

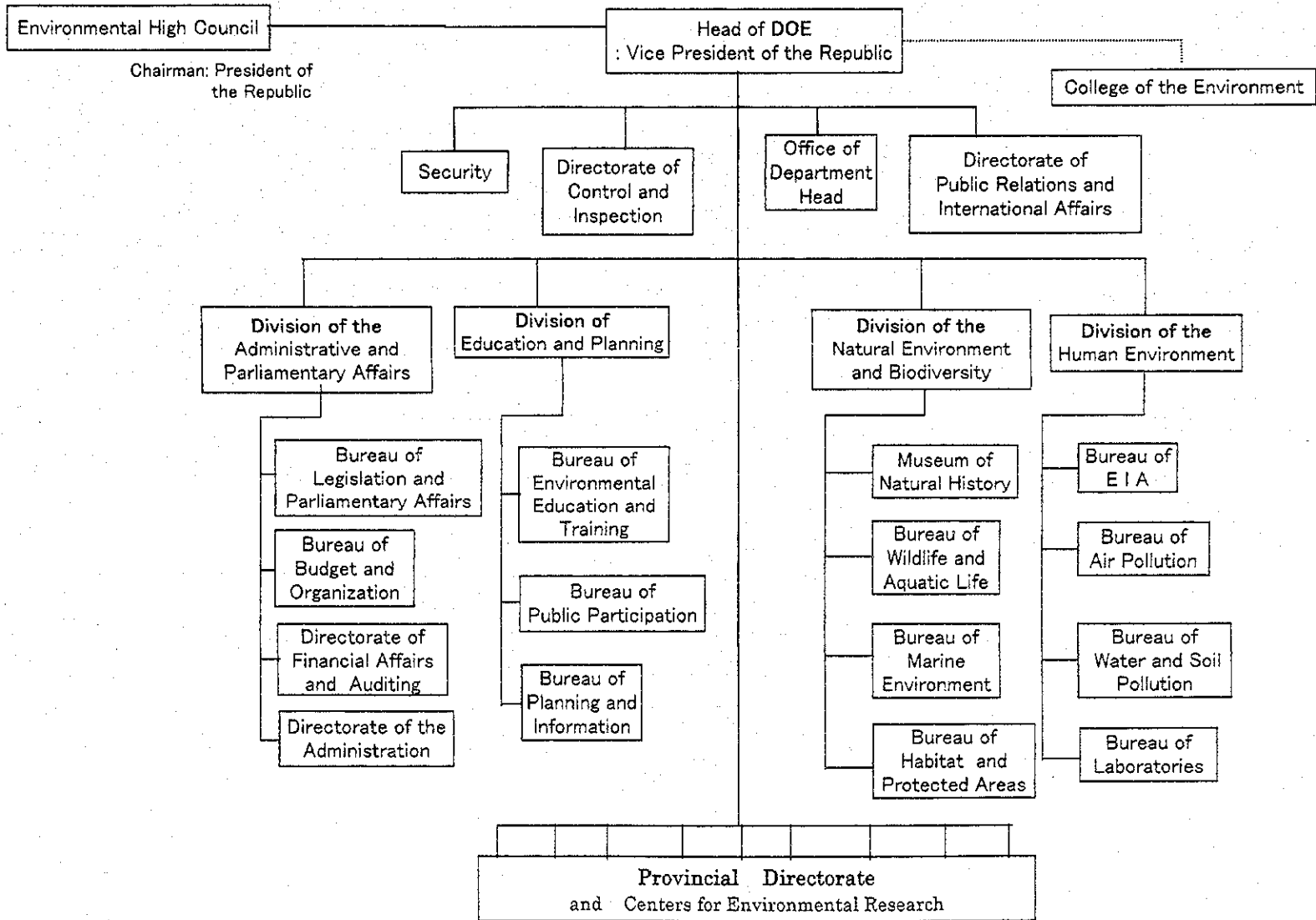
3.8 Environment

3.8.1 Institutional Framework for Environment Administration

The principal organization for environmental protection in Iran is the Department of the Environment (DOE). DOE's predecessor was the Game and Fish Organization, founded in 1959, to control rangeland hunting. In 1974, the Organization was restructured as DOE, with the mandate to ensure the enhancement and promotion of establishing equilibrium between the social development needs and environmental protection.

