Reviewing elements involved in criminal property and money laundering

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Abstract

Economic crime is one of the major injuries that threaten the country's economic security. This is particularly in countries with economic rent is a clear dimensions. Economic crimes have been linked with a string of other crimes; crimes such as bribery, laundering proceeds of crime or money laundering, Forging customs and tax declarations and in the case of organized disruption of economic system which in turn powers a lot of national interests and social capital is destroyed. Windfalls, to disassemble economic balance, Capital flight and to bash program managers and administrators to monitor the health and economic security and... Common to all types of economic crimes. That is why all over the world, governments seek to identify the real causes of economic crime to the regulations in this field, to support economic order and security arise.

The research method as well as a library of descriptive analysis and the information was collected.

The results show that the Iranian legal system, there is still a special court for economic crimes. On the other hand, although most of the preliminary investigation of economic offenses of Justice is responsible for enforcement, However, there is no consistency in the field and this is done by different institutions, whereby the dispersion of many observed and even some institutions legally judiciary liaisons are not.

Keywords: Intervention, Criminal property, Money laundering, Prevention, Punishment.
Introduction:
"Economic crime can be considered as new forms of crime" Some of delinquency "reverse criminology" Because the traditional forensic criminology theories into negative thing which will not be considered. Although the mid-twentieth century the issue of economic crime, beginning with Sutherland's theory white collar offenders into the institution, but with the passage of time and the expansion of its dimensions has been causing global concern, Led the international community since the early 1990s, with the approval of most of their efforts focused on the different conventions and the importance of combating remind it to the state. The most effective way to deal with this relatively new phenomenon, primary precautions.

Problem Statement: Cabinet to intervene in criminal property and money laundering
The famous theory of criminal law is that each and every crime requires three fundamental pillars these include legal element, element material and moral evidence, Some of the provisions of any of these three pillars is generic and not specific to a particular crime such as how to interpret the law and law enforcement related to the element of time and space law, all crimes or on the basis of the material discussed is how to intervene in how crime and what is the mass start. The provisions of the Basic Criminal Law Review, but some provisions are assigned to specific crimes, For example, hiding the theft and fraudulent scams features of these offenses that criminal law will be discussed in private.

On the legal basis of the rules will be discussed in the case of property crime is adopted. The material component of certain provisions in the law for this element is expressed will be examined and the spiritual pillar of a more serious investigation, especially given the general and specific intent requirement. In this area because there are many differences. What is more important in criminal law specific material element of the crime that is the criterion for distinguishing crimes and even some spiritual pillar of the legal element of the crime and what does it really do not know as anticipate crime provided in the law and its introduction is not involved in other crimes. The spiritual element is also related to crime and crime have no place in the body. But we'll see in the next issues of moral evidence in this crime an important role, so the spiritual pillar also be studied more extensively.

1-1 The legal basis
The crimes as ordinary crimes may be injurious to the public but if you are committed on a large scale or occur with the intention of confronting the regime also endanger state security and even dangerous for the more serious aspects of the risk that creates for people. Accordingly, all institutions, policies and regulations with respect to this crime efforts Including the Supreme Leader that on 15/ 12/1982 eight-point command and in May 2001 issued a decree to fight economic corruption And the Expediency Council on 1/3/1997 general policies of the Plan, and numerous resolutions adopted in the context of these crimes The government suspended such Law and the Law on Narcotics and... Council and the legislature also adopted numerous laws as has
been the executive branch to implement many laws passed.

1-1-1 sources

Today, the economy is not limited to commercial activities among businessmen and local entrepreneurs but also various communications easier between people and governments, particularly the globalization of the international economy; it is given. As the only domestic legal sources not constitute legal element of the crime but also international regulations awful lot in this area.

1-1-1 1 - Internal rules

Among the laws with a special law entitled "Law on Economic Crimes" does not exist and also separate chapter of the Penal Code does not intervene in criminal property. Some financial crimes such as usury, bribery, fraud, bankruptcy and illegal possession of government property, the law is predicted. However, other laws have been passed in some instances intervention sentences in criminal property states. Penal Code spoiler’s economic system adopted in 1369 in one of the most important rules relating to intervene in criminal property the main purpose of this law is to support the government's economic policies. In the criminal law, such as bribery and embezzlement refers to some intervention in the property that if the intention is to deal with system As "enmity" finds though is referred to as "waging war" to intervene in criminal property rights of religious criteria and not without its drawbacks.

The law approved by the 1382 Act of Union about violations of trade is another important and in line with the policy adopted decriminalization and diversion and many government suspended the authority of the organization the Board of first instance and appeal put trade violations. The government suspended the implementation of the law has been suspended state currently only state in the union violations in the field of health care and violations of private trade procedures stipulated in the Law guild system will be addressed.

