

Iran's criminal policy in the field of pharmaceutical crime

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ABSTRACT: The subject of this study is to examine the Iranian criminal policy approach to drug crimes in different aspects of legislative, judicial and executive matters. One of the major issues studied in medical law, crimes and drug offenses, peripheral issues, and its effects and outcomes. Countering and rational prevention of drug crimes is not possible without understanding and understanding the concept of criminal policy and their types. One of the dimensions of this policy is the formulation of criminal law and support for community health and the fight against high-risk behaviors against the health of the community. Instead of trying to eliminate the disadvantages of the criminal policy of drug crimes, Iran's criminal policy, more than anything else, seeks to eliminate the goals of the criminal policy of drug crime. Finding the causes and causes of drug production, distribution, import and export disturbances, relying on criminal policy related to drug crimes in the criminal justice system, changing the police force structure and forming a special drug police crime is one of the objectives of this research. The findings of this study indicate that Iran's criminal policy is low in drug offenses and its shortcomings. It also states that the Iranian criminal policy approach to combating drug offenses is a punishable, degrading and preventive approach while criminal policy must first and foremost be designed and planned for the long term.

Keywords: Criminal Policy, Drug Crimes, Drug, Iran

Introduction

A criminal phenomenon always requires a criminal policy that identifies a policy of dealing with a criminal phenomenon, rational and coherent criminal policy has a very broad and deep-seated view of the question of crime and how to deal with, it utilizes all the means and means of criminal and non-judicial work for the phenomenon of crime, prevention and counteraction. More important than everything is that prioritized is the prevention of crime. In order to prevent the occurrence of a crime or to repeat it, all social institutions and people must participate, in pursuit of these goals, the legislative authority can help. Legislative criminal policy is primarily affected by a preventive approach, then the use of non-performance non-payment guarantees in the second degree and, ultimately, punishment in particular cases.

Because drug offenses endanger the health of individuals and in some cases endanger their lives, they are considered by the legislator and are always of concern to judicial and executive authorities. Therefore, the need for familiarity with these anti-social phenomena is felt. Drug as a fundamental and fundamental component in the treatment and treatment of diseases has always been a prime consideration in the strategic plans of governments, in the light of this, on the one hand, progressive countries and large pharmaceutical companies around the world have focused their political and economic interests on the treatment of needy patients and despite the presence of medication, people from different parts of the world cannot afford the drugs they need for various reasons and on the other hand, profit makers and the international drug mafia are trying to dominate the distribution system in different countries in different ways.

Legislation in new areas such as medicine should be based on scientific studies and attention to different perspectives. Since the views of each expert and expert are different from one another for example, the look of a doctor or pharmacist is different from the look of a specialist in economics or criminology in relation to the phenomenon of drug and drug offenses therefore, the formulation of laws and regulations, especially criminal laws and regulations, requires attention to all aspects and angles above. Accordingly, legislation that draws the views of a group into a code of law, it has a lot of weaknesses and weaknesses and will have major problems in the run. Therefore, in order to avoid reckoning on the one hand, it is necessary to draw up laws in the light of various theories as well as the use of the experiences of other countries in the world and on the other hand, the platform for implementing these rules should be provided in the right way and the executive system of the country will have the capacity to withstand and enforce the law.

1 The concept of criminal policy

Criminal policy includes: "The set of ways in which the society organizes responses to the criminal phenomenon by resorting to them" (GOODARZI BOROJERDI, 2006, 26). In the new perspective of criminal policy "1. In addition to the crime, which is a legal concept, it also deals with the deviation, which is a social concept. 2. In addition to repression and punishment, attention is also paid to prevention. 3. In addition to punitive measures, it relies on measures and social, cultural, moral, and ... systems" (LAZARZE, 2003, 19). Criminal policy must be targeted and planned in the first place, and developed for the long term.

In order to fully discuss the issue, it is studied in four areas of the policy of criminal law,

judicial policy, executive and participatory policies.

1-1 Criminal Legislation on Drug Crime and the Need to Review it

The legislature (the Islamic Consultative Assembly), whose main task is, in accordance with the principle of the seventy-first constitution, to formulate laws and regulations in the public affairs of the country, By developing comprehensive and effective laws, it can play an effective role in advancing the general objectives of the system in all fields, especially in the field of pharmaceutical law. But if the formulation of laws, whether form and substance, lacks a coherent and informed policy, will create confusion for law enforcement and, in the long run, will destroy the underlying foundations of each society.

The formulation of laws, especially in the criminal aspect, requires, first and foremost, intelligence and precision, and the ability to recognize the community in light of this understanding and with due regard to the legislative background and a proper understanding of the needs of the community, they will adopt very precise and clear rules.

2-1 Policy of control and control of drug offenses (crime or decriminalization)

Different perspectives on crime and crime among criminologists are also subject to drug offenses (NAJAFI EBRAHBANDADI, 2004, 56). The legislative procedure in this case is basically presented in three forms that we will outline.

