Cyberspace and globalization of crime and punishment

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Abstract

In this paper was to share the virtual space in the globalization of crime. Globalization is affecting many areas of human life through a variety here cyberspace that have the most significant role. Although cyberspace and globalization, there are many benefits to seeking together for human life, but it helped two criminals as a tool and process and they are easier to commit crimes in cyberspace; so that today criminology scholars speak of globalization offense. Examples of international crimes such as money laundering, smuggling, corruption and economic espionage and other international and organized crime has created many challenges for governments at national and international levels. In this paper, the researcher tries to express cybercrime in the era of globalization with an emphasis on global crime and some evidences related to it. As a result, we can say that there is global consensus on combating such crimes, the adoption of uniform rules; international treaties in the global fight against and prevention of crime in cyberspace are the most important strategies to deal with these crimes.

Keywords: Crime, cyberspace, the Internet, globalization.
Introduction
The dramatic growth in the development of «Information and Communication Technologies (ICT) and increase the use of Cyberspace (virtual) in practice has led to blurring boundaries based on nationality and race on the world stage as it is a link product information and communication technologies (Abrndabady Najafi, 1390) and then, as easier access to the people and communities brought in the modern world. In fact, today's human society will experience compression of time and space, in other words «The phenomenon of globalization. This is a phenomenon started as a process and it continues on its way with more momentum in the past years (Milani, 2013).
"Globalization of rights" refers to the process that leads to convergence and standardization of rules, concepts and specific legal institutions in the national and international levels (Jalali and Maghami, 2011). The crimes with an international body, has gone beyond the local and regional levels and shade threat and its damaging effects on cross-border and global levels. For example, today the problems caused by the cultivation of the plant "coca" generated from drug cocaine and the growth of drug trafficking cartels, not limited to only the forest villages of Colombia, but it is facing the international community with insecurity and worse, insecurity. Modern information and communication technologies as the main cause of globalization, the globalization of crime has played a strong role and much of the network is due to the spread of cyberspace and globalization of criminal acts. In the words of Anthony Giddens, networked societies provided the possibility of blurring of time and space; that one act [committed] within the limits of time and space, leaving out the consequences that range (Williams, 2012).
Cyber-space, with a capacity of criminal and extensive connectivity options and fast, it enables offenders to expand the scope of their criminal acts globally with a low cost and short time, and obtain maximum security for themselves in terms of crime detection and arrest. Simply, it is natural that a criminal chooses to crime situations with lower cost and risk, while the greatest benefit and cyberspace is the best provider of such situations (Jalali Farahani and Monfared, 2012). WANs provide background information and communication technology exploited by international criminals in the form of "cybercrime", "money laundering", "transnational organized crime" and etc. (Babaei, 2011).
In this study, the researcher tries to explore cyberspace, share in the process of globalization of crime as one of the dimensions of globalization and the impact of new technologies of information and communication on elements of crime in their compared to traditional crimes and other topics related to the theme.

Materials and Methods

Explain the concepts of globalization
Word spread of globalization on culture and for the first time in 1961 as it implies the growing importance of links and associations worldwide. Globalization is a concept promoted in numerous works related to culture, economics and politics in the contemporary world in analyzing developments in this area while offering different and sometimes conflicting definitions (Bagheri khozani, 2008). Globalization as a phenomenon, are the effects and results. Some of these works include the expansion of the capitalist market economy and some cultural are generally referred to as a global culture and political part of
which is as much as spoken of global governance. Although there is a certain conceptual agreed to globalization, but it seems that the theoretical as globalization is a reality in today's world. Globalization is a concept of a string and understanding it requires a multidisciplinary look and in some cases, it requires a transdisciplinary look as it is discussed in all fields of science and it's done in all realms of Space (Ameli, 2004).