The implementation of Article 49 of the constitution is another rule that refers to some instances of interference in property crime such as hoarding, profiteering and smuggling that if the intention is to deal with military enmity against God and corruption on earth and in the wake of the death penalty. Article 14 of this law somehow cleansed property crime is considered a crime: "Any transfer of property provided for in Article 49 in order to escape the provisions of the Act after proof is null and void. The transferee and the transferor to punish the guilty of fraud will be informed. “Article 5 of the Directive, this law has emphasized that adequate care be taken to lawful property of persons with forbidden property, not mix. Article 49 of the constitution is illegitimate on the property which may be acquired by criminal means and in this case Article 49 of the constitution that branches of revolutionary courts are courts to handle crimes.

Punishment law violation of their right to influence legislation and regulations in 1315 also implicitly referring to some criminal is interference in property means of obtaining cash or benefits from others because of their influence with government officials.
Miscellaneous other laws that refers to some of the examples of these crimes include: E-commerce Law, Law on Protection of Consumer Rights, violations of customs law, the law prohibits commission, Securities Exchange Act, the Penal Code for perpetrators of trafficking, Direct Tax Law, the punishment banknote forgers and importers, distributors and consumers of bank forgery, the law on combating money laundering and... Cases are considered interference in criminal property.

1-1-1-2- Palermo Convention
The convention entitled "Convention on the fight against transnational organized crime", adopted in 2000 and also was signed by Minister of Foreign Affairs still has not come to pass Parliament. Italian government to express disgust heart-Mafia Mafia convention from 12 to 15 December 2000 in Palermo, Sicily near the center Mafia for signing countries, was opened. The purpose of the Economic Commission for fight against organized crime, including terrorism, but will not be organized though. The convention organized group formed a group that is not coincidence but custom is continued and organized crime is a crime committed at least three people and there came a certain period of time and aims to direct or indirect financial interest. The difference is participating with organized crime and the purpose of committing a crime or given time is forever crimes for which this Convention is divided into two categories an almost unique category of crimes that include: Laundering, participation in an organized criminal group, corruption and crime, criminal justice and the second, Non unlimited offenses that it has defined in Article 2, the transnational nature of the crimes is committed by an organized group. The penalties are severe or is expressed in the Convention and serious crime is a crime committed in more than one country or the premises or effects achieved in other countries. Article 6 and 7 of the Convention on laundering crime prevention suggests the property and Article 7 the bank reported the suspicious accounts. Some offenses such as obstructing justice in Article 23 of the Convention not literally but as organized crime is organized crime. Articles 24 and 25 in support of victims and observed, rules such as shift and anonymous testimony stated.

Palermo Convention, signed by 40 states entered into force on 29 September 2003 and has three additional protocols that include: Protocol fight against human trafficking, especially women and children, the fight against smuggling of migrants and the fight against weapons protocol.

1-1-1-3- Merida Convention (2003)
This Convention was passed in the city of Merida in Mexico on combating financial and administrative corruption and crime ten states. The convention, which Iran has signed but not ratified the representative, more on preventive measures rather than repressive measures is emphasized. Recommends to public authorities and especially the judiciary to uphold professional ethics and from holding public office and elected officials must be done with great care to realize
wiped out crime and to advise the management of the Convention (Article 10) should be transparent. For internal and external prevention and establishment of control systems and careful control of their practices suggested. After the economic stakeholders should be aware of the ethics of his profession and the public are aware of the rules and regulations. This convention, like Palermo, bribery crimes, especially international officials had predicted and the criminalization of new offenses and Article 16 of foreign public officials and international. Sentencing the crime by the domestic law, so the courts can not apply directly to them directly. Many countries after the adoption of the Convention on bribery of foreign public officials and their international crime. Our legislators approved a law banning such as bribery 27 / 4/1372 bans the commission on foreign transactions and representatives of the contracting parties must submit it to the Treasury. Other offenses mentioned in this Convention are: Misappropriation and embezzlement of property by public officials (Article 17); Leveraging transactions (Article 18); abuse of authority (Article 19); Unjust enrichment through increased unconventional and illegitimate wealth is established (Article 20) and the employee must prove the legitimacy of capital crimes proceedings, although in compliance with the principles of the legal system. Article 21 of the Convention on bribery in the private sector and NGOs is also considered a crime and many countries such as Egypt, the crime in their domestic legislation have been introduced to Korea. Other offenses include concealing (Article 24), laundering property caused by the offense (Article 23) and obstruction of justice (Article 25). At the regional level as well as conventions adopted interventions in property crime, such as: Convention against Corruption European Communities Act 1997 Council of Europe Convention on civil rights for the Anti-Corruption Act 1999; The European Convention on Cyber Crime, the Convention on the Organization for Economic Cooperation and Development (OECD); Convention on the Prohibition of Corruption Organization of American States and the African Union Convention on Preventing and Combating Corruption Act 2003; Convention on Combating Bribery Organization for Security and Cooperation in Europe foreign public officials in international business transactions approved in 1997.