1. The theory of crime; According to this theory, any act that distorts the pharmaceutical system and the system of production, distribution and consumption of it should be considered a crime. This is a way that we had before our legislative rev-

olution, and unfortunately, after the revolution, we have faced this phenomenon, especially with the provisions of article 3 of the Amendment to the Law on Medical and Pharmaceutical Affairs Regulations, etc., and the Law on State Sanitary and Hygienic Affairs, and so on.

2. The theory of decriminalization; the proponents of this view believe in eliminating all guarantees of criminal acts and replacing the guarantees of civilian performances. They believe that a criminal policy that involves community rights, criminal rights, and even victimized rights is the mere criminalization of criminal law based on a system that restricts criminal law.

The extent to which penal laws are increased under the pressure of public opinion or the pressure of some groups and institutions increases the number of offenders. The increase in criminals will also result in the accumulation of criminal cases, the prosecution, the widening of the prison population, the widespread public budget and the reduction of the efficiency of the judiciary and as a result of the spread of injustice.

The study of criminal law in the field of medicine unfortunately indicates the lack of a conscious and methodical policy, and a policy that meets legislative norms and standards has not been adopted. The increase in drug crimes results in the ineffectiveness of punishment, the death penalty, drug offenses from the point of view of criminology, the accumulation of prisons, and, finally, the failure of the judges to enforce the penalties prescribed by law.

The authors believe that some of the drug offenses should have criminal qualities in terms of their characteristics, including: Any deception in production, Procurement and distribution of drugs, unauthorized intervention in the sale, import and export of medicines, Establishment of a factory or pharmaceutical company without permission or by

persons without qualification, Distribution of corrupt medicines or past history, Forging the date of drug use and misleading advertising through mass media and public media and, in general, any act that is a sign of serious crimes in this area. In detecting a severe crime, the criterion of diagnosis, the effects and damage caused by the criminal act, which impinges on the entire community and the lives of people and the security and general comfort, is introduced.

2-2 Punishment and the use of substitute detainees

In the criminology dictionary, alternative sentences for imprisonment are defined as follows: Penalties imposed by the criminal court on the offenders

It includes various forms of reprisal, financial penalties, offender supervision and unpaid work, which often replace prison sentences (NAJAFI EBRAHBANDADI, 2004, 422). The purpose of these penalties is to bring the offender to the community and to execute the punishment when the offender is present in the community. The enforcement of these penalties requires public acceptance. If members of the community support this plan, the level of self-confidence and commitment of the perpetrators will be increased and criminal justice will be established. There are several types of imprisonment alternatives: Conditional release, suspension of punishment, social services, cash fines, care periods, deprivation of social rights, and taxes on criminals' incomes or planning for their vacancies or the ways in which criminals must go to places to check in; For example, to places that is representative of the state, or belongs to the private sector or voluntary organizations.

Enforcement of effective alternative punishment requires proper conditions and prerequisites one of the most important prerequisites is the adoption of laws in which the au-

thorities of the issuer, the executor, the supervisor, the types of imprisonment alternatives and the terms of their deeds, the way of protest, and, in general, all the affairs related to the form and nature are fully specified. The Islamic Penal Code, passed in 2013, addresses this issue. In this law, alternative prison sentences, period of care, free public services, cash penalties, daily cash penalties and deprivation of social rights, if the plaintiff passes, and the existence of rebates with regard to the type of crime and the quality of its commission, The effects of crime, age, skill, status, personality and history of the perpetrator, the status of the victim and other circumstances, are defined and enforced. (PARCHAMI AND DERAKHSHAN, 2018, 55).

The legalization of these types of punishments itself is a development and development of the legal system, but the implementation of this law requires certain conditions and supplies that should be provided. Considering the status of various capitals of criminals is one of the most important cases that should be considered by judges of the judiciary to this end, it is essential to make the necessary changes in the judiciary's educational system and the work flow system of the courts.

The imposition of alternative prison sentences, the reduction of the prison population and the saving of government and individuals and their families

In addition to beneficial social and cultural outcomes, it can generate economic added value for society and government. Also, the reform of the perpetrators as one of the main goals of the punishment, while reducing the adverse consequences of the imprisonment, will be realized. Since society is involved in the implementation of substitute alternatives and is witnessing the enforcement of penalties, public confidence in the criminal justice system is increasing (YEKRANGI AND IRANMANESH, 2008, 97-96).

What is certain is the move towards alternative prison sentences, requiring awareness of the people and familiarizing them with the disadvantages of imprisonment and the merits of alternatives, as well as attracting support from judges. Certainly should be avoided in detention and subjection, if we want to eliminate imprisonment from the arsenal of punishment, because our country does not have a clear record of alternative punishment, it will certainly face serious problems.

