

## Law of Azerbaijan Republic on Civil Defence

The present Law defines the legal grounds and principles of civil defence in Azerbaijan Republic and regulates public relations in the field of civil defence.

### Article 1. Definitions

The terms used herein are defined as follows:

1) civil defence – means a system of activities carried out by the governmental authorities, individuals and legal entities for the purpose of ensuring the security of the population (citizens of Azerbaijan Republic, foreigners present in the territory of Azerbaijan Republic and stateless persons) and territory (land, water and air space, industrial and social facilities, as well as environment within the boundaries of Azerbaijan Republic) at peace time or wartime;

2) system of civil defence – means a system of relevant executive authorities, forces and means, special funds, communication, warning and information systems, to which assigned to carry out the obligations of civil defence;

3) emergency situation – means a situation occurring in a certain area due to acts of war, accidents, natural or other disasters, which may cause or have caused loss of or damage to the life and health of people and environment, serious material losses and disturbance of everyday activities of people;

4) prevention of emergencies – means a system of taken measures aimed at minimizing the risk of occurrence of emergencies, and in cases of occurrence of emergencies, protecting the people and their health, minimizing possible damage to environment and material losses;

5) elimination of emergencies and their consequences – search and rescue and other emergency measures taken in emergencies and aimed at rescuing people and protecting their health, minimizing material losses and damage to environment and preventing spread of emergencies.

### Article 2. Legislation on civil defence

The legislation of Azerbaijan Republic on civil defence include the Constitution of Azerbaijan Republic, the present Law, other legislative acts of Azerbaijan Republic and international agreements joined by Azerbaijan Republic.

### Article 3. Principles of organization of civil defence

In Azerbaijan Republic, civil defence, as a part of national defence system, is organized according to the following principles:

1) Principle of Territory (civil defence activities are organized in the entire territory of Azerbaijan Republic);

2) principle of individual and complex approach (in Azerbaijan Republic civil defence activities is planned and carried out in a coordinated manner, taking into account the military strategic, economic and other features of different regions, cities, industrial and social facilities);

3) principle of massiveness and obligatoriness (civil defence activities cover entire population of Azerbaijan Republic and are obligatory);

4) principle of readiness (system of civil defence of Azerbaijan Republic is always ready to commence its activities immediately and efficiently in case of emergencies);

5) principle of immediate warning (the population of Azerbaijan Republic is immediately informed about the possible or already occurred emergencies);

6) principle of correlation (the governmental authorities and forces of civil defence of Azerbaijan Republic participating in provision of civil defence act in close cooperation and concord).

#### Article 4. Planning and carrying out civil defence activities

Settlement of civil defence issues is provided through planning and carrying out the civil defence activities timely and efficiently.

Civil defence activities are stipulated in the relevant normative documents and plans, taking into consideration the military-strategic and economic importance, natural and other features of the territory of Azerbaijan Republic, its difference regions, cities, other settlements, industrial and social facilities.

Civil defence activities are organized in the entire territory of Azerbaijan Republic and cover all people within this territory.

The scope and contents of civil defence activities are defined based on the sufficiency of the available forces and means and their maximal and efficient use.

For the purpose of distinctive approach to planning and carrying out of civil defence activities and ensuring efficient protection of the people in emergencies, the territory of Azerbaijan Republic is divided into zones of civil defence, the cities are divided into groups and the economic entities are divided into levels.

The rules of planning and carrying out of civil defence activities, zones of civil defence, groups of cities and levels of economic entities are defined by the relevant executive authority of Azerbaijan Republic.

#### Article 5. Aim of civil defence

The aim of civil defence is:

- 1) to carry out preventive measures for the purpose of prevention of emergencies;
- 2) to minimize the possible damage and losses due to emergencies;
- 3) to eliminate emergencies and their consequences;

#### Article 6. Obligations of government on civil defence

The obligations of the government on civil defence are as follows:

- 1) to define and carry out the state policy, including scientific and technical policy;
- 2) to define legal and economic standards to ensure the protection of population and territory, to adopt and ensure the execution of relevant normative and legal acts;
- 3) to adopt relevant programs and plans for the country and its territorial units and to take necessary measures to ensure their execution;
- 4) to define the zones of civil defence, groups of cities and levels of economic entities;

5) to head the system of civil defence, to define the structure, composition of the system of civil defence, interrelations of its participants, rules of financial and material support, as well as to settle the related issues timely;

