

ORIGINAL RESEARCH PAPER

## Investigation of Civil Responsibility for the Spread of Environmental Pollution Caused by the Coronavirus Pandemic

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### ABSTRACT

The most important objectives of the present study include finding a legal solution to prevent the spread of coronavirus, compensation for damages caused by the negligence of human factors, determining the basis for this responsibility, and the rate of compensation for these damages. The present study, through library and field studies, made it possible to compensate for the damage caused by the spread of coronavirus infections. Pollution caused by a human is one of the most important environmental law challenges. Neglect of the human factor has caused losses due to the spread of this disease. In the present study by preparing a researcher-made questionnaire, the opinion of lawyers specializing in the field of civil responsibility was also inquired. The results of the research show that by resorting to the "risk theory" and the "fault assumption" basis, the rights of the victims of the Coronavirus can be better secured. At present, legal systems are not sufficiently determined to compensate the victims of the Coronavirus. While environmental jurists believe that strict rules and regulations should be applied to combat the spread of coronavirus infection and to impose compensation for damages caused by negligence in observing health standards on its human factors. In Iran, several juridical and legal rules are a good basis for preventing the spread of coronavirus and human infections.

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## 1. Background

Observance of the rules and norms established in any society is necessary for social life and interaction with other people. Human societies, according to their social interests, set rules and regulations and impose their observance on the people (Robert, H. 2020). Regulations on the prohibition of harming others and compensation are among the rules that most civilized nations have laid down to protect their citizens. Damage to others comes in many forms (Bergkamp, 2020). One of these damages is the damage caused by the transmission of contagious diseases to others. Since the beginning of 2019, Iran, like other countries in the world, has been affected by the COVID-19 virus pandemic and has caused irreparable damage to the people and the country. In Iranian law, according to Article 40 of the Constitution, “no one can perform any action for injury to others or violation to public interests”. On this basis, the patient has no right to cause harm to others on the pretext that he/she is doing his/her job and exercising his/her right to normal life (Sirleaf, 2018). Enjoying a healthy and pollution-free environment is everyone’s right. In this case, the priority is to eliminate losses. Accordingly, service providers, physicians, and specialists are also responsible for their decisions and actions (Robert, H. 2020). The presence of an employee with an infectious disease at work is undoubtedly prohibited. The taxi driver cannot move passengers on the city streets, regardless of their situation. Citizens who make unnecessary trips without heeding health advice are responsible for the injuries<sup>1</sup> caused by their recklessness. A person who intentionally leads to the spread of COVID-19 is responsible for the harmful consequences of his actions according to the rules of civil responsibility.

According to the fault theory, every person should be careful not to violate the rights recognized by law for others, otherwise, he/she is the culprit and must compensate for the injury (Harpwood, 2009). Enjoying a healthy environment and nature is one of these rights. If the fault theory is the basis of the responsibility of the spreaders of contagious diseases, injured parties in a claim for damages must prove that they were injured by the fault of the spreader, and this injury is the result of the fault of the virus spreader (Lewis & Others, 2020). According to the risk theory, everyone who works creates a dangerous environment for others, and since he/she benefits from this environment, he/she must also compensate for the losses caused by it. By eliminating fault from the element of civil responsibility and lack of the need to prove fault, compensation claims are easier to achieve (Katouzian, 2005). Since the pandemic of the coronavirus has spread to all countries of the world, the protection of human rights and the right to a healthy life requires that those who, through their negligence and carelessness endanger the environment for others, be responsible for compensating others without proving their fault. Although the damage caused by the spread of the coronavirus cannot easily be