Applying alternatives in addition to the above, requires reform of the education system and the exchange of academic courses, training and justification and attracting the support of judges during their service and practical familiarization with the ways that some successful countries have had in this regard. Above all, the training of managers, agents and assistants for the implementation of alternatives, the use of the capacities of trained police and special officers that are considered for this section and ultimately providing the necessary tools and financial and funding facilities to implement the correct and extensive alternative punishments.

So its proper implementation requires smart and serious monitoring. Household imprisonment, caring for a suspension, simple suspension and public works cannot easily be applied. Therefore, failure to correct and treat the offender will not be achieved if it is not implemented correctly and methodically. Financial penalties also have the advantage that, like prisons, they are not corrupted and maintain their intimidating power, despite their repetition, and can be in proportion to the degree of misconduct or damage and are in favor of the public treasury (BULLOCK, 1993, 21).

Given the aforementioned interpretations, the problems are caused by the fact that the legislator has not set out specific and precise frameworks for it, and it is replaced in reality by personal preferences and collective action.

2-3 Diversity and plurality of laws, the plurality of competent authorities and the need for reform

2-3-1 Diversity and plurality of laws

As described, with the advent of the revolution, due to the lack of cooperation of foreign companies operating in the field of medicine, The imposition of economic sanctions, the imposition of imposed wars, the lack of liquidity, the emergence of a new government, the absence of a solid criminal policy and integrated management, and ... problems and uncertainties in society. One of these problems was the lack of essential drugs needed by patients. These shortcomings are an incentive for the abusing of opportunistic people to be able to sell the drug at high prices, by forming shortcomings and disrupting the distribution system (ABBASADEH, 2004, 44). This caused the government's response and the legislature's move to increase the penal code for drug trafficking in order to combat the phenomena and scarcity of drugs, in their opinion.

What is certain is the easiest way to escape from the problems and to reduce the pressure of public opinion is to criminalize these acts. The legislator is often under the pressure of public opinion or groups that are pushing for the control of certain undesirable phenomena. For example, the Ministry of Health is seeking to formulate penal provisions and enforce criminal penalties by solving bills. The elaboration of laws on state sanctions has been precisely formulated.

2-3-2 the plurality of competent authorities

Regrettably, the legislator has considered three references to drug offenses worthy of review. The Revolutionary Court, in investigating the

crimes set forth in article 3 of the Amendment and its Notes from the Law on Pharmaceutical Matters, approved in 1956, The General Court shall deal with other crimes stipulated in this law and the law on psychotropic substances and branches of the State Organization of Public Institutions in investigating public drug crimes, including pharmacies and their technical authorities. While there isn't logical and rational justification for this (ABBASI, 2000, 139). In addition, the bulk of the crimes set forth in the law on state sanctions on health matters and ... It can merely be considered as a case of drug traffickers' offenses and is out of proportion to the criminal offenses.

2-3-3 the need for reform in the regulatory framework for pharmaceutical regulation

Basically, it's a good idea to modify and review the rules, provided that corrective actions are taken in accordance with scientific and methodological points of view. However, if the abolition of former laws and the drafting of new laws, without a precise and expert study and in a hurry and due to cross-sectional needs, will, in addition to the ineffectiveness, cause serious harm to society and wasting the material and spiritual resources of the country. The legislator must recognize the social reality; in societies in which the rule of the people is right, the legislator has no absolute freedom to regulate and cannot legislate on the basis of his or her own thinking, therefore, the following is proposed to amend the pharmaceutical law:

- 1) Review and modify the laws of the general structure and the policies of the country's pharmaceutical system and the duties of the Ministry of Health, using experienced experts and experience of the countries of the owner's way and preventing the use of a few people's tastes.

- 2) Compliance with the general capacities of the criminal justice system and the structure of the judiciary and law enforcement, and with regard to the financial and human resources required to enforce the law.
- 3) Reducing the volume of behaviors considered a crime, considering the severity of the impact of committing behaviors. Criminal enforcement should be considered the last resort to security.
- 4) The formation of special police for drug crimes or the formation of a judicial police under the direct authority of the judiciary, in order to train part of the force in the fight against drug crimes through training.
- 5) Cancellation of Note 6 of Article 3 of the Amendment to the Law on Medical and Pharmaceutical Regulations in order to restore the jurisdiction of the courts and the Public Prosecutor in place of the Revolutionary Court.
- 6) Abolition of the relevant laws on state sanctions, eliminating the criminalization of these crimes and increasing the competence of the medical organization and trade unions and the appropriate supervision over them.
- 7) Defining the correct and accurate psychoactive materials by doing undergraduate work. Part of the psychoactive substance in terms of its type of effect, and hallucination, and being dangerous and sometimes addictive, can be considered as a narcotic drug, and the drug will be loaded on it.
- 8) The use of alternative prison sentences in part of drug offenses, especially for those who commit the crime for the first time, and for doctors and related professions.