6) to allocate funds for civil defence from state budget and local budgets and in addition, to establish civil defence funds, to ensure efficient and proper use of these funds;

7) to establish material and financial funds for elimination of the consequences of emergencies;

8) to provide the governmental control and expertise on the field of protection of the population and territory from emergencies;

9) to organize and provide of manpower training for civil defence;

10) to explain and train the population in the ways and means of protection from emergencies at peace time and wartime;

11) to organize the training of the population in civil defence and supply the population with the individual and collective means of protection;

12) to ensure to compliance with the requirements of civil defence in designing, construction, overhauling and exploitation of enterprises and other facilities;

13) to maintain the civil defence premises ready at all times and to supply such premises with untouchable reserve of accessories of vital necessity for the purpose of protection of life and safety of people in case of emergencies;

14) to forecast and assess the consequences of emergencies;

15) to inform, timely, the population about the emergencies, dangerous for life and health of people, as well as provide comprehensive and objective information on the consequences of such situations and measures taken to eliminate them;

16) to ensure constant readiness of civil defence forces and means in order to prevent emergencies and to eliminate their consequences;

17) to stock up material resources of vital importance;

18) to evacuate people from the areas undergone to emergencies and provide them with temporary residence, to carry out main search-and-rescue works and sanitary and hygienic measures, to assist in restoration and preservation of the public order, to take measures for rescue of plants and animals;

19) to take necessary measures for social security of the people aggrieved due to emergencies;

20) to provide international cooperation in the field of protection of population and territory from emergencies;

21) to make answerable the persons violating the requirements of civil defence in accordance with the legislation of Azerbaijan Republic;

#### Article 7. Obligations of legal entities in the field of civil defence

All legal entities, irrespective of their form of ownership, have the following obligations in the field of civil defence:

- 1) to provide the necessary civil defence measures in economic and social development programs and to carry them out;
- 2) to finance the arrangements for protection of employees (studying persons) from emergencies;
- 3) to establish a reserve of material and financial funds for elimination of the consequences of emergencies;
- 4) to establish local warning system and to maintain it in a good working condition at all times;
- 5) to inform the employees (studying persons), as well as residents of adjacent areas about the possible or already occurred emergencies, to evacuate people to safe places;
- 6) to organize and carry out primary search and rescue works by means of available forces and equipment, in accordance with civil defence plan.

The rules, forms and conditions of participation of legal entities in civil defence measures, supplying of them with the means of protection from emergencies are defined by the relevant executive authority of Azerbaijan Republic.

#### Article 8. Obligations of the citizens of Azerbaijan Republic in the field of civil defence

The citizens of Azerbaijan Republic have the following obligations in the field of civil defence:

- 1) to observe the requirements of the legislation of Azerbaijan Republic in the field of civil defence;
- 2) to be able to use the individual and collective means of protection;
- 3) to learn and know the main methods and means of protection from emergencies;
- 4) to observe the defined rules of conduct during emergencies;
- 5) to learn and to be able to apply the rules of first medical aid;
- 6) to know and act in accordance with civil defence works;
- 7) to inform relevant state authorities and neighbours about possible or already occurred emergencies;
- 8) to carry out, honestly, the obligations of civil defence assigned to them;

#### Article 9. Right of the citizens of Azerbaijan Republic in the field of civil defence

The citizens of Azerbaijan Republic have the following rights in the field of civil defence:

- 1) to obtain comprehensive and objective information about necessary safety measures in the areas undergone to emergencies;
- 2) to use the individual and collective means of protection in the areas undergone to emergencies;
- 3) to participate in prevention of emergencies and elimination of their consequences in a duly defined manner;

4) to apply personally or make written proposals to relevant state authorities in connection with civil defence issues;

5) to receive compensations for damage to health and property due to emergencies;

6) to receive allowances for residing and working in the areas undergone to emergencies.

The types and amount of the allowances set forth in clause 6 hereof, are defined in accordance with the legislation of Azerbaijan Republic.

#### Article 10. Training of people for protection from emergencies

The rules of training of people for protection from emergencies are defined by the relevant executive authority of Azerbaijan Republic.

Rules of conduct during emergency situation are taught to the population at the place of work or residence and schools.

Training of the heads and specialists of the civil defence system, as well as legal entities, is provided in higher and secondary professional schools, advance training schools, special training courses and at work places.

