

A Comparative Study of Nuclear Smuggling and the Threat of its Commission in the Iranian and Canadian Criminal Laws

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Abstract

Nuclear smuggling has emerged, as a new manifestation of smuggling, with the discovery and operation of nuclear energy in the life of human society. The issue of controlling the import and export of nuclear material and devices that have been considered by international instruments, including the Convention on the Protection of the Physical Protection of Nuclear Material. This matter has led some governments to criminalize the illegal smuggling of materials, devices, and nuclear science separately. On this path, Canada, as one of the countries that exploit nuclear technology, has adopted a cynical approach in the area of criminality and the designation of a criminal sanction against nuclear smuggling. On the other hand, the activists of Iran's criminal system, by introducing a law on the smuggling of weapons, ammunition, and weapons and ammunition holders, have described the case of nuclear smuggling,

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namely the trafficking of radioactive materials as criminal offenses. Nevertheless, in order to have an up-to-date and dynamic criminal policy against the aforementioned behavior, it is necessary to compare national penal provisions to Canadian laws that have a comprehensive view of the various manifestations of nuclear trafficking and threats of committing it. Eventually, appropriate criminal punishment for dealing with nuclear smuggling will be outlined.

Keywords: Nuclear Energy; Nuclear Terrorism; Nuclear Smuggling; Threats of Nuclear Smuggling.

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