1-1-2- not retroactively intervene in the rules of criminal property (recurring)
The general rule on the substantive criminal law, that law will not retroactively unless it is in favor of the accused (Article 11 of the Penal Code). Lack of rule of criminal law retroactively in addition to the interest charged is also the benefit of society because that is canceled or mitigated punishment imposed is not fair and it is assumed that society does not know it useful. This is justified in intervening in property crime and therefore criminal laws in some states is economic, the laws will spread to the past, although the expense is charged after economic criminal laws in this area will be subject to exceptions. There is economic justification for an exception in criminal law is that the law is to support the government's economic policy which will be executed but is constantly changing and evolving. If the new rules had canceled due to the economic interest’s
previous penalties or discounts spread to the past might jeopardize the economic policy and would be defeating the purpose. For example, if a period of time approved legal more wheat is not to sell a certain price and businessman violated the law and be prosecuted but before he is issued a final judgment in the case of a new law to be enacted and for the specific economic conditions such as currency devaluation, This action may be merchant revoke the ban and other merchants who have violated law so if their actions are also subject to the new law is causing harm to the economy. It also makes the offending merchants created barriers to their pursuit you’re certain economic conditions have changed and punishments removed and escape punishment because they know that the economic situation is constantly changing. However, the Supreme Court banknote forgers ... the non-punishment law retroactively is known.

1.2 material element (Altus Reus)
The material has broad sense and narrow pillars; the narrow sense of the physical behavior of the mass is in the form of positive action (commission) or negative action (omission) occurs and that in this sense draws our attention to herself that omission occurs in these crimes more than other crimes. But the material element in the broad sense it has many components are physical conduct criminal result (Result) causal relationship between physical behavior and criminal consequences (causation) and the conditions provided by law for these components can be expressed. Or building material element of the crime of "material" called out the emergence of the physical and material and against the spiritual element that is within man. It is true that part of the criminal offense takes place within and partly outside there but the realization of any crime and is subject to fulfillment of material element to the offense will not suffice. Realization of material element of the crime with crime as soon as possible, commonly called or purely material but it is possible to achieve mass spiritual element is not possible so there's no economic crime that occur with pure spiritual element there is even a theory that intervention in purely material property crime criminal knows the spiritual element in the debate we spoke at length about it. Technical intervention in property crime and crimes are complex and usually considered among the serious crimes, so the realization of the elements of this crime detection is difficult and usually requires the technical and expert.

Many of the regulations governing the financial element involved in property crime is the same regulations governing other crimes but there is also some special provisions for criminal is interference in the property. General Provisions need to be repeated here so what is expressed in specific provisions. As mentioned, the main criterion to differentiate each material element of the crime because the crime is a particular behavior is realized after intervention in property crime detection material element to differentiate these crimes from other crimes is very important.
1.2.1 Physical behavior

Physical conduct internal condition of any crime and will spend not enough to achieve mass though the man dangerous thoughts in your mind and decide to kill thousands or hundreds of thousands tab to forging bank notes, and even your thoughts tell. Physical behavior usually occurs in the form of positive behavior, but sometimes may occur for negative behavior. Omission to intervene in property crime than other crimes take place, such as law offices and storage or warehouse inventory to the competent authorities do not confirm or the front air pollution. Many of the physical behavior intervention regulations on public property subject to physical behavior in other criminal offenses so here is what sentences that are allotted to intervene in criminal property. Physical conduct any crime in the same law states that it prohibits mass; For example, Article 197 of the Penal Code for kidnapping and robbery is considered physical behavior and Article 674 of the same law applied, appropriated, wasted and lost property and knows the physical behavior of breach of trust. Some of the rules, physical behavior blacked out and are referred to another law, such as Article 670 of the Islamic Penal Code that criminalize bankruptcy fraud is a crime under Article 549 of the Commercial Code and the physical behavior expressed. Involvement in criminal property without a specific law which will enable them as “interference in criminal property” is considered a crime but their cases have been reported sporadically in various laws and to identify the material element of the crime should refer to the same rules.

Some of the behaviors that is realized for positive behavior include: Eliminate the corporate accounting offices to evade taxes or disruption of the economy and state law provide incorrect information to disrupt the banking operations, Counterfeiting or government documents to disrupt the monetary system of the country, to disrupt the purchased goods on the market price and other actions that have plagued the government's economic policy. Therefore, to determine the physical behavior intervention in property crime, like other crimes should be referred to the relevant rules and international regulations may be cited as the crime but taking elements of the internal law and punish them.