The concept of globalization is not restricted only to the economy and politics but criminal science is inevitably affected by this process. Not long ago if the government feels they are in violation of international law and human interests and dealing and respect for the rules, criteria were defined on the basis of personal and domestic interests, today, believe in respect and uphold these rules to their interest for several reasons political, social and so on. In today's world, the pressure of public opinion at home and abroad, is a motivating factor for the acceptance and observance of the rules and provisions of international human rights in general. Many of the relevant is related to criminal law as a threat to the rights and freedoms of individuals.

Results and Discussion

The impact of globalization on criminal law

The emergence of twentieth-century globalization consciously requires that resources be linked domestic law to international law, with the explanation that individual and the national community on the one hand be linked with the international system and human communities on the other hand, the international system is set and monitor standards for governance stressed the limitation rule in local communities. The process of globalization of criminal law, has features such as universality, breaking boundaries and rationality as the first feature of rationality must be named on the establishment of rules and procedures (Mahdavi, 2008). This has led to scientific knowledge threads criminal realm, like other social issues and remedy in light of this recognition. It is not exorbitant one of the fruits of the Enlightenment in the eighteenth century was that grounded theory, and policy objectives of criminal law and punishment for the first time assumed the status of an independent science (Kelly, 2003).

The second feature as it is called humanism or the tendency to individualism in the Age of Enlightenment. However, a trend was basically a reaction against irrational and brutal methods of political regimes that time so that the application brought against the man named in the indictment. The third feature is the development, in other words the ability to adapt to various human communities. It seems that this feature should be limited to a particular school of thought schools criminal law. The reality is that in the space of globalization, all these schools of thought can be raised and of course some of them go to the side and some stay for selection. The fourth feature relates to globalization, entering its rules of criminal law, international human rights documents. This can be studied in the form of substantive or procedural rules in the field of criminal law (Farhadpour, 2008). But the process of globalization in terms of the criminal law to deal with domestic institutions during the course has a very delicate and time-consuming process.

This process has gained speed in terms of the globalization of rights and builds on existing experience in this field. For example, the criminalization of human rights abuses in the Statute of the International Criminal Court in fact, it is the recognition of humanity and the principles of human rights as a universal value and allowing its violations. In other words, it
is the criminal aspect of universality so there is already some areas despite acceptance of the 
fundamental principles of its value in national and this has led to the creation of the universal 
principle of criminal law (Nourzad, 2011).

**Instances of globalized crime in cyberspace**

In this part of the article, we will investigate instances of international crimes in cyberspace. 
Since many crimes, consideration may be examined in this respect, the author's approach is 
related to some organized crime that have been associated with the process of globalization 
not the subject of specific criminal law related crimes. It has features such as organized 
crime, cyber connection with, affected by the globalization process and etc which will be 
referred to as that.

**Money laundering in cyberspace**

On the eve of the third millennium, "organized crime", includes the risks that threaten the 
international community in earnest. In the science of criminology, as are severe criminal 
activity by criminal groups who committed offenses while having a coherent and complex 
organization and the specific characteristics of financial gain or power (Moazzami, 1997). In 
terms of background, the object is first discussed in criminology and criminal sociology 
having defined the threat and determines its destructive effects on society; some states have 
entered into it gradually in their domestic law. In addition, there are various signatory states 
to deal with the manifestations of this crime in international and regional treaties various 
bilateral or multilateral.

Modern committing the crime of money laundering, using modern equipment related to 
information technology such as computers, has created serious challenges. Before that, it is 
important to identify money laundering process it is very difficult to commit in principle 
computers and cyberspace because of problems in detecting crime and committing it easy for 
criminals. Hence we can say that new forms of money laundering takes place in a modern 
way or electronically. In practice, the implementation of money laundering rules in 
cyberspace difficult, because of factors such as anonymity and without books, move fast and 
the ease of transferring it at the international level could provide the necessary impetus in 
crime as used in this trade practices to achieve their illegitimate purposes (Elsan, 2014).

Electronic money laundering has been raised in the virtual space of the Internet and 
computers to massive monetary exchanges. It must be said, electronic transactions and cyber 
money, is a natural result with banks of computers and computer activities. In terms of speed, 
accuracy and reliable and comfortable and the first modern computers were used primarily in 
banks.