The Environmental Protection and Improvement Law, 1974, enumerates the responsibilities of DOE, as follows:

- (1) Scientific and economic investigation for environmental protection, to prevent pollution and impacts on balance of the environment; such as, to say:
 - Preservation measures to maintain ecological balance;
 - Control of any change caused in biological, chemical and physical condition of soil, water and air, by developmental activities; such as water course change, degradation of forest and rangeland, marine ecological change, etc.;
 - Control of agricultural pesticides or other detrimental substances to the environment;
 - Prevention of invisible pollution, such as noise and vibration;
 - Preservation of environmental features and beautification;
- (2) Standards and criteria to prevent air pollution, water and soil contamination, and disposal of waste materials;
- (3) Any activity to improve the environment in the civil law frame, in due consideration with the personal right;
- (4) Preparation of education and training programme for the environmental enlightenment;
- (5) Creation of wildlife gardens and natural-history museum;
- (6) Establishment of standards of limitation and prohibition of hunting and fishing, in respect of place, time, type, etc.; and,



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Figure 3-8-1-1 Department of the Environment

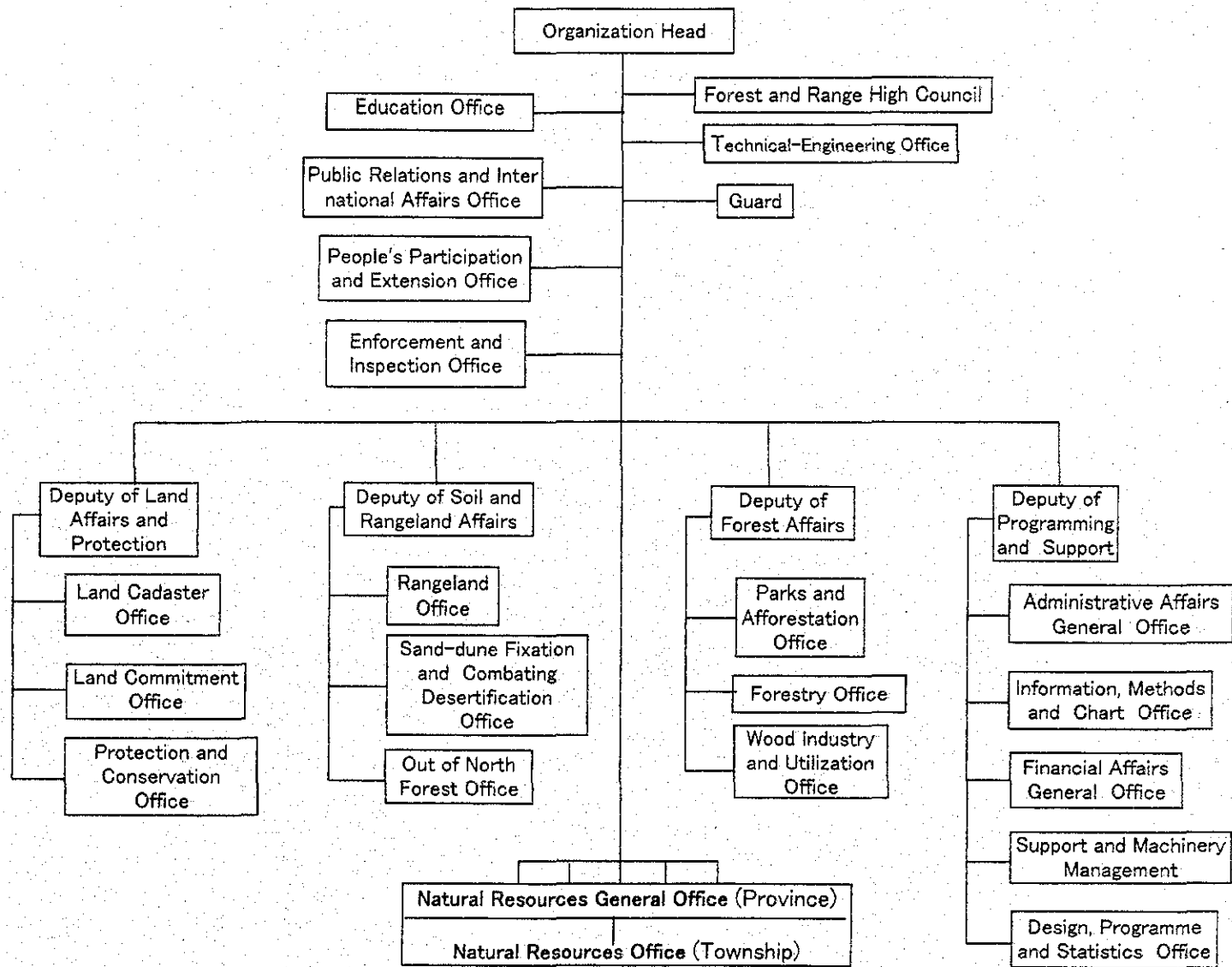


Figure 3-8-1-2 Forest and Range Organization

(7) Collaboration with international and external organizations for environmental protection.

With the ratification of 1979 Constitution, new legislative ground has been founded, under which DOE is charged with defining and presenting the national rules, regulations and standards for preservation and enhancement of environmental quality. DOE responsibilities include: expert studies into human and industrial pollution, desertification, deforestation, soil erosion, rangeland degradation, improved water resources management, and protection of the biodiversity. Monitoring of the quality of air, water and soil is also the responsibility of DOE.

The organizational structure of DOE is as shown in Figure 3-8-1-1. Department head is a Vice President of the Republic. DOE has 4 Deputies who are the heads of Divisions, 3 independent General Directors, and 20 other General Directors in the Headquarters. In the field, DOE has a provincial Directorate in every Province, which monitors all aspects of environmental protection and the implementation of Department programmes.

The country's environmental policy and strategies are determined by the Environmental High Council, to which DOE acts as a secretariat. The Council chairman is the President of the Republic. The members are: 2 Vice-Presidents, 10 Cabinet Ministers, the Attorney-General, and 4 appointed experts. The Council also approves the environmental standards.

