

Relation between Money Laundering and Corruption in the Land, in Jurisprudence and Law of Iran

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Abstract

Money laundering is a multi-stage process, the loop of connecting the informal economy (illegal) to the formal and legal economy. Money laundering has diverse legal effects in both domestic and international systems. Because most organized crime is committed to gain financial benefit, and given that the proceeds must be purified in a way, the proper treatment of money is actually a struggle against other organized crime, which is the phenomenon as Introduction, and some of them. The study of the phenomenon of money laundering in legal and jurisprudential sources and explaining its criminality is one of the important issues that has been addressed in this study, and the results indicate that money laundering is current from the legal point of view. Forbidden, and religious teachings from the very beginning, by forbidden to know the property derived from the forbidden act and the condemnation of forbiddingness, has sought to fight the usefulness of the crime. According to some jurists and lawyers, the concept of money laundering is one of the examples of corruption in the world. This research has been analyzed and criticized in a comparative way, and with emphasis on library study.

Key words: Money laundering, Jurisprudence, Iranian law, Organized crime, Haram verb, Corruption on earth

INTRODUCTION

The Concept and Nature of Money Laundering

Considering the various definitions of money laundering, it seems more or less compatible with the meaning of the term. Although the essence of the definition of money laundering is to carry out operations, to conceal the illegal source of property, in a way that takes a legal appearance. But the following two definitions are very important in terms of the way money laundering is linked to the informal economy:

- 1- Money laundering is a process in which offenders or organized groups have changed the roots and nature of the proceeds of crime by introducing them into the formal economy.
- 2- Money laundering is a polish to fill the gap, and connect the world of criminals with others.

In this process, financial, accounting, and legal instruments are used as a means to change the source, nature, form and ownership of illegal property. The recent definition from this perspective is that money laundering, the link between the legal and formal economy, is considered unofficial and illegal.

In order to complete the above definition, it should be noted that the informal economy (also referred to as shadow economy or parallel and underground), not only criminal operations, but also all illegal activities, including tax evasion, avoidance of payments Taxes, and unreported earnings, which include the sale of goods and legal services, in monetary transactions, other transactions, and intakes.

Obviously, people working in informal markets are trying to hide their operations from the government and legislators' perspective, which is why it is very difficult to estimate the size and extent of informal markets.

The Jurisprudential Explanation of the Corruption Crime

In jurisprudential texts, there are several cases of crimes that some jurists have taken to address corruption in the land. "Corruption on Earth" is:

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(A) Any practice that has caused widespread harmful effects, or, in other words, any practice that causes widespread corruption, such as the wide distribution of drugs, or the setting up of sites and networks of corruption and prostitution, at a widespread level. In such cases, the act of self-actualization must be the intention of the perpetrator's intent and intention to commit corruption, and the spiritual element is assumed to be assumed. Hence, the creation of large-scale networks of prostitution and drug trafficking would be based on all the motives for "corruption on earth."

(B) repetition of secrecy, and insistence on the commission of crimes and crimes, in spite of at least the implementation of the three stages of Enhancement, or the limit for the same crime. In this case, the repetition of the act and its insistence on completing the spiritual element is considered to be the attempt of the perpetrator, in the "eradication of corruption on earth", such as the repetition of the murder of the He is deaf and the slaves, the repetition of the grave's unpunished act.

(C) To take any action, with the intention of spreading the widespread corruption of the Islamic community, although in practice such an outcome will not be realized. Although such a case, according to some fatwa, including the fatwa of Imam Khomeini, is an example of "corruption on earth," it is difficult to accept this case as corruption, because in the customary realization of the title "Corruption on Earth", The external realization of a verb is necessary.

LEGAL CLARIFICATION OF MONEY LAUNDERING

Some people may think that the purpose of money laundering is to legitimize money illegally, for example, someone has taken someone's money, and the owner of the property will be satisfied. This is a good thing, but it does not mean money laundering; it is meant to bring dirty money from illegitimate sources into the process of transactions, bank transfers, and the like, and as assets Legitimate, in the exchange of the economy of society and the operations of individuals. Despite the fact that, since they have received money from illegitimate sources, and should be subject to legal and judicial proceedings, and confiscated, those contaminated moneys enter the system of legitimate property and society, and they are made as legitimate assets of society, and they act as legitimate and pure property. The purpose of money laundering is such practices. (Hashemi Shahroodi, 2003, p. 15)

The purpose of purifying property is to hide the main source of property, from crime, or to purge it, in such a way

that it is impossible or very difficult to find the main source of property. In this way, the result of money laundering, in other words, is the elimination of the criminal proceeds of crime propaganda, and in particular organized crime.

Money laundering is a mechanism through which illicit proceeds from organized illegal activities become legitimate. Money laundering mechanisms are mainly focused on organized crime, and are sought through international co-operation.

According to the definition unanimously adopted at the 64th IPCC General Assembly in Beijing, China: "Money laundering means any act or practice beginning to conceal or alter the unlawful nature of the proceeds In such a way that the origin of their education seems to be legal. "(Sadeghi, no data, p. 40)

It can be said that, for many years before, money laundering has had a history, and the following four steps are important in this process:

1. The real source of money will remain hidden.
2. The shape of the money will change, or it will be converted into another valuable item.
3. This process will go on secretly.
4. Keep dirty money from continuing protection.

And in most cases, money laundering is directly related to drug trafficking, and money laundering is interpreted as "the world's blood arsenal of narcotics."

The term money laundering is used to describe a process in which illicit funds and proceeds from criminal activities, such as drug trafficking, smuggling of weapons and goods, human trafficking, bribery, extortion, fraud, etc., in a cycle of Activities and transactions, and bypasses the stages, it is washed out and takes a legal appearance. In other words, the source and source of funds obtained illegally are concealed through a series of operations, and are shown as legal proceeds.

THE THREE-STAGE PROCESS OF MONEY LAUNDERING

The first step involves disconnecting any direct link between money and crime of origin,

The second step is to hide the rejection of money, to prevent its pursuit,

The third step is to bring the money back to the offender in such a way that the acquisition method and its geographical location are not detectable.

In other words, acquisition and geographical location cannot be detected. In other words, money laundering, or money laundering, can be criminal, large-scale, collective, continuous and long-term, which can exceed the political limits of a given country.

And easier to say: money laundering is a process through which large amounts of funds are obtained through illegal means (drug trafficking, terrorist activities, or other serious crimes), legal appearance and legitimacy. (Mirzavand, 2003, p. 37, p. 253)

THE REQUIREMENTS OF IRAN, BASED ON INTERNATIONAL DOCUMENTS

International instruments on combating money laundering have been formulated in such a way as to include a general agreement on the general principles of any anti-money laundering system, which is why countries are required to comply with the principles. However, this task is not to ignore the principles and the system of judicial rulings of the countries.