All countries in the world if you do not do all your transactions through electronic 
intermediaries, they do at least the bulk of monetary transactions with computer and with the 
advent of the Internet and cyberspace and the entry of human activities on the environment, 
electronic money also emerged in order to facilitate trade, banking transactions and people. 
At the dawn of the twentieth century until 2000 that still did not understand humanity's days 
and years of the third millennium, online exchanges money regardless of monetary 
transactions resulting from the use of smart cards, it was over ten thousand million dollars 
and in 2001, monetary transactions of more than $ 100 million smart cards and the beginning 
of the twenty-first century AD, during exchanges stunning cyber intrusions in human life,
this trade is out of control statistics and estimates and virtually infinite path subjected to computer and internet exchanges.

However, actions carried out in cyber space than in money laundering through electronic money system, it is considered more in terms of features and capabilities of the environment; otherwise, there is a substantial difference in the realization of the three stages of money laundering and perhaps from this perspective that cybercrime laws enacted in 2009, it was silent in relation to electronic money laundering.

**Corruption and organized crime in cyberspace**

Corruption comes out true crime at the transnational level of corruption committed by organized crime groups. Corruption comes out true crime at the transnational level of corruption committed by organized crime groups or through cyber space so that it can make a bed for crimes such as money laundering. Here, too, the economy and the financial and administrative relations is faced with a higher risk so that organization or computer corruption leads it to feel threatened by the government on behalf of external borders and across a range of electronic and sovereignty. The threat is so serious and so great both inside and out nowadays it has become one of the major concerns in countries (Khezri, 2005). This can be noted in the Office of Health Promotion Law and the Anti-Corruption Act 2011.

Legislation in this field can be effective for the prevention of corruption. For example, developing operating procedures for providers of information services is including the most important programs. Companies or Internet service providers called the term "ISP". Depending on the nature of governments, these companies are totally monopolized by the public sector or part of its branches and in subjection private sector. Organized crime is a term of respect "no offense suddenly and spontaneously and more than one person involved in committing it» (Bassiouni, 1990). At the same time, there are different definitions of the term in this context is explained in terms of the type of crime, its scope and objectives and its features and these differences have led many authors to acknowledge the lack of a comprehensive definition of consensus (Thorene, 1996).

Despite the attention of the authorities and international bodies to prepare specific policy to curb organized crime, criminalization has been neglected in this field directly or as an aggravating circumstance, domestic criminal law in many countries, including Iran as a result, in some cases punishable offenses of this kind are not or in the case of crime, are of the same type in a row simple crime or the maximum permitted only in certain cases, be subject to due other than organized crime (Najafi Abrndabady, 2000). Due to the importance of combating organized crime, transnational organized crime ratified the United Nations Convention against members arrived in the form of a resolution in order to combat international immersive combat manifestations of this crime and the harmonization of domestic legislation in November 2000 the United Nations General Assembly and from 15 December of the same year, it began to sign during a conference in Palermo, Italy (Najafi Abrndabady, 2000).

**Human trafficking in cyberspace**

The issue of trafficking in persons usually discussed according to trafficking in women and children or trafficking for sexual exploitation. While trafficking is a serious impact on women and children and often trafficking is a widespread phenomenon in the world. Despite
definitions far apart, there is a growing consensus as the issue of trafficking in human beings involves moving people to put them in forced labor or other forms of involuntary labor. Therefore, human trafficking is defined in such a way that the purpose is sexual and non-sexual purposes and all measures trafficking chain from initial deployment to the purpose of trafficking or exploitation of the victim or his ultimate goal. Trafficking in women is increasingly deceitful manifestations due to new technologies such as cyberspace and the effects of domination, hegemony and authoritarianism into a romance, and it is naturally passive and obedient and subservient obedience and passivity of women and also exhibits rape, beatings, sexual harassment, prostitution and sexual exploitation of women and children by the sex appeal and legitimize this kind of ugly and embarrassing.