<sup>1</sup> The term “injury” is defined to include “any damage, whether material or moral, caused by the internationally wrongful act of a State”. Economic damage, lost profits and “any financially assessable damage”, are covered as well. (Bergkamp, 2020)

inflicted on those who inadvertently caused the spread of the virus, it is not easy to ignore it. Assuming that the carriers of the disease are not deliberate in their behavior, but have created a dangerous environment that results from their disregard for health protocols. Although the patient may be the victim of the negligence of others, if he/she is aware of his/her illness and the consequences of its outbreak, he/she should be held liable for damages resulting from his or her negligence due to “breach of duty of care”. (Harpwood, 2009; Jourdain, 2015) because such losses are normally predictable for a normal and conscious human (Lewis & Others, 2020). However, it should be noted that to impose the burden of responsibility on the spreaders of the coronavirus, the victim must also follow reasonable preventive measures and health protocols (Berger & Behn, 2020). Undoubtedly, incomplete information of patients with COVID-19 and their lack of awareness about the harmful consequences of their omission has caused them not to take the necessary measures to prevent its transmission after COVID-19. However, if the legal aspects of this negligence are explained to the affected people, these people will pay more attention to the issue and thus the most important step will be taken to break the chain of transmission of the disease.

## 2. Materials and Methods

This research is of a basic type and for doing it, library resources and related articles and researches were used. The research method is analytical, descriptive, and reasoning based on juridical and legal assumptions. The focus of the research is on the civil responsibility of people with the COVID-19 in Iran. Since coronavirus is an emerging phenomenon in the global arena, so the main research content is related to 2019 and beyond. However, it also refers to research related content and its basics, which have been done in the recent past. In addition, by constructing a researcher-made questionnaire with four options, the opinions of prominent lawyers working in the Bar Association were used. The validity of the question items was finalized after preparing the pre-test questionnaires and with the expert opinion of five competent lawyers in the field of civil law and familiar with health law issues. It should be noted that in this article, using Krejcie and Morgan’s table, the expert opinions of all lawyers working in the disciplinary court of the Bar Association, who had master’s or doctoral degrees, were used as the expert community.

## 3. Results

There are rules in Iranian jurisprudence and law from the content of which the necessity of compensating the damage caused to others is derived. These rules are:

La-zazar rule (The rule of no harm): According to this rule, no one has the right to harm another, even if this harm is to realize his right. On the other hand, no damage should be left uncompensated (Naeeni, 1997; Naraqi, 1987; Akhund Khorasani, 1985), however, compensation for the damage caused by the spread of the coronavirus is in contradiction with the famous theory of Imamic jurisprudence. However, well-known jurisconsults have

also ruled on compensation based on this rule, so from the contents of their opinion, it is possible to rule on compensation for the victims of COVID-19 (Bahrami Ahmadi, 2011; Emami, 1991; Katouzian, 2003).

**Waste rule:** This rule means that if someone destroys, consumes or uses another's property without the permission of the owner, he/she is responsible (Like someone trying to remove masks, detergents, and other people's hygiene items or the patient with the coronavirus leaves his infected mask on the street and hits the infected mask in the face of others due to the wind and infects them, thus causing damage to them).

**Precautionary rule:** The precautionary principle is one of the basic principles of environmental regulation. According to the principle set out in Article 15 of the Rio Declaration, countries should use supportive preventive measures and criteria extensively based on their capabilities (Sirleaf, 2018) and where there is a risk of serious harm or unknown problems causing damage, these shortcomings should be thoroughly and practically investigated. People infected with viruses and contagious diseases should also take precautionary measures to prevent the spread of the disease, otherwise, they will be responsible for the consequences of their actions.

**Rule of removal of possible harm:** If a person gives the possibility of harm to something, it is obligatory to remove that harm. Everyone should take care of themselves and stay away from deadly diseases. Since the infected person is also aware of the dangerous consequences of the spread of the disease, he/she should avoid this damage as much as possible (Ruda, 2020).

**Rule of respect for Muslim property:** Possession of the property of others deprives them of property and benefits, so this possession is prohibited without the permission of the owner. According to this rule, possession and encroaching on the property of others without their consent and permission is illegal (Usefi, 2018). Property and interests belonging to others must be respected for a person with COVID-19. The action of the infected person should not be such as to cause the loss of property of others. Although the above rules justify the need for compensation for coronavirus transmission, some rules abdicate the spreaders of the disease.

