should not be ignored that this vacuum of rule is evident in our laws. But it should also be noted that the jurisprudence of courage and sacrifice no one expected and everyone is responsible for their actions, But sometimes disaster in terms of moral responsibility rule rise in meaning whereby the attitude to the rule of Islamic law is required in the event of such an incident necessary measures in order to prevent and cope with it the government is accountable to the citizens it as normal debts or liabilities of Government Ethics will be remembered as an exception to the sanctions.

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