Trafficking in persons, especially women and children has become a global phenomenon, so that our country is no exception in between. Victimology studies aimed at identifying the victimization and reduced spend it in fact; they have been left behind by the reality of violence associated with it. This has provoked a reaction that wants to end this situation. Involvement in the community setting can be useful to reduce the causes of the victim (Ranjbaran, 2005).

**Drug trafficking in cyberspace**

The majority of drug-related behaviors are clearly profitable and they have huge revenues illegitimate and their relationship is on globalized crime. People who are active in hot spots agencies, they are ready in every respect to organized crime or drug trafficking education as a means for personal profit or fundraising for financial assistance to advance their ideology. In fact, the prevalence rate of the crime has a heavy shadow in the field of drug trafficking by resorting to cyber space and overlap with crimes such as money laundering in the country. It must be understood, a country located in the vicinity of one of the main venues for the production and trafficking of drugs and where laundering proceeds of crime is not confined to indicating the punishment in law logs, naturally, it will become a haven for perpetrators of money laundering and ordinary people to the authorities may use the opportunity to easily import huge revenues from the banking system and financial crime, particularly drug trafficking in the country.

Transnational organized drug trafficking is a crime, for the reason that it is usually done first, committed by the gangs have their administration and centralized and secondly, these gangs are taking over a country's borders with relevant organizations in different countries and they pull their crimes beyond the borders of one country. According to available estimates global, every year is consumed the amount of five hundred billion dollar drug. This amount is more than the GDP of all countries in the world with the exception of Seven rich countries (Mirmohammad Sadeghi, 2007). Due to the expansion of network connections and the development of cyber space and easy access to the people via e-mail and the Internet, any drug trafficking, whether buying, selling, distributing, dispensing, find intermediaries and consumers, it's done through computer networks and because of the specific nature of international networks, police work is difficult and sometimes impossible to detect on drug dealers and buyers. Meanwhile, confidence is higher than the traditional type of drug trafficking through computer communications and networking.
Global terrorism in cyberspace

Security is the foundation of order, independence and sovereignty of all countries and it is one of the most fundamental things that governments are required to make it in the community, without the security of a society, talk of independence and freedom and civil rights are meaningless. Security today is experiencing a conceptual idea and it is far from a military-centric approach and software parameters, were replaced hardware parameters and non-military aspects of the day-to-day also become less (Jahanbin, 2003). If cyber jihad along with government support, it is associated with more complications so that such a government against its enemies would be in a position to adopt a defense policy (Pakzad, 2011). Crime and anti-social behavior is one of the factors destabilizing and disruptive social organization and public safety at the local level. There offenders in the community not only endangers social security but also threatens the community's power.

Criminal phenomena have always fancied doing his men sometimes the obstacle is fear of scientific thinking in relation to this abnormal phenomenon. One of the most important challenges facing the international community and international criminal law is increasing and operations of terrorist acts as it is a serious threat against international peace and security. This terrible phenomenon usually happens in the forms of organized and transnational. At present, terrorism has become a national threat to international threats and there is a fear that the spread of international peace and security endangered (Kosha, 2008).

Terrorism is psychological intimidation and physical violence as a process employing autonomous states and groups supported by the central government in order to achieve strategic and political objectives against the law it is not a new topic in history. In fact, terrorism has been a permanent part of contemporary life (Hahnel, 2004). Terrorism is an ugly and ominous phenomenon as the nerve fibers and the information is fed into the fabric of fundamentalist thought. Terrorism is perhaps the most beautiful thing that had raised awareness of inequalities in the twentieth century (Faal, 2004). World attention on terrorism charges, occurred more after the events of September 2001 eleven America and the horror of it and due to this incident and the lack of political balance in international relations, completely changed attitude to terrorism. This development was so rapid that exceeded the limit countries and it continued to the United Nations (Amayesh, 2001). But cyber terrorism as a new form of terrorism, it is a political and technical terms and it is seen as a form of cybercrime and terrorism.