The Forest and Range Organization, is responsible for forest and range management, and as such maintains a close relationship with DOE for preservation of natural resources (Figure 3-8-1-2).

3.8.2 Laws, Regulations and Guidelines

(1) Laws

The Islamic Republic of Iran has established a comprehensive legislative foundation for environmental policy. Rooted in the constitution and rich heritage of Islamic culture and jurisprudence, this body of law provides an effective instrument for the protection of the environment and realization of sustainable development.

Article 50 of the constitution reflects the concern of the republic for the environment. This article states: "protection of the environment, in which the present and future generations must lead an ever improving community life, is a general obligation. Therefore, all activities, economic or otherwise, which may cause irreversible damage to the environment, are forbidden". Establishing the protection of environment as the public responsibility, paying attention to rights of future generation, and announcing the destruction of environment as legally forbidden are spirit of this article. The article 50 is foundation for formulation of all environmental related regulations, standards and guidelines.

Highlights of some of environmental laws and guidelines, particularly those related to fields of this Development Study are given as follows;

- a) The Law of Environmental Protection and Enhancement- 1974. Amended in 1992.

The Department of the Environment (DOE) shall be responsible for the protection and enhancement of the environment, the prevention and control of any form of pollution or degradation leading to the disturbance in the environmental balance, and the conducting of all matters related to wildlife and the aquatic biota of the territorial waters. The DOE shall be attached to Office of the President of the country. And its director shall be appointed by the president. The DOE is a corporate body with financial independence, functioning under supervision of the Environmental High Council(EHC). Chairman of the EHC is the president of the country.

The EHC shall be composed of the Minister of Agriculture, the Minister of Jihad-e-Sazandegi, the Minister of Industry, the Minister of Interior, the Minister of Housing and Urban Development, the Minister of Health and Medical Education, the Director of the Plan and Budget Organization, the Director of the DOE and four qualified persons recommended by the Chairman of the EHC and appointed for a term of three years by the Chairman. The EHC shall have jurisdiction and power to set aside certain areas as national parks, national nature monuments and protected areas. And determine the type and validity of the hunting and fishing licenses.