**Rule of warning:** If a person warns of the dangerous consequences of his work before doing something, but the listener does not pay attention to his warning and the damage will be caused due to it, the warning person will not be responsible. Non-warning can be a violation of the duty of care (Dunn & Crutcher 2020; Bermingham, 2009). Contagious diseases such as COVID-19 are usually alerted by public officials and the government, and the target of the alert is sick and non-sick people, who are advised not to contact each other and to avoid entering the public environment (Hooshmand Firuz Abadi, 2020). Of course, this warning is also conceivable for the infected person. For example, if a sick person informs others about his illness and warns others about the consequences of his illness, he is no longer responsible for their carelessness and inattention, and the damage caused by the outbreak of the disease cannot be attributed to him Lewis & Others, 2020).

**Rule of bona fide:** Whenever someone causes harm to others with the motive of serving and beneficence, his action is not responsible (Ruda, 2020). For example, if a person with COVID-19 transmits the disease to help others and enlighten them or delivering health supplies to them without malicious intent, he/she is not responsible.

**Rule of action:** If a person does something with knowledge and awareness that causes damage to himself, others will not be responsible. "Action" is an obstacle to enforcing the rules of civil responsibility. The person has destroyed the sanctity of his property by his action (Mohaghegh Damad, 1995). If a person, despite being aware of health warnings, does not follow the relevant protocols and causes damage to himself, according to the rule of action, the damage caused to him cannot be compensated (Ruda, 2020; Witting, 2015).

There are several types of liability for compensation in law, the most important of which are as follows:

**Liability based on fault:** In this type of liability, the person is liable if he/she is at fault for his/her actions (Ruda, 2020; Jourdain, 2015). If Liability based on fault is accepted regarding the spread of the virus, the burden of proof will be borne by the victim. That is, the person claiming compensation must prove that the person who infected or spread the virus caused the damage.

**Liability based on the assumption of fault:** In some cases, the fault of the perpetrator of the loss has been presumed and the injured party has been exempted from proving the fault of the perpetrator of the loss (Harpwood, 2009). According to this type of responsibility, the victim is not in a position to prove, but it is assumed that the carrier of the disease is the culprit and he must prove that he did not commit a fault, or if he made a mistake, this mistake was beyond his control and was due to an external cause that he did not have the power to deal with (Ruda, 2020).

**Typical liability (Strict):** In strict liability, it is sufficient for the plaintiff to prove that he has been harmed by the defendant act. (Bermingham, 2009; Owen, 2000). In this case, the defendant is immediately sentenced. In strict liability, it is not necessary to hold the fault. Even if the defendant has not committed a fault, he will be held liable, and the damaging person can be released from liability only by resorting to force major (Hattab & Abed, 2021). This type of liability puts the victim in a position where he or she can easily claim compensation from the perpetrator.

**Strict liability (without fault):** In liability without fault, the damaging person is liable, even if he proves that he was not at fault or that the cause of the damage was the force major (Harpwood, 2009). If this type of liability is considered in the case of patients with COVID-19, people with the virus are responsible to others in any case and are obliged to compensate, even if an unpredictable event has caused the outbreak of the disease (Bermingham, 2009).

There are three basic pillars to fulfilling the civil liability of the spreaders of the coronavirus. These three pillars are loss entry, the harmful act, and the causal relationship.

Loss entry: "Loss" is the first pillar of civil liability, both contractual and non-contractual. (Harpwood, 2009;

Hattab & Abed, 2021). Without this pillar, liability litigation is meaningless (Elsan, 2020). The principle is that there is no harm (Yazdanian, 2016). The loss must be unjust, that is, it must be inflicted on the victim without the victim being entitled to bear such injury. Therefore, if the damage is caused to others due to the spread and transmission of COVID-19, the first pillar of civil liability should be considered realized. The tradition considers such damage unjustifiable.

**Harmful act:** If a person intentionally or unintentionally commits an act or omission that causes another to become ill and that person dies as a result of this illness or his illness inflicts damages on him, the perpetrator will be responsible for compensating (Elsan, 2020). Harmful acts include positive or negative acts. Therefore, omission due to non-observance of hygienic standards and protocols also comply with the second pillar of civil liability. (Birmingham, 2009). The harmful act can be the concealment of a disease (Bergkamp, 2020) that is, the patient who is aware of the transmission of the disease and its lethality, infects others by concealing it and being present among the people (Hattab & Abed, 2021).

