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THE ACCOMPLICE AS A TYPE OF CRIME ASSOCIATES

The precise distinction between the accomplice and aiding is important for a deeper understanding of the connection between crime associates. The specific contribution made by each of them in a common joint activity ultimately leads to the recognition of a person as accomplice. In this sense, the concept of aiding reveals the essence of the role of accomplice. There can be no aiding without accomplice, exactly as there can be no accomplice without aiding. In this sense, these terms are used in this article.

There is no concept of aiding in the criminal law of Ukraine. The concept of accomplice is defined by the legislator in paragraph 5 of Article 27 of the Criminal Code of Ukraine: “The accomplice is a person who has facilitated the commission of a criminal offense by other accomplices, by way of advice, or instructions, or by supplying the means or tools, or removing obstacles, and also a person who promised in advance to conceal a criminal offender, tools or means, traces of crime or criminally obtained things, to buy or sell such things, or otherwise

facilitate the covering up of a criminal offense”. Given this definition it follows that the concept of accomplice belongs to the criminal offender and reflects its specificity as a type of crime associates. The accomplice is a type of crime associates performing joint criminal activity, and therefore he above all it bears general features of criminal offender (a criminal offender shall mean a sane person who has committed a criminal offense at the age when criminal liability may rise under the Criminal Code of Ukraine). However, there are special features of accomplice that are determined by the role played by the accomplice in a joint crime. In the science of criminal law aiding is recognized as socially dangerous act of accomplice, revealing the specifics of his role in a joint crime, reflecting the content of its functions.

Thus, the concept of accomplice must firstly take into account all common objective and subjective features inherent to the concept of complicity, and secondly – reflect specific signs of accomplice as a type of crime associates.