The requirement to observe international rules and regulations regarding money laundering is a twofold requirement. On the one hand, the FATF Recommendations, on the one hand, have been called upon in the first forty recommendations from the countries to consider the phenomenon of money laundering, based on the Vienna Conventions (which for the first time considered the use of the proceeds of drug crime as an independent crime), And the United Nations Convention against Transnational Organized Crime (approved in Palermo, Italy, in 2000, as evidenced by the Palermo Convention), and, according to the spirit and provisions of the two conventions mentioned above, to determine Punishment, and other rules. On the other hand, in recommending number one of the eighth special recommendations, all countries have been asked to take action against the United Nations Security Council, in addition to the resolutions and repressive conventions, and the prevention of the financing of terrorism, and to comply with UN Security Council Resolution 1994. However, FATF principles, albeit a recommendation, have been adopted by many countries and international institutions, and most importantly, the prerequisite for the implementation of United Nations Security Council Resolution 1994 Having the necessary rules regarding the crime of money laundering, which, in this regard, makes the Iranian government's commitment to the implementation of the principles mentioned above and other international instruments more serious in this regard. (Basel Statement, 1988) Financial Action Task Force,

Money Laundering, The Financial Action Task Force, and the Council of Europe Convention, The Copuncil of Europe.

MONEY LAUNDERING, IN IRANIAN LAW

Anti-Narcotics Law

Article 6 of the Counter Narcotics Law, adopted on 6/3/67, states: "The punishment for committing these crimes is, in paragraphs 1, 2, 3, 4, and 5, for the second time, one and a half times the punishment in question, in each clause for the third time, twice the amount prescribed in each clause, and in the next order, two and a half, three and a half, and., will be equal to the penalty in each clause, the punishment for a second time lasts, and then to a maximum of 74 beats Is.

In the above cases, if, as a result of repetition of the crime, the total amount of drugs reaches more than 5 kilograms, it will commit a corrupt decree on earth, and will be sentenced to death. The death sentence is enforced in the place of residence and in public. "

In article 9 of the same law, it was stated that "the punishment for committing the said offenses, in paragraphs 1-5 of article 8 for the second time, is one half of the punishment in each clause, and for the third time, against the amount stipulated in Each clause will have a punishment for whipping for the second, one half the punishment in each clause, and for the bartender twice the amount prescribed in each clause, the punishment for whipping for a second, then a maximum of 74 beats, in the fourth order, if the sum The drug, due to the repetition of up to thirty grams, is committing a corrupt decree on the earth. And sentenced to death. The death sentence will be carried out in public on expedition, in the place of life. If the sum of narcotics does not reach the thirty grams in the fourth order, it will be fined twenty to thirty million rials, ten to fifteen years in prison, with seventy-four lashes. "

As you can see, the legislator has considered the crime of corruption on the ground, according to the above-mentioned laws, an independent crime. However, in the amendment of 17/8/1997, the Counter Narcotics Act, the title "Territory Corruption" was removed from Article 6. But in Article 9 of the same law, the name of the corruptor on earth, was not removed from this article.

The Law of Aggravating the Punishment of Perpetrators of Bribery Embezzlement and Fraud

Article 4 of the Law on aggravating punishment of perpetrators of crime, embezzlement and fraud, approved on January 15, 1999:

“Those who engage in bribery, embezzlement and fraud in the formation or leadership of a multi-faceted network, in addition to seizing all movable and immovable property acquired through bribery, in favor of the state, and the extradition of the property in question Embezzlement and fraud, and, where applicable, to the state or individuals, shall be punished with a fine equivalent to the sum of those assets, and permanent separation from government services, and imprisonment for a period of fifteen years, and if they are the subject of corruption on earth Their punishment will be a corrupt punishment on the ground. “

In this article, it is stated that if these acts, the truth of the title of corruption on earth, will be a corruptor on the earth, therefore, the determination of the corruption in the land of the acts in question, in the matter, is left to the judge, However, the judge, according to what measure of the acts, does not know the nature of corruption in the land, is not specified. (Nanakar, p. 48)

Also, the mandate of the “corrupting instance on earth” is not the truth of the title of belligerence, because the elements and components of the crimes mentioned in the article are not similar to the elements of the crime of war. Therefore, the purpose of the municipality is that if the abovementioned financial crimes are committed in the broadest sense, and in order to cause disruption, in the Islamic government’s economic system, sedition and loosening the foundations of the system, such a person would be the subject of a corruptive title on earth., And he can be announced. (Same)

THE ECONOMIST DISRUPTIVE LAW

Articles 1 and 2 of the Penal Code of Economic Disruptors, as adopted on 19/9/1990, read as follows: Article 1- The commission of any of these acts is considered a crime in the following articles, and the perpetrators of the punishments are sentenced in this law.

- (A) Disturbing the monetary or foreign exchange system of the country through major smuggling of currency or counterfeit coins, or forging banknotes, or importing or distributing them, whether domestic or foreign, and the like.
- (B) Disturbing the distribution of public necessities, through the sale of large-scale supermarkets or other public necessities, and the major constraint of the requirements or requirements, and the pre-purchase of agricultural products, and other public goods, and the like, in order to create monopoly, Or shortage in their supply
- (C) Disruption of the country’s production system through the major misuse of unauthorized sale of technical

equipment and materials in the free market, or violation of its obligations, or major offense in the production or acquisition of production licenses, In cases that would disrupt the country’s production policies, and so on.

- (D) Any action taken to withdraw the cultural heritage, or national wealth, although not to be extracted, to be considered as smuggling, and all property deemed to be withdrawn from the country, shall be deemed to be the subject of trafficking and to the benefit of the State of Recording It turns out
- (E) The collection of large funds, in the form of accepting deposits of real or legal persons, under the name of Speculation, and the like, which causes the desirability of the property of the people, or disruptions to the economic system.
And (g) a gang operation, and an organization to disturb the country’s export system, however, such as fraud, depositing an exchange contract or paying it, and fraud in the pricing of export goods.
- (G) Establishment, acceptance of agency and recruitment in a firm, institution, company or group in order to earn income from the increase in members, in such a way that new members of the interest will attract other people, and the development of the chain or the human network will continue.

Note - The competent judge may, in order to determine the major or macro, or the abundance of the foregoing, in each of the foregoing paragraphs, in addition to the consideration of the amount of damages, and the amounts of the misuse, and the effects of the other corruption that it may entail Where relevant, the opinion of the relevant authority is also sought.

Note - The files filed before the adoption of this law are considered in accordance with the preceding rules. (Dated 14 January 2005, Official Gazette No. 17761 dated 25/11/2005)

Article 2. Each of the acts referred to in article 1, if intended to harm, the Islamic Republic of Iran system, or in order to deal with it, or with the knowledge of the effectiveness of the action, shall, in the event of corruption, be confronted with such a system. On the ground, he will be sentenced to death, otherwise he will be sentenced to five to 20 years’ imprisonment, and in the case of a court, he will be fined as a financial penalty for all property acquired by law.

