

ANNEX J

ORGANIZATION/ LEGAL INSTITUTION

ANNEX – J

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J.1 Introduction

Annex-J comprises 6 chapters.

In J.2, whereabouts the watershed management responsibility rests upon is identified from legal stipulations; thereafter, described is the office structure in charge inside MJS. These are followed by the delineation of overall organizational structure of MJS in J.3.

Land use control and related organizations are the subject of J.4. Important land use classifications are found in agricultural land, and forest and rangeland; agricultural land is privately owned, and under the supervision/guidance of the Ministry of Agriculture (MOA), while forest and rangeland are government-owned, administered by the Forest and Range Organization (FRO) that is attached to MJS. Land committing is an important concept of land use control in Iran, by which the privately owned agricultural land is created. Land committing procedures are mostly MOA responsibility; however, the Natural Resources General Office, which is the provincial FRO field office, also has an active role.

Water resources management and environmental management are stated in J.5 and J.6, respectively. In the legislative framework, either responsibility is clearly defined, and the Ministry of Energy (MOE) and the Department of the Environment (DOE) take the charge.

J.2 Watershed Management and MJS

By virtue of the provisions of the Conservation and Stabilization of Boundary River Bed and Bank Law, 1983, watershed management is an exclusive responsibility of MJS. The Law states:

"The Ministry shall be responsible for vegetation cover and tree plantation for the stabilization of river bank, as well as for undertaking of soil conservation and watershed management projects in the river basin".

The Executive Order of the Law, 1985, defines watershed management to be the management of environmental resources in the basin so as to secure the maximum of planning objectives for the continuous exploitation of resources.

After several alterations in ministerial structure and mandates, the Deputy of Watershed Management now takes the charge. He has an advisor group, official affairs staff, and

financial affairs staff in MJS Headquarters, and 3 functional units; namely, Watershed Executive Affairs General Office (divided into GIS Group and Design Group), Coordination and Planning Dept., and Watershed Evaluation and Study Dept. Also, the Deputy of Watershed Management operationally controls the Watershed Management Offices of Provincial and Township Jihad spreading over the country.

Under the Deputy of Education and Research, MJS, an important unit is functioning, which is Soil Conservation and Watershed Management Research Center.

Table J-2-1 shows the watershed management activities undertaken by MJS, during 1970-1989, 1990-1993, and 1995-1998. Recently, the implementation emphasis on the catchment areas of the existing dams, or the dams under construction, would be observed. This is to meet the priority placed in the Third 5-year Plan that watershed management should by all means be implemented in the basin having water supply projects.

In Karoon River Basin, besides the Chaharmahal-Bakhtiyari Provincial Watershed Management Office of the Jihad Organization, a special project management office, Karoon Watershed Management Project Office, was established in 1998, and has been operating mostly for data collection. The Project Office now has 12 of personnel.

Table J-2-1 Watershed Management Activities, Past and Present

I. Accomplishment, during 1970-1989 and 1990-1993

Unit: ha		
Executive Activities	1970-1989	1990-1993
1. Enclosure and Fencing	520,000	300,465
2. Sowing	89,000	49,900
3. Stand of Seedling	111,000	63,540
4. Planting	22,000	19,140
Sub-total: Conservation and Improvement, Forest/Rangeland	742,000	433,045
5. Strip Planting	-	8,950
6. Bench Terracing	15	1,940
7. Terracing	285	14,802
8. Land Conservation	700	44,958
9. Grass Farming	-	13,000
Sub-total: Conservation and Improvement, Cultivable Land	1,000	83,650
10. Torrent Control and Flood Spreading (fill embankment)	311,000	1,193,913
11. Torrent Control and Flood Spreading (mason activities)	200,000	766,464
Sub-total: Torrent Control and Flood Spreading	511,000	1,960,377
Total	1,254,000	2,477,072

Source: Situation of Watershed Management in Iran, 1993.

II. Accomplishment in the Second 5-year Plan period, 1995 up to 1998

Unit: ha				
Titles	1995	1996	1997	1998
1. Watershed Management in the existing dam catchments	56,400	51,762	74,540	49,811
2. Watershed Management in Doroudzan dam catchment	(included in above)	3,610	-	-
3. Watershed Management in catchments of the dams under construction	28,518	23,036	29,210	33,464
4. Watershed Management in Karkheh dam catchment	(included in above)	8,500	8,857	25,735
5. Land Use Improvement in watershed areas	18,189	12,180	12,597	6,578
6. Flood Control	41,000	27,073	21,299	31,099
7. Watershed Management in municipal catchment areas	-	17,830	19,421	19,039
8. Projects under Note 76 of the Second Development Plan Law	-	24,937	32,846	15,000
9. Soil Conservation and Watershed Management Projects under Note 37	318,015	253,186	371,875	168,361
10. Notes and Other Issues	270,287	395,074	312,819	251,759
Total:	732,409	816,188	883,764	600,746

Source: Iran Statistical Yearbook 1998.