According to some lawyers, especially cybercrime unauthorized access and vandalism, it is a way of committing the offense of cyber terrorism; cyber terrorism is because of harassment by computer vandals and it covers topics related to the consequences of catastrophic chemical attacks, biological, radiation and nuclear. In cyberspace, disrupts the system and network sabotage by terrorists with ideological and political motives and that's why, unlike computer criminals, malicious activity and study have been decided beforehand. In addition, unlike the computer criminals that hides its mass; terrorists also introduced computer, usually tries to demands of religious, ideological, political and social by creating a climate of fear in cyberspace (Fleming, 2005). Today, done some terrorist acts with access to protected information. Information can be entered terrorists computer security systems for unauthorized using a keyboard and a computer mouse; for example, can cause interference with air navigation system to crash or a general power failure or poison food sources (Salmanyzadeh, 2001). While the young couple can easily be imported to the US Department
of Defense computer data, happening serious threats against computer systems in America simply. The most important part of virus attacks and cyber terrorism is done through infected emails so that in them is increasing day by day. Worms have the ability to disrupt the system like viruses such as the Nimda worm, because of its destructive effect and also the other features such as Trojan virus, which is known as the quadriceps cream. As well as hacking or unauthorized intrusion in its computer system and criminal behavior, (fluff) there are other known methods for committing cyber terrorism in the global space.

Conclusion
Criminal law is a system of the highest values and norms. In fact, when it comes to criminal protection of rights values in terms of criminal, the importance of these rules is obvious to everyone. When the mission of criminal law linked with human values and universal human rights is more important; because some of the universal values of human rights, the rights of the criminal aspect and thus support them jointly to both the rights granted in the era of globalization; part of this support is the other part of the criminal law and human rights. But after the formation of the United Nations and the United Nations from the middle of the last century, the changes include a change of discourse was aimed at criminal law and legal order governing this area. In fact, the effect of the major changes that the human rights discourse on the field must learn from it and law and political science scholars have referred to as the "humanization of legal rules". The need to support the human personality and originality and is giving priority to him and the man and put an end to him, personal interpretations and tools as the condemned man he emphasized the importance of religious and secular terms with the theoretical foundation. After the changes related to internationalization and globalization, both positive and negative effects, among the most important developments is criminal law offenses and penalties regime change discourse in the age of globalization the impact of cyberspace.

In cyberspace, the realization of some types of crime and victimization is greater than the physical world the emergence of a peaceful and safe environment for offenders and the victim's needs. So many crimes committed by their traditional categories, is now taking place in cyberspace. Fraud, forgery, theft and so are the traditional categories that may have occurred in cyberspace. The cyberspace has created challenges for crime prevention because of its nature.

These challenges can be traced not only to the possibility of committing a crime in the virtual space but are related to the physical and material world. In addition to being imperceptible cyberspace - documents are intangible and not the objective - in cyberspace, it is possible to provide various forms of prevention challenges such as changing and moving target is much greater possibility that the material world, violation of human rights, violation of privacy, providing an analysis tool of criminals and so on. So on the whole it can be said, the different nature of the crime makes a different argument about evidence and proof of the crime and its prevention methods. Examples of international crimes in cyberspace, such as economic crimes and money laundering, corruption, smuggling, terrorism and espionage, has faced a majority government with a new order in dealing with criminal phenomenon. Accordingly, no criminal nature of domestic, local and confined to a limited space Physical and hence the global nature of crimes being committed in tangible and intangible or less illusory space, it has helped it easier for criminals to commit faster and easier and allows
organized crime. For this reason, deal with criminal phenomenon can no longer be regulated only by internal normative order and there should resolve global and transnational agreements to deal with it. Criminalization of joint and bilateral, outlining policies to deal with global cyber crime, set penalties in the space of a single, unified global governance, units in the regional and international legislation, regulatory Unit for companies offering Internet service, explanation of preventive policies towards global cybercrime, adopting unit formed to deal with organized groups in cyberspace, the use of censorship in case of emergency these are among the most important measures that should be taken in this regard.
References