The DOE has jurisdiction and power as follows;

- i. To conduct economic and scientific research and studies concerning environmental protection and enhancement, control of pollution and prevention of any disturbance in environmental balance.
- ii. To recommend standards and criteria for the purposes of control and prevention of the pollution of water, air and land.
- iii. To adopt measures appropriate for the enhancement of the environment within national laws and compatible with the rights of individuals.
- iv. To cooperate with similar foreign and international agencies and establishments for the purposes of environmental protection within the bounds of reciprocal commitments.
- v. To notify the ministry or the agency concerned accordingly so that the project may be reviewed and the difficulty smoothed in cooperation with the organizations involved. In case the implementation of any development project or operation is inconsistent with the laws and regulations governing protection of the environment.

vi. To have a uniformed body of guards with necessary equipment.

b) *The Game and Fish Law- 1967. Amended in 1996.*

This law defines the responsibilities of Department of the Environment, and clarifies the penalties for persons causing destruction to the environment.

i. Responsibilities of Department of the Environment:

- Preservation and maintenance of hunting grounds and living space of wild animals and their protection against hunger, thirst, irresponsible fishing and hunting.
- Creation of suitable conditions for the reproduction and rearing of wild animals.
- Striving to improve the breeding of wild animals.
- Investigating and conducting scientific research on wildlife.
- Establishing national parks and protected areas.
- Collaboration with organizations concerned with the management of forests, ranges, soil and water resources in order to protect the natural resources of the country.
- Collaboration with the relevant foreign and international bodies for the preservation and protection of migratory wild animals within the framework of mutual agreements.

ii. Some of penalties:

- Persons destroying vegetation and allowing grazing in protected areas shall be liable to cash fine of 100,000 to 1000,000 Rials or an imprisonment term of one to six months.
- Persons contaminating rivers, lakes, wetlands and springs with substances that cause destruction of aquatic life shall be liable to imprisonment from three months to three years and/or cash fines of 1,500,000 to 18,000,000 Rials.

c) *Law on the Prevention of Water Pollution – 1994.*

This law states:

- i. Initiation of any act that causes water pollution shall be prohibited.
- ii. Standard on water pollution, with test methods and governing regulations specified, shall be prepared by Department of the Environment for implementation in collaboration with the concerned ministries and organizations.
- iii. The DOE shall adopt and implement required measures for the prevention of water pollution and encouragement of all responsible entities to eliminate pollution.
- iv. In implementing its legal responsibilities, the DOE keeps the right to inspect any polluting source by its functionaries.

d) The Islamic Penal Code (Taazirat) – 1996.

According to this code:

- i) Any person intentionally setting fire to forest, orchard or agricultural product belonging to another person shall be sentenced to imprisonment from two to five years.
- ii) Any person attempting fishing or hunting animals and protected wildlife in violation of regulations and without a legal permit shall be liable to imprisonment from three months to three years or a cash penalty of 1.5 to 18 million Rials.
- iii) Any act constituting a threat to public health, including the contamination of drinking water, pouring poisonous materials into rivers, is prohibited, and should offenders not be liable to stricter penalty under other laws, they shall be sentenced to imprisonment of up to one year.

e) The Law of Conservation and Utilization of Forests and Range- 1975.

According to this law certain area of natural forest, range or shrubland which is designated as Protected Area or National Park and is under authority of DOE, is not transferable.

f) Law of Conservation and Utilization of Aquatic Resources- 1995.

g) The Law of Just Distribution of Water – 1982.

h) The Law of Air Pollution Control- 1995.

This law states that any action leading to air pollution is prohibited.

i) The Law of the Second Five-Year Development Plan – 1994.

- i. The government must assign part of the Law Enforcement Forces to protect forests and ranges of the country and provide appropriate means for their training and equipment.
- ii. Large-scale projects prior to implementation and during construction must be evaluated and be based on patterns approved by the High Council of the Environmental Protection.
- iii. Exploitation of the country's natural resources must be in line with the environmental potential and sustainable capacity so that in addition to correct utilization of natural resources, environment balance shall be ensured.
- iv. To prevent and eliminate the pollution of water resources caused by industrial effluents, industries and factories are required to establish and operate facilities for collection and treatment of waste water based on the standards of the Department of the Environment.

j) The Law of Third Five-Year Development Plan – 2000.