The possibility or impossibility of the realization of the mass in the form of negative physical behavior or omission, there is disagreement; this dispute arises from the realization of the crime as has been said need to operate outside and surgery often refers to positive behavior while not doing any act omission action and Who has not a sin not to take action. However, in order to fulfill crime cases in the form of the verb to be such as personal responsibility, but the task does not get the job done, These interference in property crime is more abundant because people, especially businessmen and those who are economic activities committed to economic policies adhere to their obligations to leave if they are found guilty. Whatever disagreements about the possibility or impossibility of the realization that there is crime in the form of omission many intervene in criminal property in the form of omission takes place and many examples can be cited to intervene in property crime in the form of omission, such as failing to economic data, Refrain from selling
essential goods to people, refrain from setting legal offices and accounts not registered firm and ... one of the reasons for this, Duties and responsibilities placed upon businesses and leave those tasks, the element that makes up the crime.

1-2-2- criminal consequences
As a result of mass effect that is applied to the crime and has two meanings; That means it has a material effect on criminal behavior associated works that are out there and the legal effect of a violation of the right means that the legislature has banned it. Crimes of the sequence thus divided into two categories; tying a bunch of crimes whose realization is subject to the outcome to the conclusion that there is not crime does not exist such as the murder of the soul from the body of the victim is bound to get out. The other is an absolute crime, including offenses that make them subject to fulfillment is not the result of outside since there is no result apart from the physical behavior but the result is the mass of the physical behavior and physical behavior occur as soon as the result is achieved or the result given to the legislator knows. Crimes that are high risk to the community is one of the crimes, or crimes like crimes or crimes purely material called absolute. Economic crimes, crimes that are damaging economic policies and programs are important and that the theory of the crime as has been proposed, the ban them to prevent the commission of such crimes to cause damage to the economy but do not be in action as well as damage to the economy. The principle that the offenses were bound and spend their danger to criminalize not enough, the legislator merely pragmatic dangerous it is not a crime, though there is not the danger. but also hurt the cause. but in some cases, which are rare and exceptionally dangerous just because their actions are prohibited although not actually in danger. This so-called crimes such as driving without a license, criminal laws are called barrier the ban is to prevent accidents and assaults are and wrongful death. Intervention in the number of property crime offenses is the same, the spiritual element is discussed in more detail in the beyond. After realizing intervene in criminal property damage due to enter the economy and economic programs and possible damage to the economy of such force of which it is inserted or the extent of the crime that caused the damage. The legislator prohibits such acts did not occur to the mind of someone who hurt the country's economic policies and programs and prevent the realization of them. Some lawyers do not agree and believe that this division is meaningless because any criminal offense or material as a result and leaves no trace on the outside.

1-2-3- causal relationship (causation)
Material element of the physical behavior and criminal consequences to be formed but there is a condition for the two components that material element cannot be achieved without it. This condition is the causal relationship between physical behavior and criminal consequences, the result should be attributed to the physical behavior and otherwise, there may be physical behavior
and criminal consequences but a foreign agent relationship between physical behavior and thereby cut crime such as consumer goods for the businessman is hiding in his cellar and one of his creditors judiciary to confiscate the goods or burglar steal them. Here we can charge the owner of the goods to refrain from selling essential commodities pursued. Material element of interference in property laws causal relationship in the same criminal sentences in other crimes related to causal link and here there is no specific ruling only thing that is remarkable it is a form of interference in property crimes are criminal as we have seen, or at least most of them are like. In crime as a result there is causal relationship between physical behaviors and thus raised, however, these crimes are also subject to other forms of economic crime are not exceptional here.

1-2-4- began to intervene in criminal property
One of the sub-topics related to crime element discussion in the mass start and starting in the completed crime is a crime that is committed to its meaning. Physical conduct a crime to do but to do the last part of the material element with external obstacles faced and crime, he will not end. All the components of the material element of the crime if they do not happen to cause offense or sterilization is impossible such as the gun away and shot the victim is also a sign but because of bad weapons (of mass sterilization) or dead victim (Mass impossible) to commit mass murder does not occur, unlike the last component doing such material element to be captured before firing. Impossible crime will never be prosecuted and punished under the law, but we do not warrant the mass start legislative procedures that beginning important crimes to specific and is considered a crime.
Countries that separate law to intervene in criminal property are usually traceable to crime and punishment known as total mass justifying the criminalization began to intervene in criminal property that the number of major crimes and crimes are dangerous because macro-economic policies and programs established to support and to start major crimes usually is a crime. It is no longer justified intervention to prevent dangerous acts are prohibited in criminal property after the deterrent aspect must also be public or private and it will only be that strict discipline is the rule that One of these extreme laws criminalizing start in crime. We are on the statute books specific legislation and therefore certain to start in crime sentence there, and for each specific crime for the task. For example, serious crimes and severe disruption to the country's economic system emerged and start it was still a crime. Involvement in criminal property might jeopardize the country's economic system and so begin in this crime is also a crime since the beginning of mass criminals are faced with an obstacle. Involvement in criminal property if the offense is not absolute general skepticism about to start here, there will be an absolute crime or at least comes to crimes that are not subject to the outcome because these crimes in any case divided and confined to an absolute crime although we do not utter them all. Known point on absolute crime that began this crime is the total mass because they are not bound by the outcome of this approach is also applicable in the
case of criminal property. Criminal offenses are so important intervention in the property subject to the legislative policy considers it a crime to major crimes, However, as stated in the legal system of all interference in property crime are not in the degree of importance they began mass begins to run, but some of them are punished. The sanctions resolution to punish crimes but important criteria for major crimes variety of other important too many makes and only the legislator stipulated the problem to fix it, as stipulated in non-economic crimes law is essential for this.