3 Criminal Justice Policy Related to Pharmaceutical Crime

3-1 Police structure in dealing with drug crimes

Prior to the enactment of the law of the Enforcement Act of 1990, it was carried out by the police, the gendarmerie, the Islamic Revolutionary Committees and the judicial police but by adopting this law and pursuant to Article 1 and its note, all these institutions were formed and the structure of the police force was formed. According to clause 8 of article 4 of this law, the main duties of this force in the jurisdiction of the judiciary include: Crime prevention, crime prevention and detection, inspection and investigation, preservation of works and grounds of crime, arresting defendants and preventing them from escaping and hiding them, implementing and communicating judicial decrees, performing identification tasks and the scientific discovery of crime. This force is part of the armed forces, in the nationality of the commander-in-chief and affiliated with the interior ministry.

In a comparative view of the force, with the French police, it should be said that in France there are two types of police forces with their own duties, organization and characteristics. The first police officer is to patrol, control the security and safety of the cities, protect the lives, property and security of the people and prevent the commission of crimes. Second, the judicial police, who, after the crime, serve the judicial system under the supervision of the judiciary, is investigating and detecting a crime and has specialized staff with advanced equipment and facilities and has all the necessary facilities for crime detection. Specialist areas are also divided into child policemen, road policemen, traffic police, urban police, and environmental police, tax, etc. (AKBARI, 2008, 165).

Unfortunately, there is no such police officer in Iran. The same force, which is responsible for maintaining the city's order under the supervision of the Ministry of the Interior, is considered to be a judiciary in the course of crime as a crime. Police stations and aware-

ness offices directly linked to the judiciary and enforce judicial orders, lack of equipment and facilities for executing judicial orders, so that there are not enough vehicles to send the file and dispatch of the parties and the presence of the file officer. Generally, the provision of the vehicle to the people and the client is imposed.

3-2 Police duties and actions regarding drug offenses

As stated in the speech about the black market, the law enforcement agencies are involved in dealing with evident buying and selling practices to collect and arrest drug dealers. In the case of drug discovery or psychoanalysts, they report the defendants to the judicial authority. Additionally, if you know the location of the hijacking of unauthorized drugs, unauthorized activity and the provision of drugs, the location of drug trafficking in the city and on the border, by obtaining the order of the judicial authority, the arrest of the defendants is illegal and after the preliminary investigation, informs the judicial authority. In this section of the police activity, you can refer to the following points:

- 1) Criminal police personnel do not have any knowledge about medicine and its characteristics, and they have not seen any training in this field. Whatever they look like in a drug, they treat medications and report levels. It may not be a drug after checking the goods.
- 2) To identify the defendants and discover drugs in the traditional way. Evidence and indictment the charge of the accused will not be investigated or collected. For example, in the area of NasserKhosrow, they are taking individuals and physical examination, if they have drugs, they will be arrested and delivered to a judicial authority. With the denial of the accused and the claim that he was not a drug dealer and

only went to buy it or did not belong to him, the victim was convicted of drug dealing in terms of obtaining employment. However, there is no effective action in this regard when the prosecution file is returned to the police station. The reason for this is that law enforcement personnel are not familiar with the elements of the drug crimes.

- 3) Due to the lack of required qualitative and multiplicity of duties assigned to research officers, part of the judicial and conciliation orders are left to the discretion of the prosecutor. Particularly, some of the police station that is less relevant to the subject of the medication cause delays in referring to the centers where they need to be inquired. Even the issuance of judicial documents, which is one of the simplest acts of the judiciary, is not in accordance with the law.
- 4) There is no clear indication of their findings in the field of drug crimes once the survey has been conducted and this force has been arrested in the estimation of statistics on drug offenses and the number of defendants, and the discovery of various drugs, including psychosocial ones, lacks an efficient system.

The result of the discussion is that the structure of the law enforcement force is not proportionate to its type of activity, especially in the area of specific crimes and it is necessary to make fundamental reforms in this regard.

3-3 judicial criminal policy with the specialization of judicial authorities

One of the priorities of the judiciary, which has been addressed in the development of the judiciary, has been the development of the knowledge and skills of judging and increasing the scientific capacity of judges and special-

ized courts. However, good practices have been made in this regard but it seems that the judiciary is still in the forefront of this development.