In Article 2 of the Disruptive Economics Act, as it is seen, the legislator has only suffered, as corruption on earth, without defining the crime. It is not clear how the decision will be made about the implementation of the action carried out under this title.

The Penal Code of the Armed Forces

In several cases, the law of punishment for crimes committed by armed forces, approved on 9/10/2003, is considered as a warrior. And yet, the offenses do not have any specificity with the crime of belligerence. For example, Article 23 of the Act states: "Any system that serves the military or individuals who are somehow in the service of the armed forces." Coercion or incitement, escape or surrender or non-fulfillment of military duties, or facilitating escape, or concealing them with false knowledge, if they are in opposition to the enemy in order to overthrow the government or to defeat their forces. Punishable by belligerence, and otherwise be sentenced to three to fifteen years' imprisonment.

It is said that such an extension does not justify the concept of militants, unless we say:

A. The legislator has adhered to the jurists who consider "merely disturbing public security" as belligerence.

2- Or, we consider the perpetrators of these acts to be a corruptor of the earth. Among the two probabilities, the probability is, first of all, that it is still at war, because it threatens public security, with the argument that even if it intends to commit a confrontation with the system or the defeat of its own front, it is also a belligerence. Rejected.

Therefore, when a military person, using a weapon, destroys public security, and creates fear and terror, his action should be considered an example of belligerence. And also, if the act is committed with the intention of corrupting and disrupting the system, so that its practice is an example of "corruption on earth," the title is the act of corruption on earth.

In the aforementioned law, it is also possible to reopen an objection to the preceding rules, which, again, does not specify the criteria for the implementation of acts committed with corruption on the ground.

Islamic Penal Code

In the Code of Penalties and Penalties, adopted in 1981, Article 201 of the bill was set up to define the Corrupt Guardian Council on the ground.

Article 201 "Any person or group who, with attention and awareness, is practicing action that undermines the health of the Islamic society system in a part of the earth, is a corruptor on earth."

The Guardian Council made a statement on the proposed article on 6/6/1982.

Article 201 should be deleted and the necessary instances should be explicitly mentioned, such as the establishment of corruption and corruptive centers, and the like, of the supply and sale of narcotics, to the extent that it causes the corruption of society. "

As you can see, the definition given in Article 201 of the proposed bill to the Guardian Council is very simple and general. The Guardian Council seems to have removed it for the same reason, the broad and general nature of this bill, not because corruption in the land is not independent of the Belligerence, as the Guardian Council, in its continued opinion, the removal of the proposed article 201 states that instances of corruption on land are to be explicitly mentioned. Because it cannot be used in criminal matters, the judge considers the right to interpret the law in a criminal law. Contrary to private law, which legal texts are flexible, and civil judge, they use them as a means of deciding, solving issues and issuing judgments, in accordance with the needs of the day, as well as the changes in the social and economic situation, the sentence has not been given to the judge, with reference to the prohibition of the full interpretation of criminal law (Golduzian, p. 78), and as mentioned above. And probably one of the reasons for the rejection of the proposed article 201, by the Guardian Council, for the prohibition of comprehensive criminal law interpretation.

Thus, with the final passage of the law of 1982, corruption in the land remained unclear, and in the 1991 amendment, the definition of corruption on earth was not redefined by the legislature, but in the proposed law of Islamic punishment, the parliament in 2007, The crimes of corruption in the countryside are counted.

In Article 288 of the bill, it is stated that "anyone who commits a crime against internal and external security, disrupts the country's economic system, fire, destruction and assassination, the spread of poisonous, microbial, and hazardous substances To establish centers of corruption and prostitution in such a way as to cause severe disturbance in the general system of the country, or to cause insecurity and major damages, to the physical integrity of individuals, or to public and private property, or to promote the spread of prostitution to a large extent It is considered a corruptor in the land, and is punished by the punishment of belligerence. "

Penal Code Crossing Borders

In Article 1 of the Penal Code, the passers for unauthorized persons crossing the borders of the country, approved on 7/14/7, are as follows.

Article 1 "Facilitates or provides anyone else with unauthorized access to, or causes unauthorized access to,

the offender and will be sentenced to one of the following punishments.”

A. If the passer-by is disruptive to security, he will be sentenced to two to 10 years' imprisonment if he is not at fault and martyrdom.

In this article, what is the purpose of the authorities to use the title of “belligerence” and what is corruption on the ground, it seems that it is not the law of the belligerence, because human trafficking, which does not contain the weapon, is intended to create fear and terror. Dr. Hushang Shambiati also believes that the Islamic lawmaker has condemned some of the crimes for belligerence and corruption in the land, condemning the perpetrator to the punishment of belligerence, while some They are not consistent with the definition provided for the belligerence. After mentioning these points, he states that, although the legislator used the title “belligerence” and “corruption on earth,” it is by no means the specific elements of the crime of belligerence, and there is no corruption on earth in the crime, one of these cases, the law of punishing the passersby of unauthorized persons is beyond the borders of the country. (Shambiati, p. 55)

Therefore, in trafficking in human beings, traffickers' intentions are economic benefits, and the maximum weakening of the Islamic system, in which case the smuggling of young girls and boys, even adults, causes a great deal of corruption, commit a corrupt act on the ground.

The Law of Aggravating Punishment of Banknotes

In the single article, the law of aggravating punishments for banknotes, and importers, distributors and consumers of currencies, as adopted on January 29, 1989, is as follows.

“Anyone who falsely distributes, or uses fake, knowledge of falsehood, if he is a gang member, or intends to fight the Islamic Republic of Iran, he or she will be sentenced to death.” Gets

Also, the agent of the incident and the fact that a foreign currency is entering the country is condemned as a corruptor to death, unless he is a member of the gang, and does not intend to fight the system, and it is proven to be deceived in the court.

As it is seen, the legislator perceives the issue of the single article of the law of increasing the punishment of banknote punishment, a corruptor in the land, and considers the punishment of death for them.

From this, it appears that the legislator considers corruption on earth to be a crime against war. Firstly, in this article,

corruption in the land is not enclosed with the belligerence, and secondly, the elements and components of the offense (the crime of the subject of the single article of the law on the intensification of the punishment of the banknote), have nothing to do with the constituent elements of the offense There is no belligerence.

The Law on the Extension of the Punishment of Comptrollers and Expensive Sellers

Before addressing the question of whether, as a result, the speculators and the expensive sellers are corruptive to the land and condemned to death, it is necessary to consider the definition of these two titles (hoarding and hypermarket).