J.3 MJS Organizational Structure

MJS was founded in the form of a revolutionary organization, Jihad-e-Sazandegi, in 1979. It became an independent ministry, in 1988. The present form of ministerial structure was determined in 1990, with the functional separation from MOA. MJS Headquarters is seated in Tehran, and its field organizations are operating all over the country; at provincial, township and district / rural district levels.

Fig. J-3-1 shows the Headquarters of MJS, and Fig. J-3-2 field organizations.

MJS Headquarters is, besides 7 staff offices/center, composed of 7 Divisions, of which one Deputy is a head, that is:

- Official and Financial Affairs
- Planning/Programming; Majlis and Legal Affairs
- Education and Research
- Watershed Management
- Rural Industry and Development
- Extension and Participation
- Livestock Affairs

Under each Deputy, several functional units are operating, as shown in J-3-1.

Attached organizations number 3, attached companies 7, and one office; these are:

- Forest and Range Organization (FRO)
- Iran Veterinary Organization
- Nomad Affairs Organization
- Iran Shilat Company
- Iran Meat Company
- Jihad Services Company
- Forage Production and Development Company
- Jihad Engineering Services Company
- Iran Milk Company
- Iran Poultry Company
- Office for Retirement Payment

Of these, closely related to this Study are FRO, Nomad Affairs Organization and Iran Shilat (Fisheries) Company. Iran Veterinary Organization concerns in maintaining animal health.

Attached Organizations and Corporations:

- | | |
|----------------------------------|-----------------------------------|
| 1. Forest and Range Organization | 7. Forage P. & D. Company |
| 2. Veterinary Organization | 8. Jihad Engineering S. Co. |
| 3. Nomad Affairs Organization | 9. Iran Milk Company |
| 4. Iran Shilat Company | 10. Iran Poultry Company |
| 5. Iran Meat Company | 11. Office for Retirement Payment |
| 6. Jihad Services Company | |