3-4 improving the quality of the handling of drug cases

One of the goals pursued by the prosecution and prosecutor's specialized divisions and raising the level of knowledge of judges, especially for specific crimes, is to improve the quality of judicial cases, and the specialization of branches does not have any priority. Conditions are needed to improve the quality of proceedings, including reducing the number of referrals to prosecutors and courts. The increase in the number of referrals will be equal to a decrease in the quality and carefulness of the proceedings. The statistics show that each month we are faced with an increase in the statistics of the special branch of drug crime, and this rate does not match any of the international standards. The plurality of the file will make sure that the speed is appreciated. In addition, due to the fact that the statistics have been made among the judiciary, some branches have priority to the closure of the case. In addition, the plurality of references will result in prosecution and the reduction of the level of justice and the right to justice. One example of this disregard for the crime of buying and selling drugs is unauthorized. In all cases reviewed in this regard, steps have not been taken to identify the main agents of drug sales at different stages of the investigation (AKBARI, 2008, 170). Obviously, dealers are fed and supplied by others, and identifying key actors has a significant impact on the fight against such crimes. If reducing the workload of judges leads to legal harassment against previous partners and key perpetrators, the fight against drug crime will be in the right direction otherwise the current trend is, milk the ram.

3-5 raise the level of knowledge of judges and specialization

One of the reasons that has been raised in the judiciary is the lack of supremacy and effectiveness of some judges in relation to the cases referred to for the purpose of hearing and not satisfying the quality level of a number of cases, and in general of their violations in the higher judicial authorities. To avoid this, you need to consider the following.

- 1) At different levels of education, including undergraduate and postgraduate students, Students will be introduced to specific crimes such as drug crimes from the beginning, students of the Judiciary will be introduced to these crimes.
- 2) To be honored among students and apprentices. It is certain that judges can be more successful in a particular area of the judiciary, given their talents and abilities and their particular interests and interests. It has been proven that the judge failed to deal with criminal cases, but when he was referred to legal cases, he showed his art. It has to be talented to judge in certain matters, such as drug offenses, from the very beginning, especially during judicial training.
- 3) It is necessary to increase the scientific level of judges who deal with specific crimes such as medicine; new information and new research are translated and presented in a proper manner and if missions are necessary to foreign countries, these people will be prioritized.

3-6 judicial policy and detention

However, in the adoption of criminal laws by the legislature, there has been no move to detain and formulate alternative sentences and criminal substitutes but due to the issuance of numerous letters from the judiciary and the explanation of the problems of the organiza-

tion of prisons and families of prisoners, etc., the willingness of judges has also increased the use of other penalties, in particular, the fine, so that the imprisonment in drug offenses is more likely to be issued to accused persons who do not attend court hearings and absent from the court, or some defendants who have had previous convictions. In other cases, a cash penalty is often prosecuted. According to statistics provided by the Deputy Prosecutor General of the Tehran Public Prosecutor's Office in prison affairs, on 6/1/2007, thirteen people are charged with drug crimes primarily in drug trafficking and unauthorized drug sale. Two of them have been decisive. And six are charged with selling, carrying and storing psychotropic substances in prison. And four of them are based on prison terms (GOODARZI BOROUJERDI, 2006, 91). Consideration should be given to the three main aspects of detention, and in each section, consideration should be given to the process of proceeding more correctly.

3-6-1 the court step

According to the criminal procedure, the investigator should decide on the release of the defendant after he has been charged and investigated. If the charge is not known to him, then free of charge will be provided. Most of the supply schedules issued during the interrogation process are bail and, in some cases, bail. On average, between one and five days the defendant will be detained. The defendant will be released upon the introduction of the sponsor and the issuance of the acceptance. Most of the people arrested at this stage were charged with drug dealing, which in most cases were sentenced to death in the trial phase. Therefore, it is necessary to think carefully so that these people are free from the very beginning. To shorten the interrogation process and the duration of the detention, such individuals must be arranged in order to firstly

declare a bachelor's response in the field of medicine in less time and secondly, police forces will be able to speed up the completion of further research.

3-6-2 processing step

With the option that the legislator has given the judges in the articles 37 and 38 of the Islamic Penal Code, The court can go about the rules and if the expediency requires, imprisonment reduced or converted into the fine. Also, the same law prohibits imprisonment against articles 46. As noted above, the judges' opinion was higher in cash. One of the reasons for not suspending imprisonment seems to be the lack of a specific supervisory system for the application of the provisions of this article. On the other hand, since alternative punishments do not have definite definitions in the law, therefore, in practice, we have not seen any action by judges in the application of these punishments.

3-6-3 Execution of sentence step

As stated above, court sentences on drug offenses are usually a fine or imprisonment term that will be in any case.

The sentence must be commensurate with the particular circumstances of the defendant. One million Rials may be a fine for a rich person with a lighter penalty but for someone unemployed and lacks capital, it's a hard punishment. Sometimes we witnessed the defendants asking the defendants to turn them into imprisonment or whip. Some are also being sent to jail in court for non-payment of cash. Therefore, in determining the amount of a fine, the financial situation of the accused should be considered.

