

## THE RELATION BETWEEN ORGANIZED CRIME IN CRIMINAL LAW POINT OF VIEW AND COMPLICITY

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**Summary:** In the article there are explanations between organized crime in criminal law point of view and complicity in criminal offence. Author explains existence of three forms of basic criminal law aspects of organized crime: 1) notion of organized criminal group, 2) relation between complicity and organized crime and 3) concrete incriminations which are typical for organized crime. In the article there are analyze too of the basic forms of complicity in criminal offence – co-perpetration, incitement and aiding/ abetting. Author explains too one former form of complicity in Yugoslav criminal law – the organizing of criminal enterprise, which is very similar to some legal solution from former criminal law of the Soviet Union, but even similar to contemporary criminal law of USA, when it comes to institute conspiracy. Author concludes that this form of complicity was highly controversial, primarily from the standpoint of its collision with the principles of guilt and individual subjective responsibility and as such has never been applied in practice, although substantially correspond to what are typical forms of organized crime. This paper analyzes some specific forms of participation in a criminal act, such as conspiracy in Anglo-Saxon criminal law and a special form of indirect perpetration in German criminal law. The author concludes that in practice under organized crime, as the subject of criminal proceedings often erroneously subsumed certain forms of complicity which do not fulfill all the necessary requirements to be considered at the same time forms of organized crime.

**Keywords:** organized crime, complicity, co-perpetration, incitement, aiding and abetting.

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