According to the Article 1 of the Law on the Extension of the Punishment for Executives and Expensive Persons, dated 23/1/1988, the Defender and the Expensive can be defined as follows:

- A) The obscure; the obscurant is the one who needs to collect and maintain the essential and essential requirements of the general public such as wheat, barley, raisin, etc., in order to increase the price.
- B) Expensive; Expensive seller is also the one who supplies the goods to more than the conventional rate, and in the case of goods distributed by the state, to provide more than the rate determined by the government.

Now, although we briefly outline the definition of the obscure and expensive, we now state the substances that are the subject of the above-mentioned law as a corruptor on Earth.

(A) Article 5: “Anyone who commits any of the following acts, having regard to the circumstances and circumstances of the offense, and the number and extent of the offense, and the grading for the first time, shall be punishable by a fine of two to five times, and for the second time, From 5 to 10 times the price of goods and services for violations, in this article, and for the third time, for non-guild members, 10 to 20 times the price of goods and services for violation, in the matter and in case of guilty parties, in addition to punishment of order Second, they will be sentenced to cancellation of the permit.

- 1. Selling artifacts, or products more expensive than the prescribed rate
- 2. Receiving a salary, or wage service, waiving on the amount required
- 3. A formal transaction, at an agreed rate, and applying arrangements that effectively result in more than the prescribed amount.
- 4. Use of poor quality materials, which, as a result of the quality of the goods, articles or products, or the value of the service, without lowering the price.
- 5. Delivering ordinary bread, with poor baked bread

6. Delivery of goods, less than weight or quantity to the customer
7. Unauthorized transfers of goods assigned to a city or region or a given population by the government to another city or area, or to other persons
8. The individual's refusal to supply and sell goods, or products or products, or services contrary to the regulations of the guild
9. Refusal of the person to give the invoice at the official price, or to issue the invoice

(B) Article 6, if the above acts, as a confrontation with the government, and commit the use of a belligerence, shall be punished.

As it is seen, the mandate of the perpetrator is that the perpetrator is a belligerence, it is not that a highly skeptical person has a gun and intends to intimidate the people. Therefore, the pillars and elements constituting the crime of belligerence are not related to the offense under Article 5 of the law of aggravation of punishment of the clerical, and expensive. Therefore, the purpose of the legislator is corruption. Because whenever it is expensive, and hoarding, in order to create a crisis, and to confront the Islamic system, and have wide-spread destabilizing effects. The practice is an instance of corruption on earth, and the perpetrator of the offense will be convicted. (By, p. 71)

Penal Code of Practitioners, in Audiovisual Matters

In the article of the Penal Code, which prohibits unauthorized activity in audiovisual matters, dated 16/10/2007, it states: "The factors of production, distribution, reproduction, and owners of unauthorized audiovisual works, such as the authorization of the activity The Ministry of Culture and Islamic Guidance, or without permission, according to the content of the case-by-case, in addition to the revocation of the license, will be sentenced to one of the following penalties:

The main factors for the proliferation and distribution of pornographic works of pornographic content are the first to one to three years of imprisonment, and the recording of related equipment, one hundred million (100 million) Rials of cash, and social exclusion for seven years, and in case of Repeat for two to five years' imprisonment, and the recording of related equipment and two hundred million (200,000,000) Rials of cash, and social exclusion, are sentenced to ten years. If the abovementioned factors, or the following individuals are known to be in the land of a corruptor, are punished.

1. Producers of pornographic and pornographic products
2. Manufacturers of pornographic works for sexual exploitation of others

3. The main factors of the rejection of the production of pornographic effects

Regarding the fact that the legislator in this article considers the corruption on earth to be an independent crime, there is no doubt about it; however, in this article, the legislator did not specify whether the act could be the subject of corruption on the ground.

However, despite the instances of corruption in the land, in Iran's law, the legislator did not define the definition of the crime in any of the materials mentioned above, and in some materials, without defining a criterion, an adaptation The action was taken by the perpetrator of the offense, the judge, as "corruption on earth." But the fact that these materials are mentioned is a crime against warfare is also not correct. Because the elements and elements mentioned for the offense of belligerence have nothing to do with the elements and elements of the crime, this seems to be the case, however, that the legislator did not intend to spell these materials so that corruption on a land independent of Belligerence is. Although there are differences between jurists and jurists in this regard, I refrain from recalling these materials. However, considering the proposed bill of materials of the Islamic Penal Code, it can be stated that, according to the above-mentioned bill, corruption in the land is independent of the Belligerence, although the proposed law of the Islamic Penal Code of 2007, in Article 1- 288, the definition of "belligerence" is the following: "Waging warrants is to carry weapons for the purpose of life or property, or honor or intimidation of people, in a way that causes insecurity, in that environment or path."

In this definition, the legislator has only addressed the definition of belligerence, and has not named a corruptor on earth, which, in fact, confirms that the legislator for belligerence and corruption on earth has two separate titles. In this regard, the article 10-288 of the bill may also be cited as some of the crimes considered as corruption on earth. Article 248-28 of the bill stipulates: "Everyone who commits a crime against internal security is widespread Or extermination, disturbing the country's economic system, burning, destroying and assassinating, distributing toxic and dangerous microbes and dangerous substances, setting up centers of corruption and prostitution, causing severe disturbance in the general system of the country, or causing insecurity and entry Major damage to the physical integrity of individuals or property in the public and private system, or to spread corruption and prostitution, to a large extent, to be a corruptor on earth, and to punish is condemned.

Note: Whenever the accused proves, the intention to disrupt the order and security of the society, or the major

damage loss, or the knowledge of the effectiveness of his actions, in these cases, is not a corruptor on earth.

As mentioned above, in the proposed Islamic Penal Code, Belligerence, and corruption in the land, two independent titles have been mentioned, but the objection is that the penalties that are specifically pervading the earth are not mentioned or cited, To the Islamic Penal Code. (Golduzian, p. 266)

Anti-Trafficking Law, Adopted on 28/04/2004

Article 3 of the said law states: (If the act of committing human trafficking) is one of the examples set forth in the Islamic Penal Code, in accordance with the penalties provided for in the abovementioned law, and in other cases, imprisonment from 2 to 10 years, and is punishable by a fine of two times the amount of funds or proceeds from the crime, or the funds and property promised by the victim or a third party.)

Note 1 to this article reads as follows: (If a trafficker is under 18 years of age, and the act of committing an act of belligerence, and corruption in the land, he shall commit the maximum penalty provided for in this article.)

In the above note, the objection to other materials could also be entered into, because in this note it is not clear at all that, if the act of the offender could be the case of belligerence and corruption on earth.

THE EFFECTS AND LOSSES OF MONEY LAUNDERING

The close link between the phenomenon of money laundering and criminal activity and its fundamental role in encouraging or facilitating criminal activity, and the provision of the possibility of continuity, or even the strengthening of organized crime, the need to identify and confront this phenomenon, And international resolve, to fight this dilemma, especially since the 1980s.