**Causal relationship:** The mere transmission of the virus and the illness or death of the person receiving the virus also does not cause liability, because other factors may be involved in transmitting the virus (Birmingham, 2009). To realize the responsibility, it must be established that there is a causal relationship between loss and harmful acts. That is, the loss is caused by that act (Witting, 2015; Elsan, 2020). Therefore, it is important to note that the damage must be attributed to the virus transmission factor (Simae Sarraf, 2020; Sirleaf, 2018).

After establishing the pillars of civil liability, it should be noted that any damage caused by the spread of the coronavirus is not compensable. Only damages that are certain, direct, and predictable and are not caused by the laziness of the injured person can be compensated.

**Certainty:** The loss must be certain. The probable loss will not be claimable (Owen, 2000; Jourdain, 2015). The person claiming damages from the transmission of the virus must have suffered a certain loss (Lewis & Others, 2020). The benefits that are most likely to be realized, the elimination of those benefits brings responsibility.

**Directness:** Direct loss means loss that is related to a customary causal relationship with a harmful act. Therefore, if another loss arises from the reflection, the loss will be indirect (Owen, 2000; Birmingham, 2009). Thus, a person affected by an outbreak cannot claim that if he or she had not been hospitalized, he or she could have made a lucrative deal and made a huge profit. Because such damage is considered indirect and remote damage (Birmingham, 2009; Jourdain, 2015).

**Foreseeability:** The concept of predictability of loss is that things typically result from the commission of a harmful act that is typically expected (Harpwood, 2009; Owen, 2000; Berger & Behn, 2020; Lewis & Others). For example, for a person with a contagious disease, the need for treatment and the provision of health supplies are usually predictable (Elsan, 2020). However, it is not yet possible to say for sure what was predictable for the spreaders (Ruda, 2020).

**Due to action and laziness:** The victim who claims negligence or intentionality of people with the coronavirus and claims damages should try as much as possible to prevent damage (Ruda, 2020). Otherwise, the loss is due to his action and the loss cannot be attributed to the affected person. Therefore, the injured party must take the necessary measures to reduce or prevent damage (Harpwood, 2009).

The losses caused by the spread of the coronavirus comes in many forms. The loss may be physical, mental, or financial.

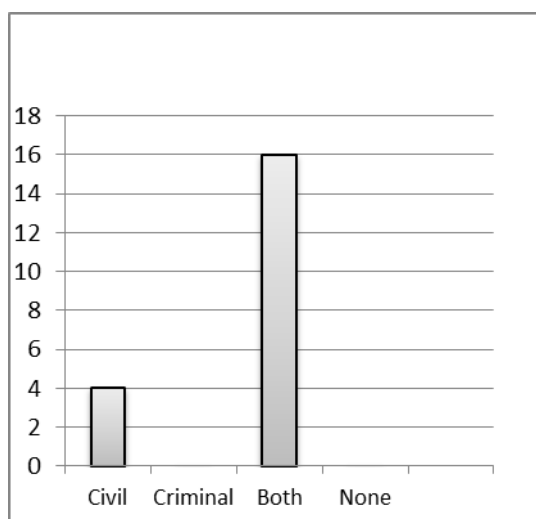
**Damage to the body of others:** It means damage to the human body (Cooke, 2009). For example, if a person becomes infected as a result of using a counterfeit corona drug or become infected with AIDS or other illnesses through the use of contaminated syringes (Lewis & Others, 2020). The death of a person is also a kind of loss of life. All these losses in civil liability due to transmission of the coronavirus can be compensated (Harpwood, 2009).

**Damage to the property of others:** Damage to the property of others means economic damage to property, interests, and property rights (Hattab & Abed, 2021). In other words, the damage that is usually assessable to money is called economic damage. The loss may be due to the loss of property or to the loss of the benefit derived from the performance of the obligation (Lewis & Others; Jourdain, 2015).