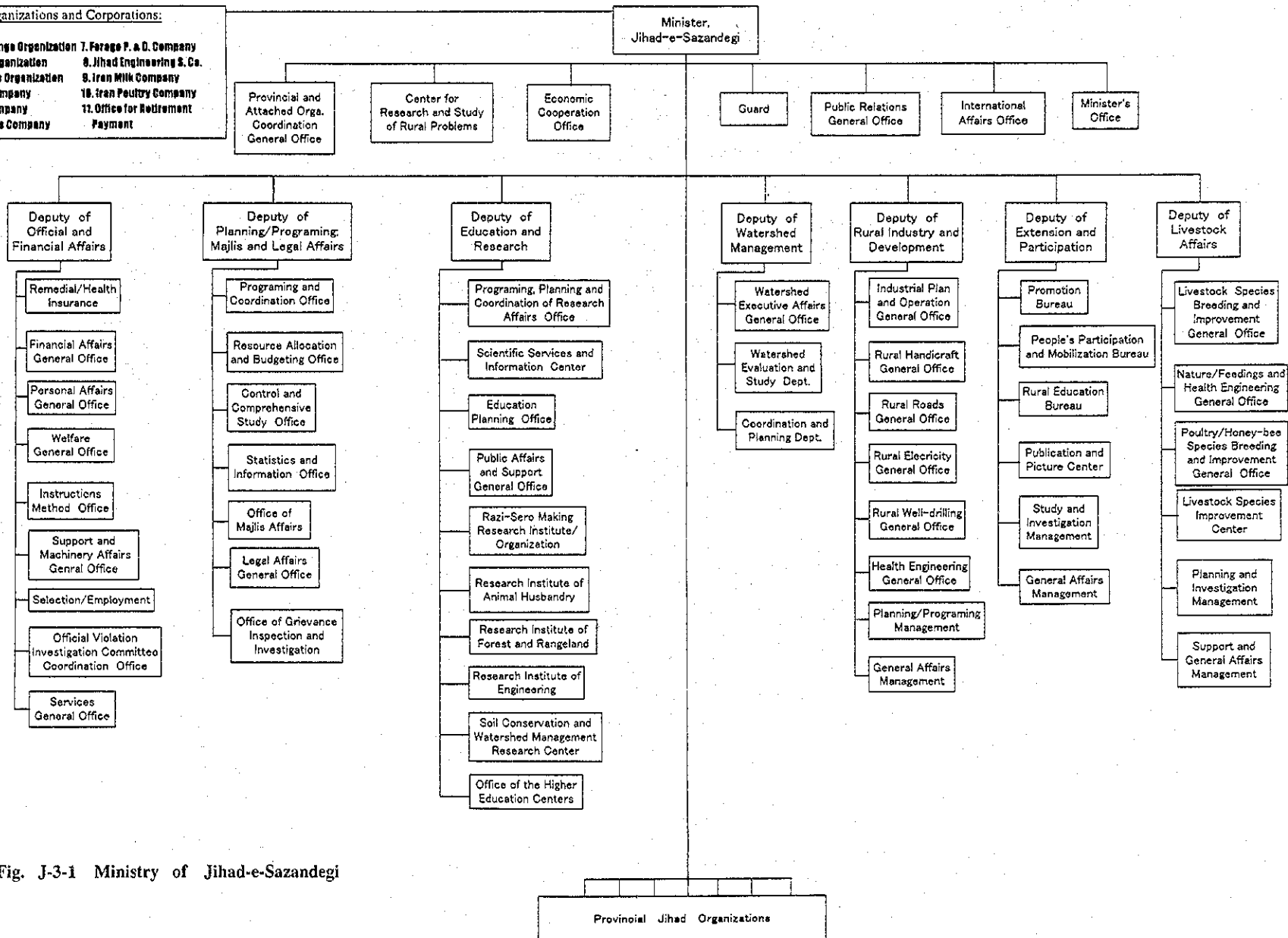


Fig. J-3-1 Ministry of Jihad-e-Sazandegi

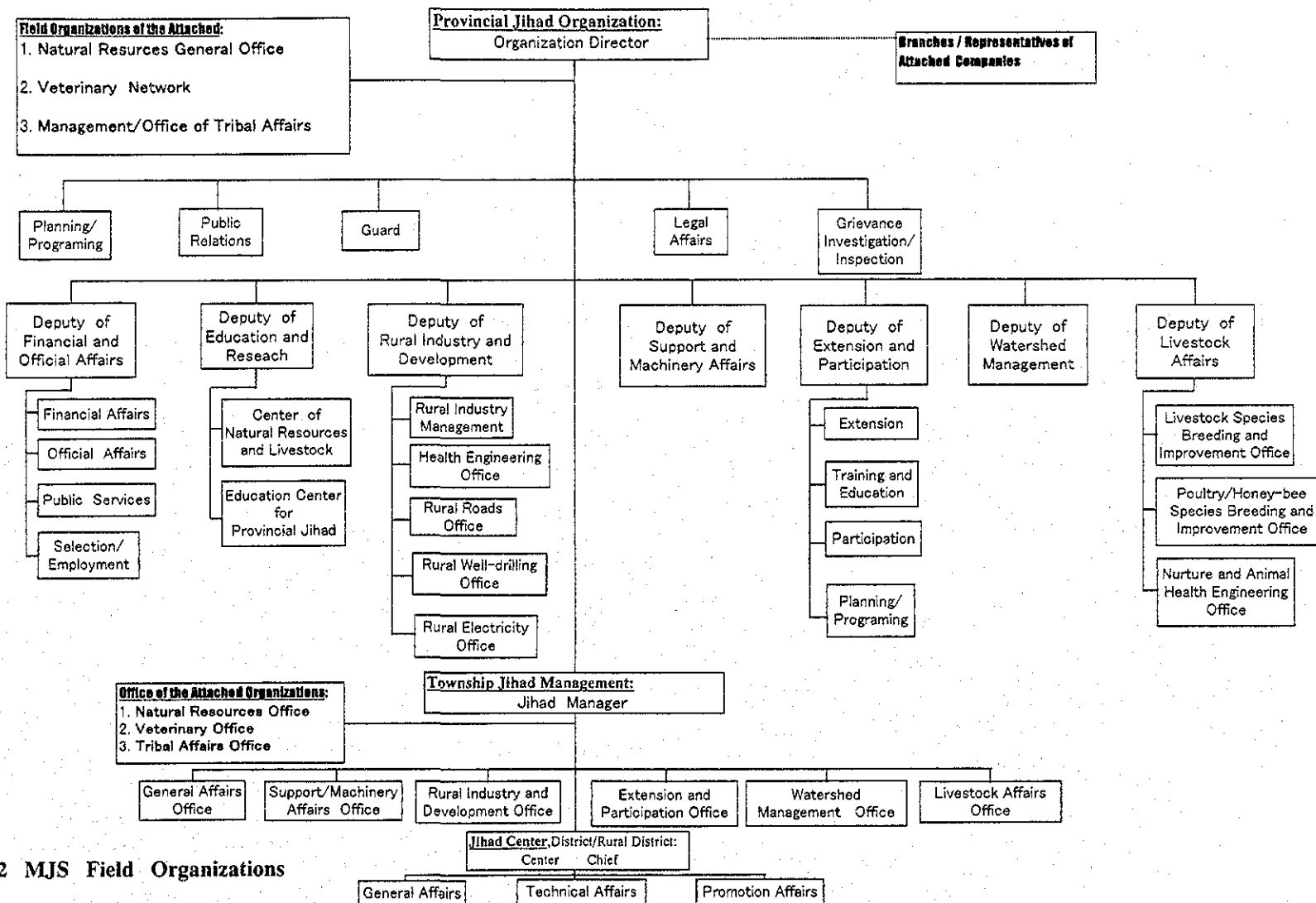


Fig. J-3-2 MJS Field Organizations

At each provincial capital, operating is the Provincial Jihad Organization with Director as a head. The Organization has 5 offices, and 7 divisions over which one Deputy presides. Besides, directly under the Director, there are 3 Managements which are the provincial branches of the organizations attached to MJS; namely,

- Natural Resources General Office
- Veterinary Network
- Management/Office of Tribal Affairs

Natural Resources General Office is the provincial branch of FRO, while Tribal Affairs Office/Management is under the operational control of the Nomad Affairs Organization.

7 divisions of the Provincial Jihad Organization consist of almost similar entities of the Headquarters' ones; which are:

- Financial and Official Affairs
- Education and Research
- Rural Industry and Development
- Extension and Participation
- Watershed Management
- Livestock Affairs

At almost 90% of Townships in the country, MJS deploys Jihad Management, composed of 9 offices. 3 offices are of the attached organizations: Natural Resources Office, Veterinary Office, and Tribal Affairs Office. Jihad Management's offices are for; General Affairs, Support/Machinery Affairs, Rural Industry and Development, Extension and Participation, Watershed Management, and Livestock Affairs. The head is a Manager, who is directed by the Director, Provincial Jihad Organization, and, in turn, supervises the Jihad Center under his charge.

The centralized field organizations of MJS end in Districts / Rural Districts, where only selected Jihad Centers are located. In the past, Jihad Centers were operating in almost every District / Rural District; however, since the separation of duties from MOA, MJS has been withdrawing gradually. As a result, 5-10% of Districts / Rural Districts have a Jihad Center at the moment. In the Jihad Center, 3 functional units render services: General Affairs, Technical Affairs, and Promotion Affairs.

