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COMMITTING A CRIMINAL OFFENSE BY A GROUP OF PERSONS BY PRIOR CONSPIRACY AND AN ORGANIZED GROUP AS DIFFERENT FORMS OF COMPLICITY

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This paper investigates the legal complexities of considering criminal offenses committed under prior conspiracy and within organized groups and analyzing them as specific forms of complicity. Complicity, in general, refers to the legal liability of individuals who aid, abet, or otherwise participate in the commission of a crime. Understanding the distinctions between prior conspiracy and organized groups is crucial for accurate legal classification and prosecution. These forms of complicity pose unique challenges in proving intent, establishing hierarchies, and attributing responsibility.

Moreover, the rise of transnational organized crime and sophisticated criminal networks underscores the need for a thorough examination of these legal concepts. Specifically, accurate legal definitions and distinctions are essential for ensuring fair trials and appropriate sentencing.

Consequently, legal scholars and practitioners have long debated the intricacies of complicity. Significant contributions have been made by such scholars as: **1) Wayne R. LaFave**, known for his comprehensive work on criminal law and providing foundational analysis of complicity principles;

2) Joshua Dressler, another prominent scholar, who delves into the nuances of criminal intent and accomplice liability; **3) European legal scholars**, there are many scholars from Europe who have done extensive research into organized crime and the differences in the legal systems in regards to organized crime.

To clarify the distinction, prior conspiracy involves an agreement between two or more individuals to commit a crime, with an overt act in furtherance of that agreement. Key elements, as specified in Legal Information Institute, include: 1) agreement, a mutual understanding and intent to commit an unlawful act; 2) intent, shared intent to achieve the criminal objective; 3) overt act, an action taken to execute the agreement.

In contrast, an organized group typically involves a more structured and hierarchical criminal entity, with defined roles and a sustained pattern of criminal activity. Key elements include: 1) structure, a hierarchical organization with

defined roles and responsibilities; 2) continuity, a sustained pattern of criminal activity; 3) purpose, a common objective to engage in criminal conduct.

A comparative analysis reveals the following differences between criminal offenses committed by prior conspiracy and organized groups: **shared intent**, both prior conspiracy and organized groups involve shared criminal intent, but the degree of planning and organization differs significantly; **hierarchical structure**, organized groups typically exhibit a clear hierarchical structure, while conspiracies may involve more fluid and informal arrangements; **scope of criminal activity**, organized groups often engage in a broader range of criminal activities over an extended period, while conspiracies may focus on a specific, targeted offense; **evidentiary challenges**, proving the existence of an organized group may require demonstrating the group's structure and continuity, while proving a conspiracy focuses on the agreement and overt acts.

Thus, prior conspiracy and organized groups represent distinct forms of complicity, each with unique legal implications. Understanding of these distinctions is essential for effective criminal prosecution and sentencing. Further research and legal development are necessary to combat the evolving challenges posed by sophisticated criminal networks. The legal systems must continue to compete with the ever changing criminal landscape.

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CAUSES AND CONSEQUENCES OF REVOLUTIONS IN INDEPENDENT UKRAINE

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In the context of contemporary socio-political processes, particularly the current russian-Ukrainian war, the study of the causes and consequences of revolutions in independent Ukraine is extremely relevant. They are of great legal, social, and economic **significance**. They have also influenced the further development of our free, democratic state. The Orange Revolution and the Revolution of Dignity have become crucial stages in the formation of the Ukrainian national consciousness and the determination of foreign policy orientation. Examination of these processes allows us to define systemic problems that have caused crises in governance and society.