**Damage to the soul and psyche of others:** Damage to the soul and psyche in jurisprudence is called moral loss. Moral loss is damage to the prestige, reputation or emotions and feelings of individuals (Hattab & Abed, 2021). Violation of non-financial human rights and harm to the feelings of friendship, family, religion, and suffering caused by an accident is also moral damages, and these cases today can be a license to claim moral loss (Harpwood, 2009; Cooke, 2009; Safai, 2014). Although in general, the judicial procedure of Iranian law does not show much interest in compensating for moral damages, but in terms of legal grounds, there is no prohibition on such damages (Elsan, 2020).

After proving the responsibility of the corona spreaders, the courts must act to possible compensation for COVID-19 victims using legal means. The courts must, by legal means, order the possible compensation of the corona victims. The following methods can be used to compensate for the damage caused by the spread of the coronavirus.

**Restoration to the status quo ante:** It means compensating for the damage as if no damage had been done at all (Katouzian, 2012). Article 329 of the Civil Code stipulates in this regard: "if someone destroys someone's building, he should build it as before, and if that is not possible, he should be able to afford it." The above method is the best way to compensate for environmental damage. Examples of this method include cleaning up virus-infected buildings, repairing, and replacing items that cannot be reused due to contamination. Also, forcing a person with a virus to collect virus-contaminated waste dumped in nature is to restore nature to its original state. However, in some cases, it is impossible to return to the previous state (Elsan, 2020).



**Chart 1.** Consequences of non-compliance with health protocols by infected people

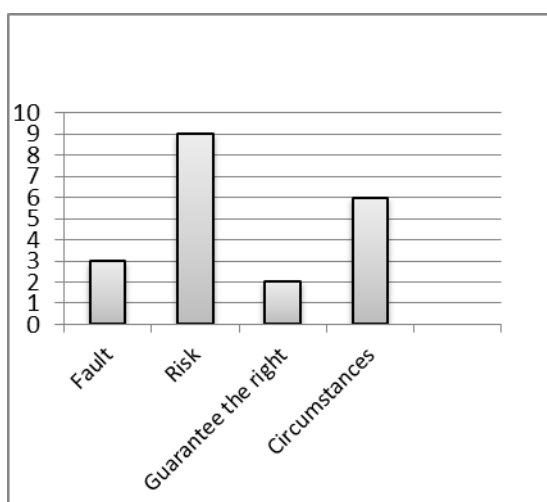
In the case of damage to the health of individuals such as incurable respiratory diseases caused by COVID-19, it is almost impossible to resort using this method. Where a person dumps solid waste into a village drinking water river, he or she may be required to remove it, but this is hardly possible where liquid waste is dumped in the water.

**Giving a parable or equivalent:** In some cases, it is not possible to restore the status quo ante. So the best way is to give the victim the equivalent of what he lost. For example, where the damaging person has infected other foodstuffs with a virus, the court can convict the perpetrator to deliver the same food (Katouzian, 2012). However, according to Article 3 of the Civil Liability Law, The court can determine the amount of the damage and the method and quality of its compensation according to the circumstances of the case.

**Pay money:** Cash payment is the most common and important method of compensation in civil liability. This method of compensation is considered by most courts

because of its ease of payment (Katouzian, 2004). In particular, most non-pecuniary losses (damage to the body, reputation, economic benefits and legal rights of individuals) are compensated in this way (Cooke, 2009). The advantage of this method over other methods is that it usually compensates for most of the damage done to patients with COVID-19. However, this method does not return the damage to the body and moral losses to the previous state.