The success of the criminal organizations depends heavily on their ability to cleanse and rinse the proceeds of their crimes. The absence of a system to combat money laundering in one country, or delaying the establishment of such a system, or corruption, would strengthen the perpetrators, commit criminal offenses, and use mercenary revenues to expand the scope of criminal activities, corruption, and trafficking in narcotics., And illegal trafficking in human beings, and the exploitation of them, and smuggling of weapons and terrorism.

1. The Financial Action Task Force, FATF Money Laundering, affiliated with the Organization for

Economic Co-operation and Development of the OECD, lists the four major threats posed by the global money laundering problem:

2. A short struggle against money laundering makes it easier for criminals to profit from criminal or illegal activities.
3. The possibility of using the formal financial network by money launderers, the risk of corruption of financial institutions, and the entire financial sector of the national economy.
4. The accumulation of power and wealth by criminals and victim groups - with the possibility of money laundering - is a serious threat to national economies, and especially to democratic systems. In addition, based on the research findings of the International Monetary Fund IMF, and also on the basis of the report presented by the Director of the Fund in 1988, the diversion of macroeconomic analyzes and policies, the most important macroeconomic outcomes Economic money laundering. In a general summary, the harmful effects of the money laundering phenomenon can be contaminated, and the volatility of financial markets, which, as a result, is compromised by the political, economic and social foundations.

In other words, money laundering affects the socio-economic system, as this phenomenon will have a significant negative impact on free competition and the stability and health of the financial system. These works will be objective not only in the global financial markets, but also in emerging markets. In fact, any country that enters the international financial network is subject to the risk of money laundering. Some evidence suggests that the transfer of funds to markets with less discriminatory measures and the rules for the proceeds from criminal activities has increased, and investment in real assets and other economic activities by organized groups. The offender has grown in these markets. In other words, it will direct the efforts of responsible officials in the global financial markets to fight money laundering, money laundering and money laundering, towards new markets. Further investigation of some negative economic and social effects of the money laundering phenomenon, the importance of minimizing these negative outcomes, through strengthening the supervision of the financial sector, especially the banking network, the pursuit of tax evasion crimes, strengthening statistical reporting, and providing legal means. It is more and more obvious and inevitable that money laundering is to be combated.

While money laundering in any country may occur, and it has negative economic, political and social consequences, its negative effects, especially on developing countries, are more severe. Because these countries have small markets

and weak financial institutions, which, as a result of the criminal effects, become more chaotic and anxious, and their economies and security are at risk. According to statistics, about \$ 50 billion annually comes from poor countries, banks, banks and tax havens. Of course, this volume of money, if developed and developed in these countries, would have solved many of the problems of the people of these countries.

Therefore, the existence of an effective anti-money laundering system will reduce the rate of crime and corruption, and the stability of institutions and financial markets, and will have a positive effect on economic growth, and a sense of international reputation. And to further understand the necessity of having such a system, we will examine the effects and losses of this crime in various economic, political and social dimensions.

Economic Effects and Consequences

Money laundering is an economic crime, and criminals use tools and instruments of legal economy to cleanse their incomes, and their purpose is to bring their incomes into the formal and legal cycle of the economy. So obviously, money laundering has the most destructive effect on the economy. The concentration of power and capital in the hands of the perpetrators and the criminal groups, facilitated by money laundering, leads to the control of the economy, and the various economic sectors are guided by their goals and aspirations, and the changes They apply their opinion without paying attention to the general public.

As we said, the majority of money laundering operations go through the channel of the banking system and financial institutions, while the integration and continuity of the banking and financial services is heavily dependent on the likelihood that, in the general public's view, these institutions The framework has standards, ethical, professional and legal standards. "The reputation and reputation of reputation and purity is the most valuable asset of a financial institution," while "the public confidence in the banks, and the consequence of their stability, as a result of cooperation even with the bank's inadmissibility, with the perpetrators and the publication of such criminal acts, was questioned. Placed. In addition, banks may be at risk of being subjected to abuse and fraud. Whether this will be the result of a failure to identify unsuitable customers, or the accuracy of the work of the bank staffers, because of the connection with the financial criminals, is in doubt. "(Section 4: Declaration of the Wing Committee), the reputation of a financial institution, having suspicious relationships will keep them from being distracted. The prestige and credibility of even the largest banks, due to the disclosure of cooperation, is vulnerable to money laundering. The illegitimate and

unethical character of criminals and criminals also goes to banks, and the dirtier money gets cleaned up, the financial system becomes even more contaminated. "As it turns out, the economic and financial sectors of a country, under the control and influence of groups There is a criminal offense, foreign investment in that country is decreasing. Because "one of the components of economic security, for the investors, both domestic and foreign, to protect the rights of individuals, is any arbitrary offense. In other words, recognizing the ownership of individuals, and ensuring the implementation of contracts, is part of the basic principles of economic security. On the other hand, reducing the risk of investment, which is another component of economic security, will not be a path unless transparency and rule of law are taken. "(Ahad Bagherzadeh, 2003, p. 238), while money laundering constricts the face of the economy, and security Undermining the economy, jeopardizing the capital, and, as a result, the escaping of capital.

The weakening of the private sector

One of the important economic effects of money laundering is in the private sector. The money launderers, with the aim of concealing the proceeds from their illegal activities, use the leading companies to mix the proceeds with legal funds. For example, in some countries, pizza shops are used to cover the proceeds from drug trafficking. These companies actually have significant non-taxable funds that will help them deliver their products and services at a price below the market price level.

Sometimes, these companies can supply their products at a lower cost than production costs. Accordingly, these companies are more competitive than law firms that provide their capital from financial markets. This makes it very difficult for firms to compete, and it drives them away from corporations and criminal organizations, from the market and undermining the private sector in the economy.

Undoubtedly, the guiding principles of these offshore companies are not compatible with the principles of a free market economy in terms of economic activity, and this has a more negative effect on the economy of society at the macro level.

The weakening of the integrity and integrity of financial markets

Financial institutions rely on the proceeds of criminal activity to face up to more problems and manage their assets properly, fulfill their obligations promptly, and deal with their operations. For example, a large amount of money aimed at money laundering enters the financial institution, but suddenly and without notice and warning, the non-market agents, such as legal measures, leave

the institution. This may create problems in the field of liquidity and executive matters in banks.

Decrease in government control over economic policies

According to estimates, global money laundering amounts to between 2% and 5% of the world's gross domestic product, and in some of the developing countries, these illegal revenues may outweigh the size of the state budget and, as a result, and reduce economic policy. Indeed, it sometimes puts a lot of accumulated assets, based on money laundering, markets, or even small economies.

Because money launderers invest their funds in a place where the probability of discovering it is less than that where it is more productive, money laundering will have a reverse effect on the exchange rate and interest rate. In other words, money laundering increases the risk of instability caused by the misallocation of resources, which is itself a result of artificial and unrealistic activities.

