

## Forest Laws and Wildfire: A Comparative Legal Study of Iran, France, Türkiye and South Africa

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**Abstract:** Global warming and climate changes have caused an increase in the frequency and intensity of forest fires in recent years, which in turn exacerbates the climate change speed with the emissions of carbon from burned plant biomass. This paper deals with the comparative study of forest fire in the forest laws of Iran, France, Türkiye and South Africa countries to identify the national solutions in dealing with wildfires and to suggest the best solutions. Comparative law is among the best ways to study the legal solutions of specific countries to learning from each other's and improve the laws. Comparative law has five steps: the first step is the determination of the scope and delimitations of the study, which in this research includes the selection of the mentioned four countries and the topic of forest fires; The second step is the description and analysis of legal materials; The third step is the Comparison of laws and show the similarities and differences; The fourth step is the explanation of the reasons for similarities and differences and the fifth step is the evaluation of laws and provide best solutions of the studied countries in the field of wildfire control. The categories extracted from the content of legal articles and the classification of categories with a common meaning together showed that the legal measures of combat wildfire can be classified into four main pillars as well as the following sub pillars: 1- Measures before fire include a) limitations, regulations and preventive measures, b) cleansing, c) screening, firebreak and prescribed fire, d) fire protection associations, e) determination of high-risk areas and fire risk rating. 2- Measures during fire outbreaks include a) Custodian of fighting fire and providing equipment, b) right of way, servitude, possession, intervention, c) firefighting tactics and use of controlled fire. 3- Measures after the fire include a) Improvement and sanitation measures, b) Prohibitions, regulations, evaluation and review, c) Revival and restoration, d) Incentives, compensation, and 4- Crimes and punishments. Evaluation of the legal solutions of the studied countries showed that some countries have performed well in some pillars and sub-pillars and poorly in some others. South Africa provides considerable provisions by establishing a law specific to fire. However, French legislators have done well in this field by setting up appropriate legal requirements and prohibitions during fire season. While the forest firefighting laws of Türkiye and Iran are scattered throughout the text of the forest law and are not sufficient. Finally, by using the strengths of the laws of the studied countries, the weak points of the national forest laws are identified and recommendations suggest to modify. Also, this research introduces a legal framework to classify national forest laws in the field of forest fire management.

**Keywords:** Comparative laws, Forest laws, Preventive measures, Wildfire.