According to this law, utilization of natural resources must be carried out with meticulous attention to potential of these resources.

(2) Regulations and Guidelines

The legal division of DOE prepares guidelines in accordance with the international environmental laws, standards and conventions, and introduce them to Parliament for ratification. Once approved, these guidelines become legal and mandatory. In 1994, Environmental Impact Assessment (EIA) for the following projects became mandatory:

- Petrochemical plan
- Refineries
- Power plants
- Steel mills
- Construction of dams and other water structures
- Industrial complex
- Airports.

The main aim of EIA is to draw the attention of the designers, decision-makers, and executors of *construction and development activities to environmental issues*. *General guidelines for conducting Environment Impact Assessment* are given in Annex G.

(3) The International Environmental Treaties

Iran has joined a number of international environmental treaties, such as:

- a) The Convention on Wetlands of International Importance, Especially Waterfowl Habitats- 1971. This popularly is known as Ramsar Convention.
- b) The Convention for the Protection of the World Cultural and Natural Heritage – 1972.
- c) The Convention on Biological Diversity- 1992.
- d) The United Nations Framework Convention on Climate Changes- 1992.
- e) The Convention on International Trade in Endangered Species of Flora and Fauna- 1973.

3.8.3 National Environmental Reserve

National environmental reserve contains the national nature monuments, protected areas, wetlands of environmentally importance and genetic reserves.

(1) Category of Environmental Reserve

a) National Nature Monument

This is a rare example of plant and animal life, unique views and scenery, natural land feature,

or ancient trees with historical backgrounds, declared under protection within suitable boundaries. One national nature monument with an area of 1.7 km² occurs in the Study Area.

b) Protected Area

This area refers to a specified area of the country's natural resources including forests, ranges, wooded grasslands, plains, water resources and mountains, protected for the preservation as the breeding grounds of wild animals, or preservation and reclamation of their natural conditions and vegetation. Three protected areas with an average size of 675 km², and total area of 2,024 km² occur in the Study Area

c) Wetland

This area refers to a marsh, swamp or natural pond that at maximum water level its area is not less than 0.05 km². Four wetlands of environmental importance occur in the Study Area. Their average size is 8.5 km², and their total area is 34 km².

d) Genetic reserve

This is a small locality kept under its natural condition for the purpose of conserving, and conducting scientific research on valuable wild plants. Seven genetic reserves with an average size of 2.2 km², and total area of 18.7 km² occur in the Study Area. All these reserves are physically (by fence) and legally (by law) protected, and are under the authority of Forest and Range Organization. Particulars of these reserves are given in Annex G.

(2) Description of Environmental Reserve

Brief description for each environmental reserve occurring in the Study Area is given as follows;

a) Laleh Vazygon National Nature Monument

This site is part of Laleh Plain. The plain measuring 36 km², is located 12 km away from Chelgerd town, in Chaharmahal va Bakhtiyari Province. About 1.7 km² of the plain that is covered by red and yellow up-side-down tulip is designated as national nature monument, and is under the authority of DOE.

b) The Tang Sayad Protected Area

This occupies an area of 216 km², and is located 10 km away from Share Kord, the capital of Chaharmahal va Bakhtiyari Province. In 1973 this area was declared as Protected Area by the DOE. This is a mountainous area with its lowest and highest points 2,700 m and 3,500 m above sea level, respectively. Some of the plants growing in this area are Astragalus (milkvetch), Bromus (bromegrass), Gundelia (artichoke), and Borago (borage) and Glycyrrhiza (liquorice) which have medicinal value.

c) The Sabz Kouh Protected Area

This occupies an area of about 608 km², and is located 35 km away from Lordegan city. In 1991, this area was declared as Protected Area by the DOE. The well known mountain, Sabz Kouh, a branch of Zagros mountain ranges, is in this area. The peak point of Sabzkuh is about 3,500 m above sea level. Several springs providing water to villages are originated in this mountainous area. Vegetation species such as Alhagi (camelthorn), Centaurea (blue centaury) and Thymus (thyme) cover the area. This area is home to animals such as Sus (wild pig), Canis (wolf), and bear.