In summary, money laundering and other financial crimes may lead to major and unjustifiable changes in demand for money and extreme fluctuations in capital flows, exchange rates, and interest rates. The unpredictable nature of money laundering, with the reduction of government control, faces difficult economic policies, the achievement of sound and efficient economic policies.

Disturbance and instability in the economy

Money laundering individuals are not seeking economic benefits in pursuing the benefits of investing their illegal funds, but their goal is to maintain the principle of the proceeds and benefits. Therefore, they do not invest in their activities that are profitable for the country where the funds are located. In addition, money laundering, which leads to the flow of funds from healthy investments, leads to lower quality investments, which are detrimental to economic growth. For example, in some countries, the aforementioned funds have come to investment in areas such as building, hotel accommodation, etc., but this orientation of funds has not been due to real demand, but the short-term benefits of money launderers. And as soon as the aforementioned sectors lose their value to money-losing money, they will withdraw their capital from those sectors, and this will seriously damage the sectors and the economy as a whole.

Decrease in government revenue

Another harmful effect of money laundering is the decline in government revenues, which indirectly hurts those who pay their taxes honestly. In addition, money laundering faces tax collection.

Create barriers to privatization

The phenomenon of money laundering makes it difficult for countries to implement economic reforms through privatization. Although privatization has significant economic benefits, it can be used as a tool for money laundering. Criminal organizations have more financial means to buy state-owned corporations. In fact, they can, by buying companies and institutions of their choice, such as banks, to use them to hide the proceeds from criminal activities, as well as to expand illegal activities.

Credit risk

No country is willing to lose its credibility, and its financial institutions, by cooperating in money laundering, especially in the current context of the global economy. Money laundering and other financial crimes, such as market manipulation, deal with securities, using confidential information, embezzlement, the role of attracting profits and trust and confidence in the market. Reducing credit by doing these activities will reduce the opportunities for global growth and sustainability, and will lead to the growth of criminal organizations with short-term goals.

In addition, if it is compromised by the country's financial credibility, regaining of credit is very difficult, and it requires considerable resources, while it can be avoided through tackling money laundering and its proper control of such problems, Prevented.

Social and Political Impacts

Money laundering, as stated above, is carried out by transnational criminal organizations, which may even employ hundreds of people around the world who, in many countries, try to rank among high-ranking officials, and Whether in their own country or in the country where they work, through different means, in order to attract the attention of politicians, representatives of the world's parliaments, or those who are influential in the police forces. Or encourage them to formulate appropriate laws that facilitate their work. And the most commonly used means of committing to this goal are bribery and financial penetration. Therefore, the first negative effect money laundering can have on corruption and corruption and corruption.

Worldwide, there are a lot of real stories from the co-operation of the administrative and political papers of countries with criminal organizations and groups, among them the example of Mexico:

In Mexico, between 14-11 cartels for smuggling are in addition to smaller cartels, of which more than 4 cartels are more important, and have links to the Mexican ruling system and active cartels in Cambias and Peru, and

there are reports of their contacts with senior officials such as President-in-Office, Salinas, and the Minister of Communications and Transportation, as well as macro-financial assistance in the election. “The statistics gathered in Mexico show that, in the election of Ernesto Zedillo, as president of Mexico in 1994, the amount of 25.4 billion pesos was \$ 1.25 billion, which in this regard was a major contribution. The famous Carl Carl, who, along with Cartel Madeleine, has been the first to smuggle drugs across the globe. (Mirmohammad Sadeghi, pp. 270-269)

Italy’s judiciary, in the fight against the Mafia in the “hands of the hands” campaign, which was carried out against the administrative corruption of the country’s political class, noticed the many splits that exist between the criminals and Italian political leaders. In 1985, Italy requested the surrender of a French finance specialist to Italy, arrested in Geneva due to the recovery of money from an illicit drug trade in the Turkish mafia. With the intervention of Italy’s Italian president Batino Croixi, the individual was released, and the reasons and documents were never presented to condemn him. (Bertouse, pp. 90-89)

If we look at the list of world-famous money laundering people, such as Raul Salinas, brother of the former Mexican president, former Philippine dictator Ferdinand Marcos, senior executives of the Kurdit Bank of Switzerland, former secretary of justice of the Swiss Confederation, Elizabeth Kap, Mobutu Seseko, We see that the former dictator Zaire and former President Alan Garcia, the Sokarno family in Indonesia, Ali Zardari, former Pakistani Prime Minister Benazir Bhutto, and some members of the European Commission and. (Devani, p. 67) And cooperation between criminal organizations, and politicians and government officials Shows the countries better.

This state’s relationship with drug traffickers is such that, in some cases, states are completely and clearly exposed to traffickers, and traffickers have publicly penetrated government decision-making centers. The typical example of these countries is the Burmese government, in which the proceeds from the sale of opium constitute one of the sources of total income in the country. Or Pakistan, the world’s second-largest heroin producer, according to some reports, total \$ 7.2 billion in exports of drugs are related. (Abrar newspaper, 1997/7/20), of course, the connection of some other countries with the criminal organizations is not so clear. For example, in Colombia, for many years, intelligence inside the government came to Pablo Escobar, leader of the Cartel Médéin, and for this reason, the organization was able to hide its organization for a long time. The Bank for International Trade and Credit also, in many of the 73 countries in which it was active, paid bribes and bribes, and bought government officials to prevent

governments from acting against the bank. The bank has systematically guaranteed the reserves of the central banks of the Third World, and its political figures.

The perpetrators, in an organized manner, penetrate the monetary and banking networks and control the economic power of governments, gradually weakening the government’s economic gains, which, by failing to make productive labor and not paying taxes, secure the country and authority Political, economic, state and national sovereignty, especially in developing countries. “When the annual budget of many of the poorest countries in the world is much lower than the annual income of some of the world’s drug organizations, there is no doubt that such organizations can play an important role in imposing their own wishes on the fate of those countries, or Even if they are to hire dirty politicians, government agents, judges, police officers, and tax agents, they will be blamed for money. “(Mir Mohammad Sadeghi, p. 331)

Money laundering is a major factor in political instability, and the internal turmoil in many countries. Because a large amount of their revenues is spent on supporting the movements of insurgents and terrorists. Moreover, today, in many rifts and riots, and coups in African countries, there are traces of organized criminals, especially diamonds smugglers.

Thus, organized crime, directly afflicted with democratic regimes, and societies and regimes that are in transition, are damaging democracy. They control the key responsibilities amongst the officials through their elements, among lawmakers who are responsible for drafting and drafting laws, and thus question the rule of law and the legitimacy of democratic sovereignty. Their presence and influence among the government, the strength and political stability of the government, because they merely consider their criminal and illegitimate interests and do not concern public interests.