Repeating the fact that the prison as a punishment does not exist in our Islamic jurisprudence will not be a reason to make judicial rulings destabilized and undermine the cer-

tainty and certainty of the sentences. In Islam, most punishments are physical punishments. Is the hand-hanging executed from Islamic Muslim rulings about the burglar? On the other hand, in society, especially in the judiciary, we have many decrees that have not been preceded by sacred ordinances. Lack of imprisonment is not the reason for Islam's opposition to Islam and should refer to the circumstances of that time. Therefore, it should be fairly fair in the prison sentence and the problems of the judiciary and the government should not be the cause of the ineffectiveness of the prison (GOODARZI BOROUJERDI, 2006, 77).

At any rate, when the sentence is served and the convicted person is sent to prison, in order to prevent the repetition of the offense, the duty of the organization of prisons is in the first stage of their correction and treatment. Prison can be a place for learning various crime techniques, familiarity with perpetrators and the formation of dangerous gangs after release from prison. On the other hand, it can be a place for the teaching of the Quran, religious education and cultural teachings; Part of this affair depends on directors and prison staff. According to the above, there are many disadvantages of imprisonment, and it is not a punishment for drug offenses, and alternative imprisonment penalties should be used in this regard.

4 Modifying Executive Policies on Pharmaceutical Crimes And tendency towards non-criminal prevention

Experience has proven that criminal response to crime cannot be a top priority in the fight against crime. In addition to the points made for non-criminal prevention, the cost of these types of responses is much lower than criminal ones. The criminal policy moves towards the participation and involvement of

civil society, including non-governmental individuals and legal entities or, in other words, social organizations run by the people. The influence of these organizations on the behavior of governments and legislators is not an issue; in this regard, the role and importance of criminologists and sociologists should be paid more attention (ROCHE, 2002, 45).

4-1 modifying the system of manufacturing, distributing and importing drugs

As mentioned, the country's drug system and the existing laws in this area and how it manages to implement it has major shortcomings. Part of these problems and disadvantages are political and economic issues, but not all problems are due to the above issues, but some of the problems are rooted in the country's drug system and how it is managed. To overcome these disadvantages, there is a need for the formation of groups of academic experts, practitioners and practitioners of medication with the presence of prominent criminologists. In this section, we are trying to outline some of the disadvantages and modalities.

- 1) Moving toward the drug trade system - in the context of the pharmaceutical industry in the country expanded and the ability to produce most drugs was created and the country's industrial fleet had a good growth, Things must be considered in order to liberalize the industry and eliminate government monopolies with the help and investment of the private sector and lead the public sector to create competitive ground in the region and even the world. To increase the quality of pharmaceutical products by creating a healthy competition among pharmacists, together with the advanced countries of today's technology and new pharmaceutical products and we know the quality of our medicine for doc-

tors in the country and specialists in this field and in other countries, It is necessary, while paying attention to the achievements we have achieved in the past, going to commercialize the pharmaceutical industry in the country. The factories need more foreign markets for more dynamism and effort. If the pharmaceutical industry continues to be monopolized by the government, there will be little growth in this area (ISMAILI, 2000, 43).

- 2) The country pharmacopoeia must be in line with changing and changing global developments. Most of the major pharmaceutical companies and manufacturers in the world to remain in the field of pharmaceutical competition. With all the facilities and spending a lot of money, it is trying to discover and make new medicines and deliver it to the whole world. Therefore, the field of competition of domestic producers in this field should be provided. Secondly, people should not be deprived of effective new medicines by motivating support for domestic products.
- 3) Given that the liberalization of the pharmaceutical industry will lead to a sharp increase in the price of this product, it is essential to strengthen the protection of the poor and low income community of the health insurance community and to support this group with serious support.
- 4) Information plays an important role in the success of the drug system. If people and even doctors know enough about the effect of drugs, believing in the quality of internal medicine, they will not show any appetite for foreign drugs.
- 5) With the motivation to upgrade the quality of products, it is necessary to give more value to the research section.
- 6) Strengthening control systems at the entry points and borders of the country, and refraining from entering external quality drugs and informing people in this regard.

- 7) The lack of involvement of non-experts in the policy of the country's pharmaceutical system
- 8) Establishing healthy competition among drug manufacturers
- 9) Increasing the profit of factories and drug manufacturers in the country and removing the dependence of this industry
- 10) Serious support for innovation, innovation and manufacturing of new drugs
- 11) Careful, continuous and impartial monitoring of the centers of production, manufacture, distribution and supply of pharmaceutical products. Unfortunately, during the period that I have been in contact with the medical and pharmaceutical community of the country in terms of its position, and the complaints raised in this regard, We have seen unfair decisions and policies in support of a group or band or a particular way of thinking. Each of these behaviors could have caused irreparable damage to this sector of the country's industry and lean out valuable troops out of the country.