d) The Dena Protected Area

The Dena protected area measuring 1,200 km² in area is located 36 km away from Yasuj city, the capital of Kohgiluyeh va Boyerahmad Province. This area was declared as Protected Area by DOE in 1992. The area is totally mountainous with high peaks and deep valleys. The lowest and highest points in this area are 1,300 m and 4,425 m above sea level, respectively. The Dena area receives a lot of snow, and is one of the most prominent natural area in the country. The dominant tree in this area is Quercus (oak), and the dominant shrub is Astragalus (milkvetch). Animals such as bear, wolf, wild cat and fox live in this area. With its unique landscape and diverse plant and animal species, the area is used for conducting study and research on biodiversity.

e) The Choghakhor Wetland

The wetland measuring 14 km² in area is located 13 km away from Boldaji town. Its elevation from sea level is 2,270 meter. The wetland is used for irrigation and fishing purposes.

f) The Shalu Wetland

Its area is about 2 km², and is located 12 km away from Naghan town. The elevation from mean sea level is 2,415 meter. The lands around this wetland are used for grazing. It is also used as fishing and hunting site.

g) Suleghan Wetland

This wetland occupies 9 km² of area, and is located 6 km away from Naghan town. Its elevation from sea level is 2,395 meter. The Lands around this wetland are used for grazing, and its water for irrigation.

h) Gandemon Wetland

This wetland covers an area of about 9 km², and is located 4 km away from Gandemon town. Its elevation from mean sea level is 2,280 meter. The lands around this wetland are used for

grazing, and its water for irrigation. Vegetation commonly growing in the sites of these wetlands are Carex(rush), Cynodon(couch grass) and Thyphalatifolia(reed). Birds such as Amas (duck) and Circus (falcon) live in these sites.

All of the above mentioned conservation areas are under the authority of DOE. Map indicating the location of these areas is presented in Annex G.

3.8.4 National Park

(1) Definition of National Park

National Park comprises an area of natural resources including forests, ranges, wooded grasslands, woodland, plains, water resources and mountains, representing the country's prominent natural features, protected for the perpetual preservation of its natural living conditions and the creation of an environment for wild animals to breed and plants to grow under completely natural conditions.

(2) Description of Tang Sayad National Park

This is the only national park which occurs in the Study Area. The area of this park is 54 km², and is suited about 10 km away from Share Kord city, the capital of Chaharmahal va Bakhtiyari Province. It was declared as national park by DOE in 1995, and is under the authority of this department. Some of the vegetation growing in this area are Amygdalus (wild almond), Fumaria(fumitory) and Hibiscus (marshmallow). Wild animals living in this area includes Capra (wild goat), Cani (wolf), Vulpes(fox). Many birds such as Alectoris(partridge) and Aquila(eagle) live in this area.

3.8.5 Cultural Assets

These are buildings and other physical objects of historical, cultural and religious importance, which are protected and maintained by the Cultural Heritage Organization. Many of such sites exist in the Study Area. Some are described below, and other are listed in Annex G.

(1) Atabakan Mosque

It was built at the beginning of 13th century, when local dynasty of Atabakan Lord Bozorg were ruling. The building was repaired during Safavide and Ghajar dynasties. The valuable wooden door of the Mosque is regarded as one of the important historical and cultural assets of the country owing to its Engravings. It is suited in Share Kord, the capital of Chaharmahal va Bakhtiyari Province

(2) Azadeh House

The house, build in 17th century is regarded as one of oldest residential buildings of the Chaharmahal va Bakhtiyari Province. Three different architectural textures dated from Zandi dynasty until now

along with plaster decoration, wall paintings and carvings can be observed in this house. The building is in Share Kord.

(3) Sotoudeh Castle

This building dated back from the end of Safavide Dynasty to the end of Ghajor Dynasty. The internal part of the building was the residence of ruler. The foundation of the building was completed in 19th century. The building has valuable engraved stone plinths and painting.