**Interim injunction and prevent the spread of loss:** This method seems to be a suitable solution in environmental cases in which immediate action is needed. Therefore, where the court finds that the action of an individual or individuals endangers the public health of the community, to maintain public health, it must immediately prevent the spread of contamination by issuing an interim injunction (Dunn & Crutcher 2020). This is a preventative method and includes measures such as shutting down, repairing ventilation



**Chart 2.** The basis of civil liability for transmitters of the coronavirus

systems, or even destroying polluting places<sup>2</sup>. Generally, in the damages caused by the corona outbreak, it is not possible to write a single copy for all the damages, but in each case and according to the conditions of each case, the method of damages must be determined so that both the lost damages are compensated in a desirable way and the unnecessary and unconventional damages are not imposed on the perpetrator (Witting, 2015). To make the research realistic and feasible to compensate the loss to people with coronavirus in conducting research through a researcher-made questionnaire and using the criteria presented in Krejcie Morgan table, we referred to the Center Bar Association and inquired about the opinion of professors and lawyers working in the disciplinary court, who are the best lawyers in the country in the field of civil liability, which is described below. The majority of the study population, in response to the question of the consequences of non-compliance with health protocols by infected people, stated that carriers of the virus have both civil and criminal responsibilities. In other words, careless, reckless, negligent people and those who deliberately spread the coronavirus, in addition to being criminally prosecutable, must also legally compensate for the damage done to others (Cooke, 2009). None of the lawyers acquitted the person who spread the virus. This shows the importance of the issue in the opinion of lawyers (Chart 1).

In previous discussions, it has been argued that risk theory can better protect the rights of those affected by the coronavirus because according to risk theory, there is no need to prove the guilt of the spreaders of the coronavirus. If an infected person violates health protocols, he or she creates a dangerous environment around him or her that is responsible for him or her (Lewis & Others 2020; Sirleaf, 2018). In this regard, the jurists agreed with us. Few believed that the guilt of the person transmitting the disease should be proven by the victim in any case. Some also considered each case different from the others and believed that to establish the basis of the carriers' responsibility, each case was considered and commented on a specific and case-by-case basis (Chart 2 & 6).

According to the jurists of the Bar Association, the best jurisprudential rule that can complement the legal rules to compensate for the damage caused by the spread of corona is the causation rule. In jurisprudence, if the actions of one person cause harm to others through intermediaries, the causer is responsible. A small number also chose the rule of no harm as the basis for compensation (Chart 3).

Although Imami jurists have mentioned many rules as the basis of guarantee and civil liability, on the other hand, they believe that the coronavirus transmitters can absolve themselves of responsibility by resorting to some jurisprudential rules. In the survey, it was concluded that all three rules of warning, bona fide, and probable loss can help the victim in irresponsibility (Chart-4).

<sup>2</sup> According to Article 12 of the Law on Environmental Protection and Improvement, approved in 1974, the owners or officials of factories and workshops that cause environmental pollution: "The continuation of the said work or activity will be subject to the permission of the organization or the decision of the competent court ...»

As mentioned in previous discussions, compensation for all material, body and moral damage to members of society can be compensated (Jourdain, 2015). The opinion of the legal experts shown in chart 5 showed that this opinion was not wrong and that full compensation for the damages of the injured persons is reasonable and in line with our rights.

Although the crisis caused by the outbreak of coronavirus is a new phenomenon whose legal dimensions are not provided in the laws of the world, some countries have addressed the problem with the help of infectious disease laws and general civil liability rules (Sirleaf, 2018). Lawyers believe that in our country, although there are currently no separate laws to explain the legal and criminal liability of spreaders of the coronavirus, the current laws have the necessary capacity, especially to compensate for financial losses (Chart 7).

Regardless of the main issues of this article, the relevant questionnaire asked the lawyers in question about the role of the government and the people in the spread of the coronavirus. Lawyers believed that the government and government institutions had played a significant role in the spread of the virus. Therefore, the negligence of the government has been effective in the current situation. However, the people, in turn, made mistakes or neglected in controlling the disease and following the protocols. But in comparison, it was found that from the point of view of jurists, the role of the government and government institutions in the spread of COVID-19 was more than the people (Chart 8 and 9).