1-2-5- company and abetting interference in criminal property
Crime happens sometimes by one and sometimes two or more people will be involved and the involvement of several people sometimes directly and sometimes indirectly stewardship is. The first mode is called to participate in the crime and in this case there is usually a difference between punishment participants although the effects of some more of them. In the second case, which abetting is punished less severe than the punishment deputy steward is and generally considered to be the minimum punishment for the deputy steward. French Penal Code of 1992 created one of the changes that the Department is an independent body and separated from participation. British Criminal Code Act 1861 also segregated between crimes and misdemeanors and virtual and vice differed but this distinction was lost in the 1967 Act and the Penal deputy steward found without intervention between ordinary crimes and property crimes and major crimes have been isolated and unimportant. Company and Vice-interference in property crime and complicity in the crimes of non-economic difference now is so the steward punishable by the same penalties partner, although a minority view holds that company aggravating factor in the crime should be punished because they committed this crime becomes more emboldened and more dangerous crimes to society. Another weak point of view says that the punishment partner should be less severe than the punishment of solitary steward because responsibility is divided among the perpetrators. Elements and elements of the company and the Department of the same elements and elements of interference in property crime and complicity in other crimes is now and a distinction here cannot be seen. Pillar of the company material and abetting criminal intervention in the property there is nothing special and there are also differences deputy physical behavior that is expressed in the Penal Code (Article 43) whether figurative or aspect is almost unique? Partner and Vice difference is also about the dangerous state and some believe that The deputy major crimes danger in not less than steward and his action does not occur if there is no crime less risk of danger not steward. The third recommendation of the recommendations of the Sixth International Congress of Penal Law signed in Rome in 1953, it is punish any involvement in stewardship punishment is criminal intervention in the property.
1.3. Spiritual pillar

Spiritual element plays an important role in the crime and crime except in exceptional cases cannot be realized without a spiritual element. But the spiritual element involved in property crime is more important and a lot of discussion about the possibility or impossibility of the realization of these crimes and the difference is taken as an error, Do I need a spiritual element or not? and if in the proof of the need for spiritual element do you have a spiritual element to obtain positive step, and if you need proof of who should prove it? America in criminal law, criminal interference in property crimes are considered absolute and material but in European criminal law assume a spiritual element to be proved otherwise though. Accordingly, an important place in the spiritual element involved in criminal property allocated after the first intervention in the case of an intentional criminal property and then we discussed in error.

Some scholars argue that the spiritual element is not important intervention in property crime and spend their realization is sufficient for criminal responsibility of the perpetrators. It is this intervention in property justifies criminal aggression against the country's economic policy and national economy so serious crimes are considered harmful and is sufficient to fulfill their material without the intent to commit a crime be noted. What is important here is economic interests which are excellent materials and the great danger is the danger that threatens it.

However, the importance of the spiritual element in case there are serious differences in property crime and the order of the spiritual element of general intent and specific intent that are discussed individually. About the spiritual element is part of the general theory of crime or responsibility is part of the general theory is controversial. Group theory have chosen him because crime is composed of two parts; There is a part in man, and includes motivation and determination, and moral element called and other part of the will of foreign works that are out there and is a material element. So every crime has two elements and an element of internal and psychological and the other element is external and material. Accordingly, the definition of the crime for some of the psychological element, and it will consider unconstitutional but some emphasis on material element, and it has been considered unconstitutional behavior while both aspects should be taken into account. Those who know a spiritual element to the general theory of crime can be divided into two categories; A subjective aspect of crime involving moral and material element knows that will not belong only to the spiritual pillar but also includes material element, but also a mental aspect to consider only the spiritual element the actuaries are completely separate and independent of the spiritual pillar. The first group are divided into two categories; A traditional view and the material element of an act or omission is intentional know that if no will has no legal effect and the second material element to express their views to the outside world will know a certain purpose. Unlike the first group, second group of mental life of his subject and the material is separated the spiritual element of thought and planning and science will be formed and material element is the physical behavior and therefore there is no link between the two elements.
1.3.1 General ill
General intent crime criminal intent and conscious and voluntary error. This means that knowledge of the illegality of the act is committed it will be done science and determination are the two main components of criminal intent. The property includes different crimes are criminal intervention and each of them have different elements, so to review criminal intent in this crime must be studied separately for each contract. The laws of certain law called "law of economic crime" does not exist and countries where specific legislation also about spiritual element involved in property crime have opened a separate discussion. So what about the moral element of this crime will be discussed and debated scientific theory. For general intent crime is on the property's intervention in the following two topics we. A general discussion intent to review and does not have a particular crime and other topics that are malice in particular crimes.