5 Cooperative policy related to drug crimes

5-1 Participation of people and non-governmental organizations in situ prevention

Situational Prevention is a measure that relates to pre-delinquent status and makes the offense of being prosecuted or minimized. Such as street lighting, alarm sirens, security cameras, property marking, or the imposition of property to prevent theft of robbers, which has been raised in jurisprudence. From this perspective, the crime has three pillars. The first element is the existence of the subject or the perpetrator of a crime that, despite the criminal and non-criminal acts, the criminal has not been suppressed and eradicated. The

second pillar is the crime tool, which is not predictable and eliminated in terms of variety and breadth. The third pillar is a victim, that is, eliminating crime offenses or reducing conditions for offenders by taking measures for potential victims and reducing crime spaces in the prevention of the situation-based victim dispute, it means trying to prevent the victim from being victimized.

Given that the instances of prevention vary from one crime to another. Therefore, the following points will be made on the prevention of drug-related crime;

- 1) One of the reasons for the continuation of drug offenses is the availability of a large number of rare and necessary drugs to unauthorized dealers who cause disturbance in the country's drug system. To reduce this, measures and measures are needed to reduce the available space for crime.
 - A) It must prevent the entry of unauthorized drugs through the control of the borders of the country. We have seen a lot of damage from the lack of control over the borders of the country. The traffic of criminal groups, sabotage at the borders, drug trafficking and the types of goods, the entry of unauthorized persons, etc., are reasons why border control and the use of advanced equipment should be taken.
 - B) Fighting corruption in the ruling bodies such as customs, border police, etc.
 - C) Extending regulatory and inspection measures by pharmaceutical experts to centers that engage in pharmaceutical activities, Identification of unauthorized places for pharmaceutical activities and continuous cooperation of inspectors with law enforcement personnel and judicial authorities.
- 2) It is necessary to deal with serious drug offenses and matters of particular importance. The costs of committing a crime would be increased and the judiciary, in cooperation with the Ministry of Health,

Identify the illegitimate revenues resulting from such crimes and take seriously their extradition to the treasury of the state and for those working in the medical profession who are the perpetrators of these crimes, the deprivation of employment should be seriously applied or use supplementary sentences such as compulsory stay or residence bans for those who are continuously involved in drug dealership.

- 3) Increasing the protection and care of drugs in the public sector at the production, maintenance and distribution levels and used personnel for these departments to be trusted and reliable devices. The group should also have proper supervision and audit of the property professionally. On the other hand, they raised the level of income and the welfare of the personnel, preventing them from slipping. Here it is necessary to declare that, along with the survey, one of the reasons for the pharmacy's activity in the field of selling foreign drugs and health and beauty products is the low incomes of public drug sales.
- 4) Conducting intelligence and police intelligence to identify drug dealers and major drug dealers, Collecting evidence and effective judicial action to identify and punish and eradicate them.
- 5) Correcting former laws and drafting laws can also be studied in precautionary measures as a factor in preventing drug offenses.

5-2 Participation of people and NGOs in social prevention

The social prevention of delinquency includes a series of preventive measures that seek to eliminate or disprove those factors that have contributed to the formulation of crime. This type of prevention can be divided into criminal offender prevention and personal injury prevention and aims to create an ob-

stacle for those who are likely to become victims of delinquency. In addition to paying attention to the social and environmental causes of crime, this kind of prevention is considered. Some examples of this prevention related to drug crimes are as follows (NAJAFI EBRAHBANDADI, 2004, 139).

A. Striving for realistic drug pricing and planning to protect vulnerable populations.

Given that high profits and huge income are incentives for profits and offenders to commit drug crimes and one of the reasons for the high profits in drug trafficking and drug dealership is the difference between government and free prices, Therefore, a policy should be put in place to minimize this price difference and reduce material incentives for the occurrence of such crimes.

The mistakes rose to raise the price of medicines in order to really raise the rate, and this is also true, is the lack of purchasing power for a large number of people in the country at various levels. To solve this problem, it seems that the government has to pay the part of the cost to buy supportive medicines to increase the capacity of social security insurance. Expanding public health coverage and covering vulnerable populations by getting small amounts will allow these people to continue to buy drugs at cheap rates. Of course, this proposal also requires expert review and explanation of the cases and resources. Meanwhile, people value their health well and, if necessary, are ready to pay every single payment to improve their illnesses and their families that are why, despite the huge costs of private hospitals, many people take their patients to these hospitals. When referring to pharmacies, despite the cost of some foreign drugs, when they realize the high quality of the drug, they buy it at any cost. Of course, one should not ignore the fact that a group of people are forced to take their patients to private hospitals in fear of their own lives and if the facilities of state hospitals are increased

and there is an empty bed for admission, the percentage of visits to private hospitals will be lower.