In international affairs, money laundering is also causing the poor reputation and infamy of the countries. The reputation of a country as a paradise for money laundering may lead to serious consequences for its growth. Under the influence of the recommendations of “Fatov”, foreign financial institutions, in their dealings with the financial institutions of countries that have been introduced as “money launderers” paradigms by “Fatov”, they have imposed restrictions on such transactions, which This imposes costs on financial institutions, and weakens their incentive to deal with such firms.

The social, human and cultural affairs of money laundering are also important. The most important effect of money

laundering in society is that the success of the money laundering operation makes the criminal acts profitable, which encourages criminals to commit crimes. Therefore, the more a country has more facilities for money laundering, and the system for fighting corruption is weak, or some financial institutions, including this system, and the so-called paradise of money laundering, have more criminals, It attracts to itself, and as a result of crime and violence, insecurity, drug trafficking and prostitution, and subsequently the spread of AIDS in the community, all have a direct and undeniable impact on the lives of individuals and It has quality.

International criminal groups, in each country that infects women and children to prostitution, and to expand the drug market, addiction is spreading among people. The spread of prostitution, even among children and adolescents, and the promotion of addiction among young people, will have undeniable ethical implications. Hundreds of thousands of women, men, and children are illegally trafficked around the world every year, and then they are forced to commit all kinds of crimes.

These issues impose many social and material costs on governments to fight and control crimes, and to mitigate its effects, and the government's spending on this issue, due to the need for the elaboration and implementation of the law, the establishment of courts and the judiciary, to this Crimes, bank charges against money laundering, criminal charges and prisons, and more for health care, such as the treatment of drug addicts, creating a safe environment for the country's borders, and more.

In addition to the above, it is said in the scientific sources and the theoretical foundations of the economy (Marzban, p. 37, p. 245). If a country with the influx of money launderers is in a widespread dimension, it will suffer damage in the following cases:

- A) Sudden changes in the demand for domestic money; assuming that demand for money can also affect the supply of money. We should expect widespread instability in the money market of the country.
- B) Executive dangers, for the survival of financial institutions and the overall financial system.
- C) Infecting legal transactions and increasing volatility in the entry and exit of capital from the country, especially if these fluctuations are short-lived, and the medium is volatile.
- D) Unreasonable fluctuations in the exchange rate, following the arrival and departure of capital from the country, the exchange rate in the market may be unstable, especially if the volume of transactions that are carried out for money laundering is high.
- E) To restrict the presence of foreign direct investment

in the country, if the commercial and financial system of the country is known to be dominated by criminal gangs.

OTHER DESTRUCTIVE EFFECTS OF MONEY LAUNDERING

1. Money laundries (illegally sourced), which are geographically outside the country and enter the country for money laundering interactions), causes a change in the volume of liquidity, and provides for its expansion. Given that it is very unlikely that money laundering will be used in productive and productive investments, hence the higher rate of liquidity growth, the required bed and capacity for inflationary pressures, and the increase in the rate Inflation occurs in these countries.
2. Funds, assets and assets that originate from illegal and illegitimate activities have a great tendency to return to their initial activities. For this reason, these funds and assets, after a while, travel and travel in various markets (formal and informal, structured and non-formal), aimed at money laundering, based on the same tendency to return to initial activities (and Also, the mental attribute) are re-spent only on financing the types of previous or former illegal activities. In this way, they continue to add to the corruption and pollution of the country's economy. Naturally, the widespread areas of corruption, and pollution, increase the costs of discovery, control and fight against corruption from the judicial, penal, and criminal aspects of the state.
3. This process will increase government spending, such as the cost of creating a secure space, for the borders of the country (especially those countries that are widespread and vast, with very long borders with their neighbors), as well as government spending on combating Drug trafficking, the cost of combating the harmful and destructive effects of narcotics, government expenditures on the rehabilitation and treatment of drug addicts, government costs, the courts and the courts dealing with these crimes, bank and administrative costs of dealing with money laundering, costs related to Criminal aspects and prisons and. from the boiler Government spending is considered in this regard. Government spending on combating money laundering and its consequences do not end there, because the costs of compensatory decisions should not be discounted as well, because the costs of compensatory decisions should not be ignored; Because money laundering will cause a collapse in market equilibrium, in terms of prices, inflation rates, interest rates, and unjustified changes in the supply and demand of money, financial

markets, and so on. In this case, the government's compensatory decisions on accepting our grant to the difference in interest rates on bank facilities, subsidies, guaranteed prices, employment costs (in the face of the collapse of competition between institutions with legal financial resources and institutions that provide funding) Financial resources due to money laundering and, consequently, the exclusion of primary enterprises from the realm of production), increasing unemployment insurance, etc. are also among those compensatory decisions that add to the size of government expenditures in the process of money laundering.

Some of the money laundering processes cause a change in interest rates due to false symptoms (including the market of goods and services, the money market, the capital market, etc.), and money launders after learning their own interests In terms of the special nature of fluidity, they are excluded from these markets, while they have left their destructive effects in this area.

In short, even if there is an incorrect assumption that money laundering does not have any harmful effects on the economy (which is by no means the case), we must admit that fighting off criminal activities and actions is definitely among the undeniable tasks Governments, because the establishment of judicial, law enforcement and legal security is among the functions of the government's sovereignty.

Of course, most importantly, in the Muslim countries, and especially our country, "Iran", which, in their ideology, is not prohibited by law and property, should not be mixed with the property and assets of the law, and from the healthy economic activities, regardless of the non-Shari'a is a mixture of halal and haram assets, money laundering has a negative social, political, moral, and economic repercussions, especially in the laws and regulations of our country, derived from the Quran and Islamic law, such assets and They do not accept contaminated property, which has a non-legitimate source, and in our culture has a moral blessing, also socially. Illegal (money laundering) which, to conceal the crimes happened is done, and indecent and obscene because of the community's cycle leads to corruption, and draws many people to the crimes. (Tasdighi, p. 37, p. 220)

MONEY LAUNDERING AND CORRUPTION ON THE GROUND

Some people are of the opinion that verse 33 of Maedeh Sura is established. This view is based on the verse 32 of

Surah Maedeh, which God says: "The punishment of those who rise to war with God and the Prophet, and try to corrupt the land, is not to kill them, or to They are dying, or their hands and feet are offended, or they are diverted to negation and exile from the land (righteous). This is the humiliation of their worldly punishment, but in the hereafter they will suffer great grievances; it is more acceptable, because the recent verse is in the statement of the murder for a corruptor on earth. Therefore, belligerence and corruption in the land are two separate titles, and belligerence is an example of corruption on earth. But in Belligerence, due to a specific type of militant action, which is in fact the ultimate example of corruption on earth, its punishment is determined in accordance with verse 33.