1-3-1-1- general ill will intervene in criminal property
Many of the laws that intervene in criminal property have predicted a specific expression of the spiritual element of these crimes do not. So whether it is the degree of intervention in criminal property crimes or misdemeanors, such as ordinary crimes need to have general ill. In other words, for the realization of the crimes committed by elements of the offense and the will to do it is necessary. However, the differences between interventions in ordinary criminal property there for spiritual element especially since criminal intent on the part of the property given intervention is considered. The first element of moral evidence, knowledge of the elements of crime and science is important to intervene in criminal property because a lot of interference in the degree criminal property contrary to or misdemeanors with style stark contrast with the moral and social values are not to be given any knowledge of them. On the other hand economic laws and regulations including criminal provisions in the rapidly changing and evolving so knowledge is necessary regulations and decrees as well as knowledge of the material is required. The third recommendation of the recommendations of the sixth convention of the Penal Code in this regard says: "Extends terms to support economic interests with respect to economic regulation takes place demands that ratio to lay down the rules very carefully done and delivered them to people in all possible ways and spending announced in the Official Gazette is not enough." Criminal conviction is not sufficient to assume the realization of the elements of crime should really be established and science is no exception to the rules however, there are exceptions to intervene in criminal property as perpetrators of criminal property usually involved intervention in economic activities knowing they have. However, as noted above, the elements of crime must be proven and assuming they are an anomaly and principle and what knowledge of the crime justifies the assumption that first intervention in property crimes are dangerous criminal and secondly, it is difficult to prove knowledge of the crime. Third, there is evidence of the perpetrators involved in criminal property that science and nature would be in accordance with reality and the evidence of their expertise because their activities are specialized economic criminals seems unlikely that they do not know
the rules of his profession. There are two views concerning ordinary crimes; the first position that is common in Germany and Switzerland and Greece rejects the presumption of knowledge of the law and the second view is accepted in France, Italy and Portugal have been given to the premise of the law. On the contrary, there are clear economic rules. but there are distinctions that were cited. There is a third way in which judges would be given recognition to decide the case because it could not agree to the same version wafted and various criminals issued the same sentence. Some of the perpetrators of the crime are full of nobility and their professional expert so we can assume that ignorance respecting the laws. Criminal intent and knowledge will be up there but views science knows enough to criminal intent will not see the need. No need to speak the will is not justified because responsibility is meaningless without so perhaps it is the science and the will necessary for this group are interdependent. There will also no doubt that the science is so personal so there will be a given in such cases. There is also the view that enough will know because when science will be the priority of science and the will on each other as well and there are two theories. Italy and Greece will prefer the science of law and some Arabic countries is welcomed and prefer science will be accepted in Egyptian law.

1-3-1-2- general intent of specific crimes
Crimes for which the rules are known as economic crime is often not achieved without malice general. Such as heart coins, counterfeit money, hoarding, organized crime, tax crimes, fraud in trading, subsidized crimes, white collar crimes and ... Many of these crimes, in addition to general ill need to have specific intent. For example, white-collar crime committed should also be intended to mask the true source of illegitimate property. However intervene in criminal property as well as other crimes such as intentional crimes science and will not be realized and those who justify these crimes to needless risk of Science or will not know what they mean these crimes have no need for science and will also mean that science and will be assumed in this crime.

1-3-2- specific intent
No crime without intent, the general public will not be realized but the crime of specific intent, there is no principle that the Jeremy does not require any specific intent unless it has been prescribed in the law. Specific intent and motive of the crime is not a crime as motivated as pillars so the only incentives are considered to be the specific intent of the legislator is to put the spiritual pillar. The bad faith of general public and in accordance with the specific intent of the rule is exceptional and is contrary to the rule. Involvement in criminal property are also subject to the same rule that if you need to have the specific intent It is explicitly stated that the legislator. That’s explicitly stated that the legislator. However, it is said that the scope exception in the case of property crime is more common crimes because economic activity is carried out in order to earn a legitimate income and Intervention to prevent the proceeds of crime and property crime have been established. After intervention in property crime perpetrators are motivated to study illegal property and this motives may be a specific intent to interfere in criminal property. As well as
direct intervention in property crimes are a matter of public property and government and indirectly an issue that is affecting the country's economic system. and indirectly subject may form a specific intent crime.