B. Attracting people's participation and cooperation through clear and honest information.

Unfortunately, the belief in the group in informing should act in such a way as not to cause despair, anxiety and anti-regime in people. This group is more concerned about their place in society and do not believe in high capacity and strong people's understanding. If orders are issued that have been made in error or have been made to the detriment of the interests of the state or the people, If there is a corruption in the administrative office with management that has not been resolved, They should share their courage with the people and apologize for them. We need to promote communication and accountability among our managers. If the disease has spread due to the increase of sexual sexual relations, people should be told the facts and the reasons for the problem should be explained (BUDAN, 2002, 23). If the use of psychosocial drugs that spreads day by day among young people is to be notified. Let the public opinion be the decision maker. If there is a country's drug system, the body of the executive, the country's pharmaceutical factories, the distribution system and its quality, deficiency, weakness and weakness, let it be told to the people without any special bias and fear of their job position. Many doctors are not familiar with the pharmaceutical industry in the country foreign drugs are better known. People increasingly get used to foreign drugs and people should cooperate with the government with the state, knowing the status quo. By providing accurate and transparent information on the interference of associations and groups, sports committees and cultural centers will be provided by benevolent people in the city's neighborhoods. Plans should be given to elected councils in each neighborhood

and city. The government should have a leading role.

Conclusion

One of the most important problems and problems is the density of regulations and criminal laws in the field of drug crimes. This, in addition to causing confusion in the understanding and understanding of the rules, causes conflicts and contradictions in some of the sentences. Considering that health, including the basic rights of community members has been emphasized by international legal instruments and it is emphasized as one of the indicators of development and welfare in societies that necessitates policy making in this field inevitable. One of the dimensions of this policy is the formulation of criminal law and criminal law support for community health and the fight against high-risk behaviors against the health of the community. In the case of drug crimes, the legislator should reduce the inflation of criminal law and coherent and comprehensive laws with a new approach using alternative punishments and special attention to important categories of prevention, decriminalization, punishment, and judiciary. In an important drug problem for building a dynamic and constructive movement, it requires a system and organization that protects its privacy and protects its sanctity. This is an urgent necessity in medical science, which is among the leading scientist in innovation and innovation and has a greater impact than other sciences. This rapid progress requires new rules that need to be addressed. Medical law is a branch of law that studies the set of rules and regulations governing medicine, health and medicine. The necessity of familiarizing doctors and other affiliated professions and students with medical, health and medical regulations, knowledge of crimes and medical misconduct, physicians' negligence and failure to perform their duties

and other issues with the medical community are among the topics that are being studied. By examining the legal system governing pharmaceuticals, we conclude that existing laws are incomplete and that there is no coherence and coordination with time and place requirements. Therefore, the legislator should provide grounds for amending and reviewing the dispersed drug laws. Of course, the role of the medical organization should not be forgotten. The more authorities that handle crimes and offenses can be more effective and they can better deal with the issues with a particular treatment. Another point is that people's participation is essential and the media can prevent many of these crimes from being committed by educating and promoting human rights and awareness of citizens' rights.

Suggests

Considering that one of the most significant examples of inflation and criminality can be the laws and regulations related to medical, health and medical crimes. It is suggested that the legislator consider some of these crimes, while decriminalizing some of the under-titles, punishments and de-segregation....

- With many advances in various medical disciplines, existing laws are not effective and in many cases we have a legal vacuum. Therefore, it is necessary to amend, review and approve laws that are tailored to the needs of the community.
- The legislator sets out a new criminal policy to prevent the occurrence of the crimes in question. Legislative criminal policy on drug offenses is not appropriate because of the long legacy of related laws. In addition, the laws in this area are scattered. In order to achieve a fundamental solution in this regard, it is suggested:
 - 1) The legislature, by reviewing and reviewing the laws on pharmaceutical regulations and drug offenses, will take steps to ex-

plain the general policies of the country's pharmaceutical sector and reform the pharmaceutical system. Also, it will provide enough funds to supply the country's pharmaceutical products through the strengthening of the pharmaceutical production and purchasing department. In addition, to offset a part of the low-level drug offenses and to formulate a non-criminal procedure guarantee. Finally, for the purpose of investigating specific offenses, establish a law on the establishment of a judicial police or special police under the judicial and administrative supervision of the judiciary.

- 2) The judiciary first requires the establishment of specialized branches throughout the country, due to the specialization of existing science and knowledge and the formation of illegal groups for committing specific crimes. In this regard, judges will be required to attend special courses based on the type of cases they are referred to. Secondly, the definition of a judicial policy to detain and impose alternative sanctions. Thirdly, reforming the prison system in order to educate and reform criminals and rehabilitate them.
- 3) The Ministry of Health and Medical Education, as part of the executive branch, must also: First, it should match the pharmaceutical system with the world's current conditions and existing facilities and the approach of marketing commercial and quality medicines to enter the regional and global markets. Secondly, prioritizing research in the field of pharmaceutical sciences. Thirdly, the removal of redundant administrative regulations and strong support from domestic professionals working in the field of research and discovery of new drugs. Fourth, to prioritize supplying and supplying patients with pharmaceutical products and to prevent any deficiency in the field of medicine in

the country and fifth, more serious cooperation with the police and the judiciary to combat people who make or sell counterfeit drugs can be a major source of development in this regard.

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