Therefore, there are other types of corruption in the earth that are out of war against the warrior, because the turning point in the verse indicates that there is a conflict with the opposite, but because the corruptive punishment in the preceding verse It is stated that Belligerence is a kind of corruption on earth. As it is mentioned in the texts of interpretation, in the meaning of (corruption in the earth) that the term "shirk" or "adjournment" or "adultery", and the like is one of the causes and causes of murder, the jurists are not confined to mobbing of corruption in the earth. In addition to the above, they used the title "Corrupter on the Ground" in regard to kidnappings, burglar robberies, the acquisition of property through fake message, the burning of another home, the use of addiction to killing of Exhaustion and Slaves. (Habibzadeh, pp. 64-63)

Ayatollah Makarem Shirazi, in his new essay, considered corruption on earth and belligerence not two synonymous terms, but considered the two differently. (Makaram Shirazi, 2, p. 499. Question 1443)

Feyz Kashani, in his commentary on "Belligerence" and "corruption on earth," has two separate titles. Although he did not mention corruption in the verse 33 of Maedeh sura, but in verse 32 of Maedeh Sura, he interrupts the way, which is an example of belligerence. Separated and considered them two titles. (Feyz Kashani, v. 1, p. 438)

Mahdi Nanakar believe that corruption in the land and the belligerence are two distinct titles, and in the verse 33 of the Sura of Maedeh, there is an indication of contradiction with the opposite, that is, the verse is established, No emphasis, but the title of corruptor, has been mentioned in the preceding verse and its punishment, completely in conjunction with Belligerence, is mentioned in the following verse, and it is stated that the belligerence itself is a kind of corruption on earth, in other words a clear and perfect example It is. (Nanakar, p. 88)

In contrast, others believe that in the aforementioned verse only the title of belligerence has been raised, and the phrase “They seek corruption in the land” is also an emphasis, and it is believed that (vav), between the words “war The “petitioners” and “tributaries” are of a kind of turning point, and the words are link, and by that they are related to each other, and this implies the sum of them, in the sense that the realization of the crime in question requires that Belligerence happens to be happening, and corruption is on the ground, and while, if the intention and motive of the sentence were two titles, the word “Who “ should be repeated again. In other words, the group believes that belligerence is any kind of corruption that is created on the earth, that is, to create a disruption to the security of the society, through fears that are not primarily committed by the use of weapons and threats and murder. (Habibzadeh, p. 61), Imam Khomeini (ra) also Tahrirolvasileh, he believes that it is permissible to punish the four (Belligerence) punishments, if the belligerence has been committed on the basis of corruption. In other words, in order to punish the people of war, it is a condition for the perpetrator, in addition to the intention to use the weapon, in order to scare people into the cause of corruption on earth. (Imam Khomeini (RA), vol. 4, p. 239), in the interpretation of the exemplary scholar of Ayatollah Makarem Shirazi, it is believed that the belligerence and corruption in the land are not two separate titles, and the verse of the 33 surah Maedeh is specially for the belligerence, And corruption on earth is not a separate title. (Makarem Shirazi, vol. 4, p. 359), Dr. Mohammad Bistouni, is also believed in the young commentary, with the great Ayatullah Makarem Shirazi. (Bostoni, vol. 1, pp. 879-878). Among jurists, Dr. Shambati also believes that the offense of “belligerence” and “corruption on earth” are not two distinct titles, but for the purpose of punishment, Article 183 AH. M.A. (derived from verse 33 of Maedeh Sura), corruption must occur on the earth, and the belligerence, in other words, belligerence and corruption, each one is a part of the cause, and the four punishments are causal, therefore, the category They are causative. One component, without any other component, cannot be punished, but only when there is a combination of belligerence and corruption, there will be punishment for it, which is the cause. (Shambati, pp. 44-43).

CONCLUSION

Research shows that in the second half of the 20th century, individual crimes have shifted towards organized crime, and since this shift has brought the world, especially Western societies, to new risks, so the concern about the absence of effective laws, To combat organized crime, and to wash off the proceeds from crime, in particular the proceeds from drug trafficking, and psychotropic drugs, has led

to the fight against money laundering as an independent crime, in addition to crimes of origin. One of the main reasons for this is the concern about the spread of drugs in Western societies, while others are aware of the benefits of drug trafficking. For this reason, they have sought to legislate to deprive smugglers of the proceeds from the crime of smuggling. But they soon realized that not only the fight against smuggling was not merely internal, and this struggle should be carried out in cooperation with other countries of the world, but in addition to the proceeds from drug trafficking, the proceeds from other crimes, such as extortion, Bribery, fraud and financial corruption, and, in essence, any crime based on the study of profits. A number of international efforts have been made to combat money laundering, with the result that several treaties and laws have been adopted, which, in addition to the items stipulated in this article, include the European Community Treaties, the World Bank's actions and the International Monetary Fund and others.

However, unfortunately, in our country, due to the unknowns of the works, and the outcome of the money laundering process, there has been no significant action in the economy to deal with money laundering, and for reasons beyond that of ignorance, its nature, the dominant thinking in the country is that money laundering continues to be the source of crime, and, in essence, post-crime acts are considered to be the source of continuing crime. From the point of view of some experts in our country, “money laundering” is a crime without sacrifice, while the global and regional approach is different. Today, in most developed countries, and even in the Gulf states, tracing of drug trafficking and other serious crimes are preceded by physical control.

On the other hand, the knowledge of the developed countries, from the effects of money laundering, and the drafting of the necessary laws and regulations in this regard, has led the proceeds from crime to lead to countries that lack the mechanisms of the supervisory system and anti-money laundering laws., And undoubtedly creates a lot of problems for them. Hence, the first step in tackling this problem is to have proper laws and regulations, and the precondition for having such laws, in addition to carefully examining the different areas of underground economy, to look carefully at the documents, and international treaties, and The FATF is forty fortresses. Because the suggestions are recognized by many international institutions, and because they have the necessary flexibility, and refused to enter into details, the acceptance of the above recommendations, which is lacking in complexity and difficulty, is feasible, provided that a certain will Political, for its realization in the country.

Corruption in the land is one of the crimes that has come from Islamic jurisprudence and verse 33 of Sura Maedah. Being on this title, along with Belligerence, creates this doubt among elders, who do not have a crime called Independent of Corruption on Earth. The Iranian legislator, citing instances of corruption in the land, regards this crime as an independent crime against belligerence. These include the Economics of Disruptive Economics, the Counter Narcotics Law, the Law on the Extension of Penalties for Bills, the Law on the Extension of the Penalties of Clerks and Sellers, the Penal Code of the Workers, in Audiovisual Affairs, the Penal Code of Crossing Borders, the Penal Code Islamic law, Penal Code for crimes committed by armed forces, the law on aggravating punishment of perpetrators of bribery, embezzlement and fraud, and the law against human trafficking.

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