#### Article 11. Propaganda of knowledge in the field of protection of population and territory from emergencies

Propaganda of knowledge in the field of protection of population and territory from emergencies is carried out by the relevant executive authority of Azerbaijan Republic, included in the civil defence system.

Mass media may be used propaganda of knowledge in the field of protection of population and territory from emergencies.

#### Article 12. Personnel of Civil Defence Forces

The personnel of Civil defence forces consist of military servants, servants and workers.

Recruitment of military servants for civil defence forces is carried out in accordance with the military legislation of Azerbaijan Republic.

The military servants of civil defence forces do their military service in accordance with the Law of Azerbaijan Republic "On Military Service" and other military legislative acts of Azerbaijan Republic, taking into consideration the nature of obligations assigned hereby.

The service and labour activities of the servants and workers included in the personnel of civil defence forces are regulated by the Code of Labour Laws and other relevant legislation of Azerbaijan Republic.

The number of staff of civil defence forces and uniform and insignia for the personnel of civil defence forces are defined by the relevant executive authority of Azerbaijan Republic.

#### Article 13. Legal and social security of the personnel of civil defence forces

Legal and social securities, as well as benefits provided for military servants under the legislation of Azerbaijan Republic are applied to the military servants of civil defence forces as well.

#### Article 14. Remuneration of the personnel of civil defence forces

The conditions and rules of remuneration of the personnel of civil defence forces are defined by the relevant executive authority of Azerbaijan Republic.

Additional payments may be provided to the personnel of civil defence forces, in addition to those defined by the relevant executive authority of Azerbaijan Republic.

#### Article 15. State compulsory personal insurance of the personnel of civil defence forces

State compulsory personal insurance of the personnel of civil defence forces is provided in accordance with the Law of Azerbaijan Republic "on State compulsory personal insurance of military servants".

Damage incurred by the personnel of civil defence forces in connection with the fulfilment of their obligations, is fully refund from the state budget, such amount subsequently being deducted from the guilty persons.

#### Article 16. Property of civil defence

The property of civil defence consists of movable and immovable property necessary for fulfilment of obligations assigned to it.

Civil defence shall be provided with buildings, installations and other property equipped with necessary equipment and communication systems out of the funds of state budget and local budgets, in accordance with rules and principles defined by the relevant executive authority of Azerbaijan Republic.

#### Article 17. Financing of measures for elimination of emergencies and their consequences

The measures for elimination of emergencies and their consequences are financed out of the funds of the relevant executive authority of Azerbaijan Republic, legal entities located in the area undergone to emergencies, state and local budgets, insurance funds and other sources.

In case of insufficiency of the funds mentioned in the first part of this article for elimination of emergencies and their consequences, additional funds shall be allocated from the reserve fund of the state budget of Azerbaijan Republic, in accordance with the legislation of Azerbaijan Republic.

#### Article 17-1. Financing of works for elimination of reasons and consequences of circumstances causing application of the state of emergency

Financing of works for elimination of reasons and consequences of circumstances causing application of the state of emergency is provided out of the state budget.

#### Article 18. Establishment of reserve of material and financial funds for elimination of emergencies and their consequences

The reserve of material and financial funds for elimination of emergencies and their consequences is pre-established by the relevant executive authorities of Azerbaijan Republic for the purposes of immediate mobilization of necessary funds in case occurrence of emergencies. The rules of establishment and use as well as re-supply of the reserves mentioned in the first part of this article, is defined in accordance with the legislation of Azerbaijan Republic.

#### Article 19. Logistical Support of Civil defence

Logistical Support of civil defence is provided by means of logistical and military supply system in accordance with the rules and principles defined by the relevant executive authority of Azerbaijan Republic.

Article 20. Supervision over lawfulness of civil defence activities

Managerial supervision over the lawfulness of civil defence activities, efficient and proper use of facilities, forces and funds is carried out by the relevant executive authority of Azerbaijan Republic.

The supervision over the equal and proper execution and application of laws in the field of civil defence is carried out by the Azerbaijan Republic Head Prosecutor's Office and its subordinate prosecutors, in accordance with the legislation of Azerbaijan Republic.

Article 21. Responsibility of officials and citizens

The persons violating the requirements of the present Law will bear responsibility in accordance with the legislation of Azerbaijan Republic.

Heydar ALIYEV  
President of Azerbaijan Republic

Baku, 30 December 1997