Finally, the important question arose as to how successful the governments of the world would be in compensating for the losses suffered by their citizens in the post-Corona era. Because this will be a major challenge for the future of the world (Bergkamp, 2020). Therefore, it must be determined whether international regulations have the necessary capacity and sufficient enforcement guarantees to obtain compensation from the countries and the spreaders of the coronavirus? The results of the questionnaire showed that the probability of obtaining compensation from the causing countries is low. Our field research also showed that people who specialize in the realization of the rights of the people find the international community incapable of condemning the perpetrators of this situation (Chart 10)

#### 4. Discussion

In this study, it was determined that the risks of the Covid-19 virus can be avoided. Responsible and irresponsible officials have adequately informed people of the dangers of COVID-19 disease, and people can prevent the spread of the virus by following the simplest hygiene principles (masks, hand washing, and social distance). Pollution of the environment, through the spread of the virus, is responsible. Although liability is primarily based on fault, the theory of risk and liability based on the presumption of fault is the best basis for compensating the victims of the coronavirus and helps the victim to prove a liability claim. The responsibility for compensating for the damage caused by the coronavirus not only with

the countries that cause the virus but also with all the infected people who intentionally or recklessly acted in this regard. Because in today's world, everyone must be held accountable for their actions and behavior. Previous research on infectious diseases has had a more medical approach, but the importance of this research is that it is documented in the opinion of legal experts and the results can be used as a practical example for the courts. The most important limitation in the subject of this research was the limitation due to the application of health protocols and the prohibition of traffic and the risks due to the outbreak of Covid-19.

## 5. Conclusions

In today's world, everyone should be held accountable for their actions and behavior. The responsibility for compensating for the human causes of the spread of the coronavirus not only with the countries that cause the virus but also with all the infected people who have intentionally or recklessly acted in this regard. Although in medical law, the main focus is on the sick and injured people, from the perspective of civil liability and environmental law, the sick and the infected people are not exempt from liability. Patients with contagious diseases are a great danger to other members of society. The liability for damages in this section covers all types of damages to others. A patient who is aware of his illness has more responsibilities and duties than an unaware patient. In principle, legal systems tend to justify liability based on fault. Admitting fault in civil liability is in line with legal logic. It may be dreamy and difficult for individuals with coronavirus to determine strict liability, and liability rights may not have the necessary capacity for this type of liability. However, since the human agent must take care of its behavior, determining the "presumption of fault" for coronavirus carriers is not far-fetched. The existing legal rules have the necessary capacity to compensate the people. The implementation of this issue requires a strong will from the relevant institutions, especially the judiciary.

Although the sudden outbreak of the virus came as a shock to the world, jurists in ancient countries believe that these damages can be compensated. Therefore, the courts must first use their legal authority to take the necessary measures to prevent the spread of the virus and Covid-19 disease, and finally to order compensation for the damage to individuals and the environment. The legal system must also help compensate for the damage caused by human pollution by employing the insurance industry and distributing liability. It is suggested that to facilitate compensation for the victims, the parliaments of the countries adopt new regulations to compensate the damages caused by emerging diseases such as Covid-19, or at least the courts with the opportunity to issue a verdict to compensate such damages with more ease by providing a proper interpretation of the existing laws. Currently, the most important and sad problem caused by the outbreak of the Corona virus is that many patients do not have the necessary ability to pay for their medical expenses. The cost of treatment for this disease is very high and many patients lose their lives due to financial difficulties. People who have a relative ability to pay for treatment also suffer

a lot of financial losses after getting rid of the disease. Imposing all costs on the perpetrator may also cause the perpetrator to suffer poverty. Although it is fair and equitable to impose losses on the perpetrator, modern law must find a solution to these problems. In the modern world, efforts are made to prevent the helplessness of the injured and damaging people by properly distributing responsibility. One of the progressive phenomena in the system of civil liability and distribution of responsibilities is the insurance industry. Civil liability insurance has been helping businesses for years. Civil liability insurance for contractors, lawyers, doctors, etc. are examples of this. This industry can also be used for contagious diseases. Given the poor economic situation in the country and the inability of most patients to pay for medical expenses, it is recommended that insurance companies dedicate a branch of civil liability insurance to compensating for the damage caused by the spread of the coronavirus. Insurance participation in the field of contagious diseases such as the corona virus can benefit the community in many ways. One of the most important benefits is compensation for the environmental damage caused by the spread of the coronavirus.

## Conflict of interest

The authors declare that they have no conflict of interest.

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