J.4 Land Use Control and Related Organizations

Executive Order for the amendment of Land Committing and Rehabilitation Law, 1980, which was approved by Revolution Council in 1981, provides with the following land classification still effective in Iran:

- Uncultivated land: land having rehabilitation experiences, but deserted, and not under human use continuously for 5 years.
- Committed land: land being rehabilitated and under continuous human use.
- Waste land: land without rehabilitation experience, and remaining in natural status.
- Fallow land : committed land to be cultivated alternatively under the local common law.
- Natural Resources Land:
 - Forest or Natural Coppice: land having animals and plants (tree, shrub, sapling, mosses), not artificially produced or matured.
 - Rangeland: land consisting of mountains, hills, and flat land, having vegetation cover in grazing period, recognized as a rangeland under common law. If the rangeland has trees, it is called "wooded rangeland".
 - Nursery: forest created by the government.
 - Forest Land : the unmatured forest.
- Reclaimed land: land having been created as a result of lake or sea dried-up and also created by the change of river bed, and marsh drained.
- Coastal land: land located at the side of lake, sea, or reclaimed land.
- Government land: land registered, or not registered, and committed, or not committed, classified as in the following:
 - Waste land.
 - land to be transferred to the government by way of land reform, public domain, and as anonymous land, etc.
 - land belonging to the government, but in control of real and legal person who is not using the land.
- Other land: except for the above, all the land nationalized by the previous government (before 1979), such as for environmental protection, hunting, prevention of air pollution.

