



شورای سیاستگذاری حوزه‌های علمیه خاوران

مرکز مدیریت حوزه علمیه خاوران

معاونت پژوهش

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عنوان

مسئولیت حکومت اسلامی در امر تغذیه در بحران جنگ بیولوژیک از منظر فقه امامیه و حقوق ایران

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بسم الله الرحمن الرحيم

زاهدان

تقدیم

اگر این مختصر را ارزشی است؛

آن ارزش تقدیم به:

نخستین مظلوم عالم حضرت امیرالمؤمنین علی (علیه السلام) و

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بود.

مدیریت حوزه علمیه خواجهان

تقدیر و تشکر

حمد و سپاس مخصوص خدایی است که رب جهانیان و تربیت‌کننده انسان‌ها است
و سلام و صلوات بر روان پاک پیامبر خاتم (صلی‌الله‌علیه‌وآله) و
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و با تقدیر و تشکر از استاد راهنمای فرهیخته و فرزانه
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چکیده

امنیت غذایی، یکی از مهم‌ترین مؤلفه‌های امنیت ملی است که هرگونه تهدید علیه آن می‌تواند پیامدهایی گسترده در سطوح اجتماعی، اقتصادی و سیاسی به‌همراه داشته باشد. در این میان، پدیده‌ای نوظهور به‌نام «آگروتروریسم» به‌عنوان یکی از مصادیق جنگ‌های بیولوژیکی، با استفاده از عوامل زنده بیماری‌زا و آلاینده‌های شیمیایی یا زیستی، عمداً تولیدات کشاورزی، دامی، منابع آب و مواد غذایی را هدف قرار می‌دهد. هدف اصلی این اقدامات، تضعیف زیرساخت‌های تغذیه‌ای، تخریب اقتصاد ملی، و ایجاد ناامنی و رعب عمومی است. با توجه به پیچیدگی این نوع تهدید و پیامدهای سنگین آن، پژوهش حاضر به بررسی مسئولیت حکومت اسلامی در قبال تأمین امنیت غذایی در بحران جنگ بیولوژیک از منظر فقه امامیه و حقوق ایران می‌پردازد.

این تحقیق، با روش توصیفی-تحلیلی و مبتنی بر منابع کتابخانه‌ای، اسناد فقهی معتبر، مبانی اصول فقه، منابع قانونی جمهوری اسلامی ایران، و همچنین اسناد بین‌المللی مرتبط (نظیر کنوانسیون ژنو، پایگاه داده کمک و همکاری ماده دهم کنوانسیون منع سلاح‌های هسته‌ای (BWC) و پروتکل ۱۹۲۵) انجام شده است. هدف آن، تبیین جایگاه فقهی حکومت اسلامی در مواجهه با تهدیدات زیستی و تحلیل کارکردهای قانونی و راهبردی آن در تضمین سلامت تغذیه‌ای جامعه اسلامی است.

از منظر فقه امامیه، حکومت اسلامی مسئولیت شرعی و عرفی در حفظ جان، مال، و معیشت مردم دارد. این مسئولیت با استناد به ادله‌ای چون قاعده لاضرر، قاعده عدالت، قاعده حفظ نظام، قاعده حرمت ظلم، قاعده نفی سبیل، و اصل مصلحت، تبیین می‌گردد. بر اساس این اصول، حکومت موظف است اقدامات پیشگیرانه برای جلوگیری از نفوذ عوامل زیستی مضر به زنجیره تأمین غذا انجام دهد، و در صورت بروز چنین تهدیداتی، راهکارهای مقابله‌ای و جبرانی مؤثری در پیش گیرد. تحلیل تطبیقی با نظام حقوقی ایران نشان می‌دهد که علی‌رغم برخی اصول کلی در قوانین جزایی و عمومی، خلأهایی در جرم‌انگاری اختصاصی پدیده‌هایی نظیر آگروتروریسم، ضمانت اجراهای قاطع، و سازوکارهای اجرایی و پیشگیرانه وجود دارد.

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