1-3-2-1- ambiguity in the concept of specific intent
Some of the complexity and philosophical differences about the specific intent going forward. For rigid distinction between general and specific intent has been ill and to discuss the merits of criminal law have not been fulfilled. Accordingly there is a specific intent to deny, and groups of all crimes known to bind to a specific intent because specific intent that is going to result from his perspective. The group also plans to benefit or harm or destruction of property or interference in property crime usually know there is specific intent. The law of silence is in addition to because there is no legal definition for the specific intent as it has been pointed out instances. The problem in the system that a special law entitled "Law on Economic Crimes," there is far more, economic crime because it is unclear to what seems to be clear that elements of it. Lawyers about the meaning of specific intent and the differences were not decisive to the outcome of such concepts as motivation. In cases where there are legal differences are less clear, for example, Article 698 of the Penal Code says: "Whoever with intent to harm to others or disturbing public opinion by letter or complaint ... or officials declare falsehood ..." So nobody has threatened to harm the specific intent of the crime is intent because there are other motives for the crime but one of the motives of the "intent to harm" specifically expressed.

1-3-2-2- said in grudging in some crimes
The definition of criminal property we have seen in the intervention indicating "damage to the country's economic policy and economic system" was in most definitions. This constraint binds both to intervene in criminal property; One Direction foreign material and that economic crime causes harm to economic policy should be, or have the potential harm (threaded view) And the other is for the spiritual and inner will and intention of the perpetrator should be associated with such nonchalance (theory of mind). The latter can be said to have intended to harm the economic policies of specific intent of all involved in criminal property and therefore all have the specific intent to be involved in criminal property. This intent can be established even though he did not express the legislator indicating. Because distinguishes it from ordinary crime, which is involved in property crime. Other things as specific intent to interfere in property crime in some states are as follows: Disruption in the monetary or exchange and creation of monopolies or shortages in the supply of basic needs (Article single and double Penal Code of the economy spoilers) To fight the Islamic Republic of Iran and to disrupt the financial situation or banking and disorderly conduct and political and economic and social security (Of the Law Concerning the banknote forgers and more severe penalties for importers, distributors and consumers forged banknotes 1368), or intend to overcharging or injurious to society (Article 4 of suspended state).
1-3-2-3- theory absence of specific intent
So there is a specific intent to interfere in criminal property and if you want to compromise the economic policy conditions for achieving these crimes know all require the specific intent to interfere in property crime and no crime cannot be achieved without specific intent. However, there is a group of lawyers the specific intent not only on the intervention of criminal property but in all crimes are prohibited the reason is that bad faith on the local public for the specific intent to remain for the general intent crime, meaning will be based on the conditions that the law has determined and this means the specific intent to too. Another group intent on ordinary crimes must know but in the case of criminal property damage and destruction incentives such as profit and does not require if the motives are spiritual element that is stipulated by the legislator. He believed the simple nature and simple criminal intent and can be divided into general and specific good or bad is not. And what is seen as a specific intent is motivated out of criminal intent that is a goal that committed the crime because it's going to be. Element that is different in different individuals the motivation and incentive certain criteria while criminal intent are subject criteria against Garo (Giraud) and elephant (vilely) and waiters (garcon) that such cases are attributed to criminal intent. These differences should be considered only in cases where the law has not expressed any particular motive, otherwise there is no doubt the motive of the crime is the specific intent and purpose of the opposition is unlikely that in these cases, the motivation was simple and pure motivation and the realization of crime have no effect. If they lack incentives stipulated in the natural law is not the law to commit a crime.

1-3-2-4- motivation as a condition of mental element
The motivation of external nature is the specific intent and the purpose of avoiding unlikely to be compelled to force the person to achieve that goal. The difference is only in speech and non-speech this means that if the target is unlikely to be a specific intent crime is stated in the law and if not stated intent is general. The principle is that it is not stipulated in the law, and the word is exceptionally motivated. Some rules have the rule of law such as Article 192 of the Lebanese Penal Code which states: "The motivation element is not a crime unless the law has set" The exceptions as noted in the case of property crime is more common crimes but unlike the material incentive cannot be considered a crime element as part of the dogma refers to the element that is not achievable without crime And if not then it should be possible to intervene in property crime without motive element of motivation they all knew Not that some elements of the crime and not on the basis of certain offenses would transfer otherwise is the nature of the crime the changing nature and will be converted. So incentives should be provided to this problem there is not interference in criminal property personal traits, but the incentive element of the crime is a crime and the nature of it is constructive. It may also be motivated crimes as a condition of all economic crime is a crime against the economic policies carried out after such incentive should be
committed. Science and will constitute the spiritual element must recognize this condition, the perpetrator is motivated science and to achieve the same motivation and the will to commit a crime. With this interpretation the spiritual pillar of motivation cannot be regarded as though lawmakers have expressed but in practice, which is common legal stipulations incentives if they are spiritual element as the spiritual element, Nature is fixed and does not vary from person to person.