The most important category of land in Iran is the "committed land". As defined above, "committing" means an offer of land for human activities; and, in which included are agriculture, farming, horticulture, livestock grazing/breeding, housing/building construction, aquaculture, handicrafts, rural industries establishment, and so forth. Another important aspect is that utilization of committed land by the owner is originated in the personal right; and, towards it, legal assurance has been made. Thus, all the agricultural land are privately owned, and categorized as "committed land". The fundamental law relative to land committing is the Land Committing and Land Rehabilitation Law, 1980, approved by the Revolution Council, just after the Islamic Revolution. Article 2 of the Law, states:

"All the people who have committed land, in any way of receipt, shall consider their right be secured, on the basis of this Law"

From the beginning, MOA has been authorized for land committing to legal and real persons, and obligated to determine the maximum committable areas based on climatic and social conditions. The Law stipulates the committable land, in Article 7, as follows:

- A. Uncultivated land located in the village, transitory to the government in the execution of Land Reform Law, public domain, and anonymous land.
- B. All the governmental land in control of legal or real persons, but they do not use the land, or they are not executing conversion.
- C. Waste land (any land registered to the government, or not)
- D. Rangeland (exceptional case; in Art.6 for nomads cattle grazing)
- E. Sparse forest in the farm, orchards, and plains
- F. Committed or uncultivated land in control of MOA in the circumstances of the Islamic Revolution.

Article 18 of the Law prescribes that the land committing for non-agriculture purposes shall be collaborated between the Ministries of Mines and Metals; Industries; Housing and Urban Development ; and Agriculture, and the final approval shall be made by Ministers' Council.

All the land in control of the government, as well as natural resources land, are committable, with observance to rules; however, the following may not be committed; it is prohibited:

Forest, Natural coppice, Boundary rangeland in and around the village for livestock grazing, Public nursery, Forested park and woodland, Boundary of G.constructions ...

After one year, in 1981, Land Commitment Headquarters was constituted, with the membership of plenipotentiary representatives of Religion Governor, MJS, MOA, Interior Ministry, and Justice Ministry. Also, to handle the actual committing procedures, 7-persons Board was organized. In 1997, these were restructured to form new entity: which is Land Affairs Organization, directly under the Minister of Agriculture.

Forest and rangeland have been government-owned, since the nationalization in 1962, and being administered by FRO. The organizational structure of FRO is depicted overleaf, in Fig.J-4-1. It should be noted that the Deputy of Forest Affairs seats not in Tehran, but in Chalos City, because of the abundant forestry resources along the Caspian Sea.

The Law providing for the FRO mandates is the Law for Conservation and Utilization of Forest and Rangeland, 1967. The following is the interpretations and excerpts of the Law.

FRO undertakes forest management through issuing permits/licenses. Besides the logging license and permit, the Natural Resources General Office issues to the proprietor with conversion license and transport permit. In Iran, the log conversion into wood at the origin is prohibited, as a rule. The log shall be transported, for conversion, to the nearest wood collection center designated by FRO. In the forestry plan, conversion at the origin is admitted at most 20%. Transport of woods, firewoods and charcoals from forest trees is prohibited throughout the country, excluding inland cities, without taking a transport permit from FRO.

Cutting, uprooting and burning of branches and trees, and making of woods, firewoods, and charcoals out of natural resources is prohibited, except with permits issued by the Ministry. FRO may issue permits of tree cutting and of making woods, fuel woods and charcoals, without a forestry plan, outside the forestry plan area.

Livestock grazing in the natural resources area is prohibited, except with permits. The Ministry is obligated to confiscate the livestock grazed without permits, and to sell them without auction. The person having a grazing permit but grazing livestock more than the permitted number, shall be punished, according to the arrangement.

For the prevention of sedimentation in the dam, move of sand-dune and soil erosion as well as for soil conservation, the protected area shall be designated and announced. In the protected area, dry farming and livestock grazing are completely prohibited.

The conversion of rangeland to other purposes shall be permitted only in accordance with the plan to be approved by the Ministry. When the rangeland has been wholly and partially converted... ..., it shall belong to the government, and the previously issued ownership document shall become void,...

For livestock grazing in the rangeland, where a range management plan has not been formulated and approved, taking permission from the Ministry, under the certain conditions, is required.

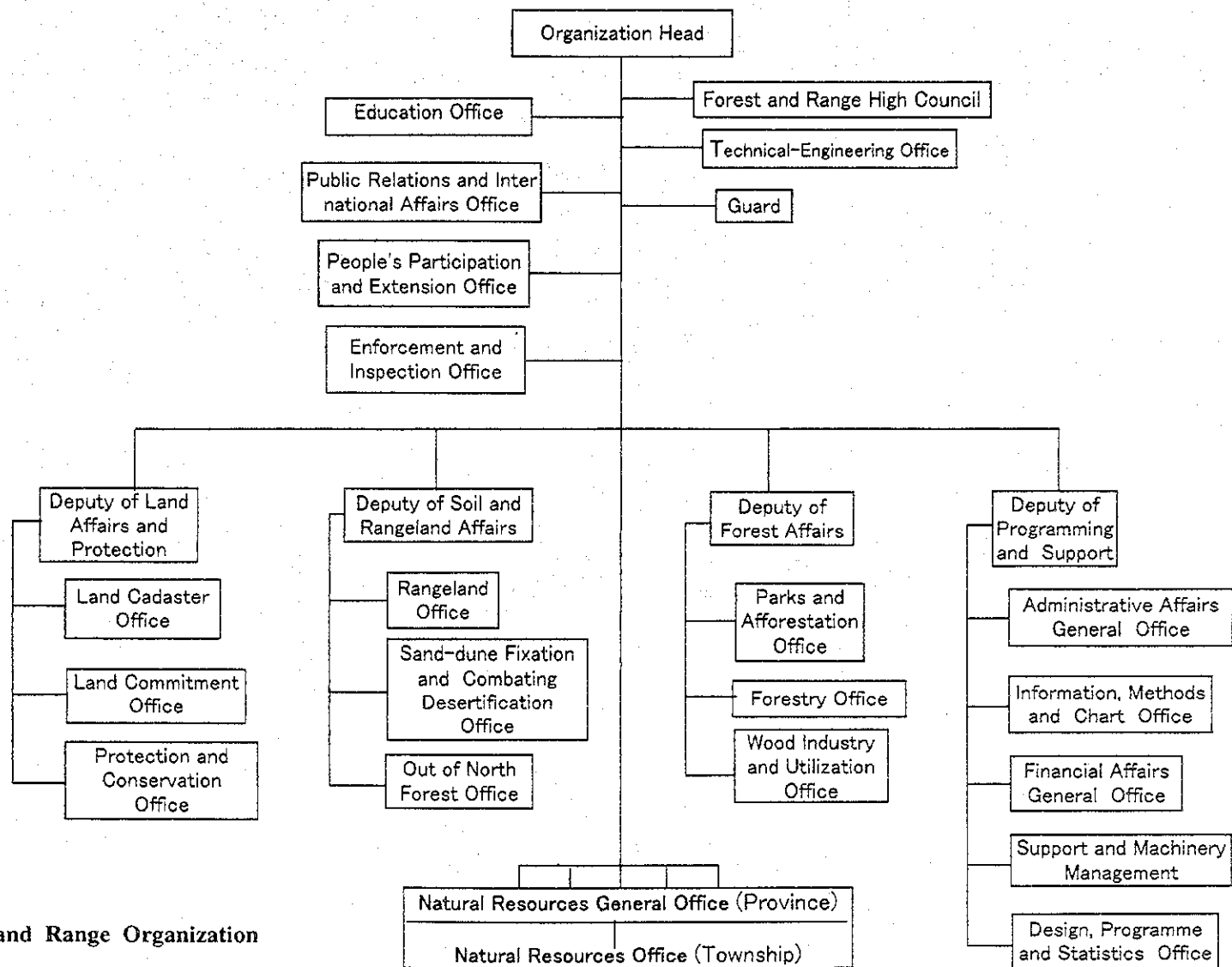


Fig. J-4-1 Forest and Range Organization

J.5 Water Resources Management and MOE

Water resources management is the responsibility of the Ministry of Energy (MOE), in Iran.

Article 21 of the Law for Fair Distribution of Water, stipulates:

"The exploitation permission of public water resources for drinking, agricultural, industrial and other purposes is only the responsibility of the Ministry of Energy."

The Law vests the flood control, river control, groundwater preservation, irrigation water supply, study and investigation of water resources... ..authorities to the Ministry. Approval of water right and issuance of water permits are undertaken by the Ministry, as well.

Deputy of Water Resources is the head of the Iranian Water Resources Management Organization (Fig. J-5-1). In the Study Area, 3 Water Authorities take the charge:

Esfahan Water Authority	: Esfahan, Chaharmahal-Bakhtiari Provinces
Fars Water Authority	: Fars, Kohgiluyeh-Boyer-Ahmad Provinces
Khuzestan Water Authority	: Khuzestan Province only

J.6 Environmental Management and DOE

The principal organization for environmental protection in Iran is the Department of the Environment (DOE). Its responsibilities include: expert studies into human and industrial pollution, desertification, deforestation, soil erosion, rangeland degradation, improved water resources management, and protection of biodiversity.

DOE head is the Vice-President of the Republic. DOE has the Provincial Directorates.