1-3-2-5- goal as a condition of mental element
The aim is also disagreement about whether the moral evidence in property crime is involved or not. As well as this there is a common crimes. Away drive away and is unlikely to commit a crime but the crime is absent closer to realization means to achieve its end that crime is crime. Others target the interests protected by law knows that every crime have been established to support the plea so, if the offender commits a crime to destroy it expedient to say that his goal was the owner of the property, such as damage to property. For example, Article 519 of the Penal Code provides: "Everyone is trying to cheat in any way, such as shaving, cutting and so reduce the amount of Iranian or foreign gold coins or silver ..." After shaving or cutting spending here is not sufficient to fulfill the offense though causing fraud and misrepresentation truth but with the intent to commit fraud must do this. The distinction between goal and motivation is very difficult, especially in our legal system that the definition of which is not stated in law, but there is a breakdown in foreign laws the main difference between them in the near and far end is a crime. The aim, as part of the pillars of the spiritual motive but the spiritual pillar is a condition that if the objective is stated in the law science and will have to realize the goal, and the goal is the specific intent because the subject matter is criminal intent and is not changing but the goal is a personal matter and is different from person to person. The purpose of the formation of companies and legal entities is a clear example for this case to be struck, some companies are formed with an illegitimate goal and that goal is rarely indicating the Statute of them. They are registered but because it prevents the appearance of a legitimate goal, but in practice for illicit purposes such as hoarding and contributing to the economy and dangerous Trust (trust de pore speculation) is called.

Conclusion:
Code of conduct can be an important effect ® warning to the public and all those exposed to crime associated with the occupation and its position, to intervene in criminal property, is the general aim of these principles is extremely important. But because of law which is based on social ethics, public order and protecting individual liberties, the culture in this area is considered important. If the popular culture, ethics and professional conduct is passion, Legislation that comes from the community, the public credibility and people themselves will be its custodians. Create a government agency to provide impartial and professional behavior and training principles and
provide advice to employees to ensure proper understanding of their responsibilities and the ethical rules governing the activities of individuals in line with the principles of professionalism and competency and training. On issues such as civil rights violations, often associated with corruption and judicial security officials, designed a system of government in a way that encourages the public integrity through the establishment of a comprehensive policy, which should honest the General Services Administration is based on merit; As well as establishing a system for identifying employees who have high integrity and anti-corruption institutions to assist in the goals, Application management mechanism for implementing better ethical and professional standards, Establishing a close monitoring of critical decisions and monitor employees who are involved in making these decisions therefore, we can create the necessary conditions for cultural, social, legal, Implementation and monitoring to surround the ethics and professional conduct that prevention of economic crimes (both preventive and social What about technical terms, Effective step towards reducing this crime to harvest the first hypothesis proves true. On the other hand, privatization, liberalization and competition preparation and distribution of goods and services in a competitive process to public services, transparency about rules and regulations, financial transparency, Improve tax and regulatory reform to prevent tax evasion directly related to corruption and facilitate economic crimes, Anti-Money Laundering through a reform of financial supervision and banking systems strengthening financial management and accounting aspects, Legal and public regulations and the reduction of government intervention and increased its monitoring of financial information units and ... Including policies that must be fulfilled as a whole. These are the kind of situational prevention of committing economic crimes such as money laundering or technical, corruption, tax evasion and smuggling are, By creating an obstacle to reducing crime and committing such crimes have an important role. Therefore, the second hypothesis is confirmed. But he said, according to the most people at risk of committing economic crimes, white collar so high that the community, And even business owners are the key economic policy, And its influence can easily be committing economic crime, to prevent the creation of social or ethical systems, and behavioral handicap for lack of crime against them is not. Due to the high position that these people social even if you commit a crime in most cases apparently does not stimulate public sensitivity. And with use of weak regulatory regimes and even the tolerance of the authorities towards these people and lack of legal guarantees for the observance of codes of conduct and ethics, including the system's weak asset registration and property of individuals, Economic crimes are committed. Therefore, it is essential that in addition to the prevention of such crimes through the creation of a code of ethics and professional conduct, by reducing opportunities available to situations causing offense and crime and by using legal and technical situational prevention, in other words, committing such offenses can be reduced. Real-time prevention of crime in the context of a criminal policy governance is true that on the one hand to reduce opportunities for crime on the other hand the harmonization of rules of social and
community members strengthening the foundations with a Influencing the groups at risk threshold socialization can allow them to be paid.
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