(Fig.J-6-1)

In the Study Area, DOE has designated the conservation areas, as follows:

- Tang-e-Sayad: National Park: 5,400 ha, Protected Area: 17,690 ha
- Laleh-Vajgoon: National Nature Monument: 170 ha
- Sabzkuh : Protected Area: 60,780 ha
- Dena Mountain: Protected Area: 86,500 ha

In Table J-6-1, compared are, the permitted and prohibited activities in the conservation areas, between DOE and FRO areas.

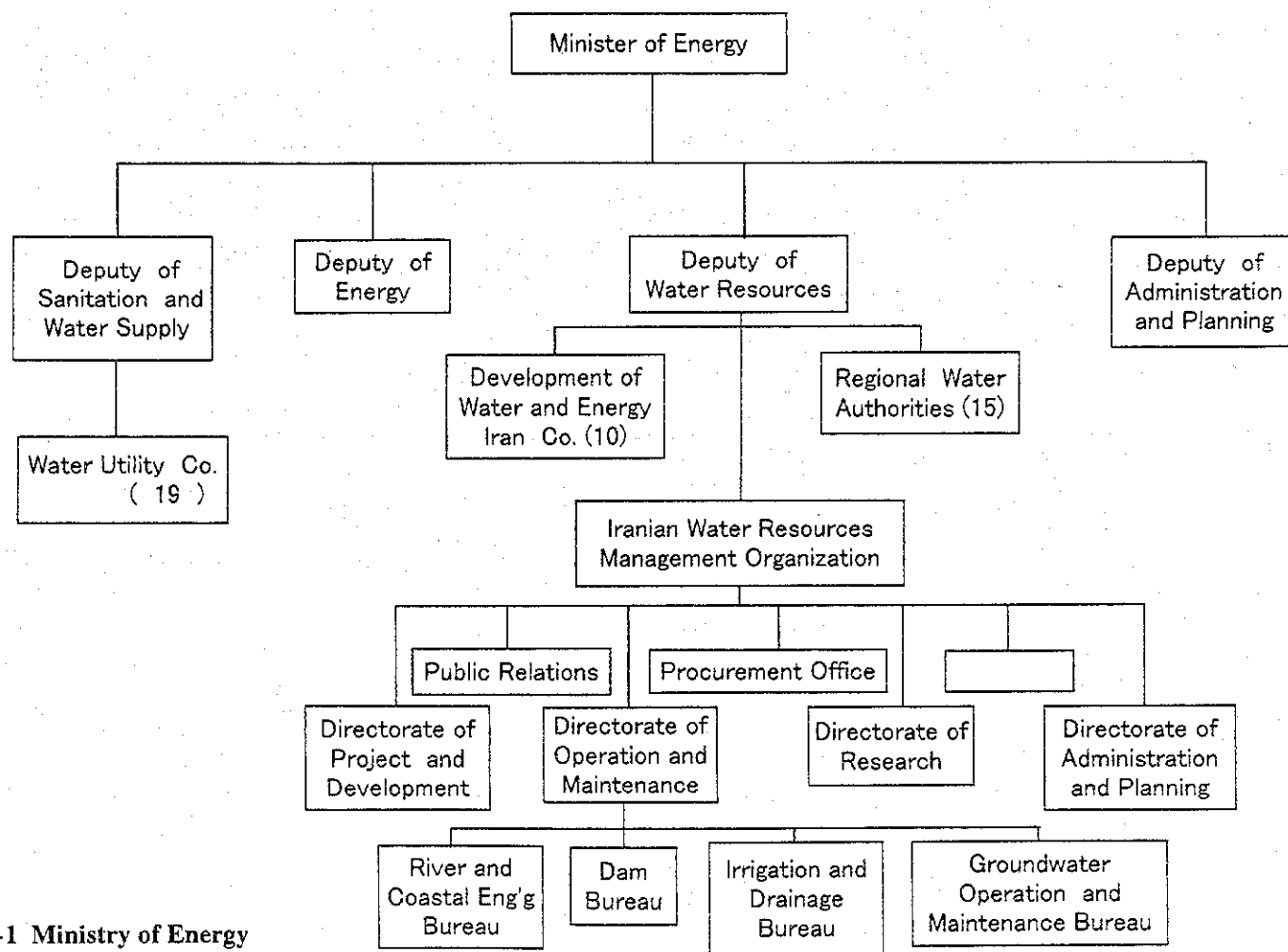


Fig. J-5-1 Ministry of Energy

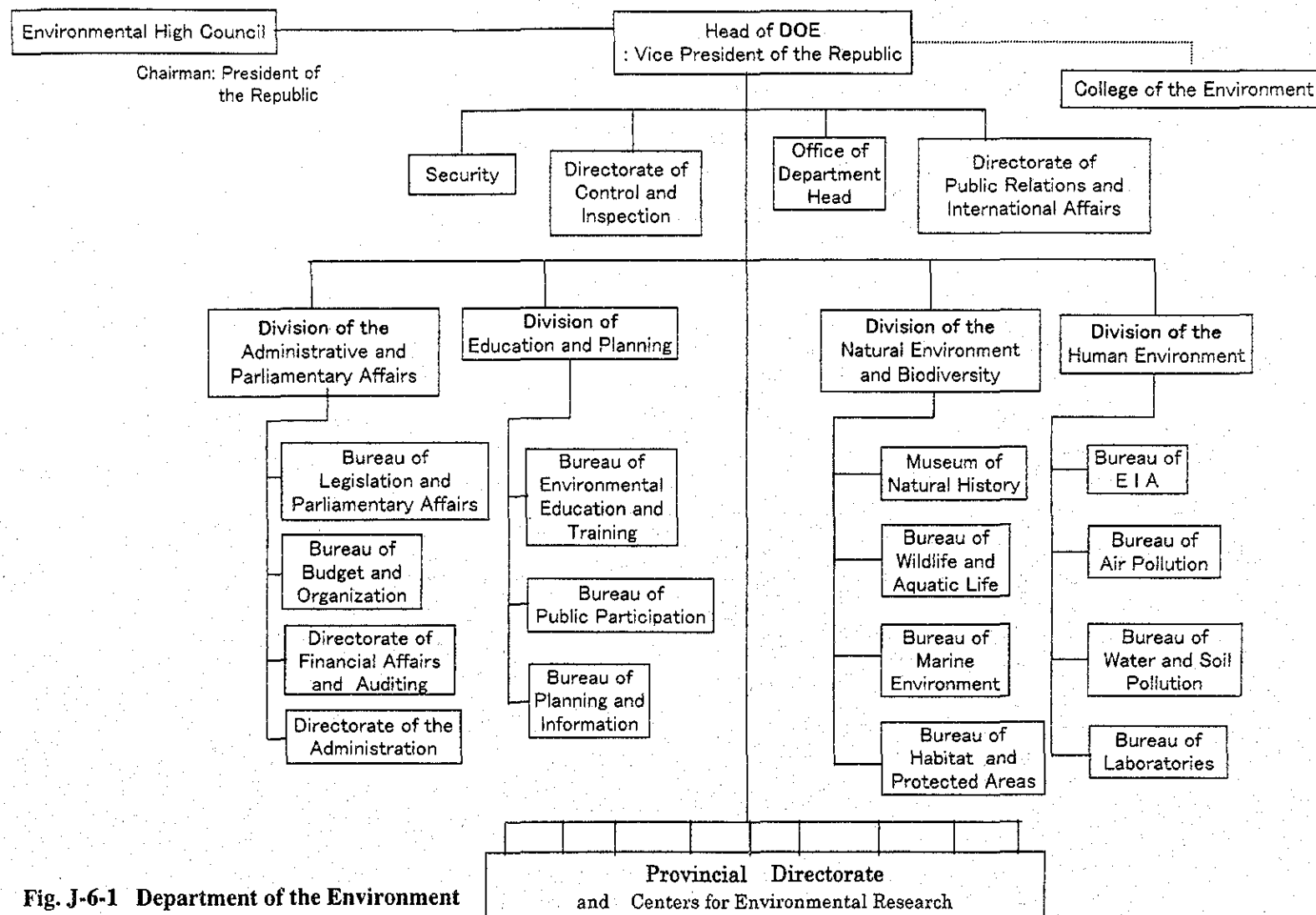


Fig. J-6-1 Department of the Environment

Table J-6-1 Activities Permitted and Prohibited, in DOE / FRO Areas

Activity Description	Designated Areas under DOE:			FRO Areas:
	National Park	National N. Monument	Protected Area	Forest and Rangeland
1. Hunting and Fishing	Prohibited	Prohibited	Permitted with permit from DOE	Permitted with permit from DOE
2. Cutting, Uprooting and Destroying Trees/Thistles, Encroachment, Degradation and Making of Charcoal	Prohibited	Prohibited	Permitted with permit from DOE	Permitted with permit from FRO
3. Livestock Grazing	Prohibited	Prohibited	Permitted with permit from DOE and FRO	Permitted with permit from FRO
4. Land Committing: preparation of land for any kind of human use, including farming, housing/building construction, industrial development, livestock breeding, aquaculture, etc.	Prohibited	Prohibited	Prohibited	Rangeland: Permitted with the approval of FRO, after an application submitted. Forest: Prohibited Conversion to farms cannot take place