

Participants in Illegal Action

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Abstract: Actually we live in society where people need to respect the rules if they need to live in normal organize which is unique think through our life become easily and everyone of us can make his plans becomes realized. Every society governs by rules establish by people which need to be respect if it is written somewhere or we have general law given by authority which we need to respect forbidden them we receive sanctions in dependence by gravity of every illegal action committed by each person. Subject which I will develop in this project it is about illegal action committed by criminals which law gives different types of sanctions in dependence of category of subject brake the law which responsible authority must implement some actions to remove antisocial factors exposed all society in every part of world. Participants in illegal action represent an issue which special institution responsible to respect the law everyday they need to adopt some rules, establish some measures, plans contains general information refer to person responsible committed something punishment by law and justice must give solution if person is guilty or not finally can give a sentence different forms of saction in depended of gravity of illegal action for example privation of liberty, working for beneath community, a fine or another type this represent a modality to prevent criminal factors, control actually society and equity in every part of world by different types of international or national institution in dependence of his authority.

Key words: illegal action, penal law, participants, authority, punishment, society, sanction, rules

JEL codes: K, K42

1. Renewable Energy Deployment Targets in the EU

The state is made up of a multitude of elements composed of each of these well structured, positioned, functionally established for the whole society to coexist in a well-deserved order because this is the social order in a community established and inherited from past times through written rules accepted by the majority of society.

Actually we have a lot of agencies, institutions, organizations, groups or communities that we join being established to protect the fundamental rights, protecting all interests from the harmful factors to which we are would can exposed.

Every democratic state joins to international organizations, regardless of economic, social, justice profile, which aims to ensure the citizens daily well-being by sign different acts, implementing them, transposing them in everyday life.

Special institutions are directly responsible for prevention and to decrease criminality by adopting various normative acts, regulations, decisions where methods or means of prevention from harmful factors or not increase

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the level of criminality are provided by examination the aspects that served as the basis for forbidden the law and public order deviation from the names generally established and respected by the community.

Nowadays the world is part of different issue in generally activity, whether it is about illegal migration, healthcare, economic development of society, social problems or any other factors that offer as reason for the intervention of special institution.

Personally, we contribute to developed in a contemporary society through the which we act, the behavior we have daily and also to respect the rules established by the responsible institutions therefore otherwise we can take some measures regardless of their type where we don't have the choice of the type from our social activity .

About my article it is express the issue of criminal participation in the crime, namely the categories of participants in committed of the illegality, and here I am refer if person brake of the criminal law which is the obviously of the committed act in consideration.

The participants in the crime are the category of antisocial persons whose aim is to disorder the social-economic situation of the community of which it is a part, so whether we find solutions to prevent or control the criminal phenomenon by discover the factors that disorganized from the socially recognized and accepted norms by society.

Participation of group of people in some of the illegal act represents for law enforcement institution some difficulty in investigation and discover the manner in which the act was committed and, of course, who are directly responsible for those committed, therefore they a type of several people involves to hide the consequences of the crimes that means the criminal act are undiscovered dependence to the complexity of the actions taken to the realization of the proposed goal but also to the scientific progress that we have nowadays.

Participants in the crime is governed by the Criminal Code of the Republic of Moldova in Chapter IV of the General Part for the name of participation, so refer to art. 42 it is mentioned that the participants are persons who contribute to the committed of a crime as an author, organizer, instigator or accomplice each of they have a well-determined action in realized a crime.

Therefore, the author of the criminality is directly the person who commits the crime or something illegal that is prohibited by the legislation, an exception in this case is determined and the person who resorts to different method to accomplish the purpose or objective such as minors, animals, birds instructed or training bring different values objects from a place for which access is more reasonable apply to the method stated previously.

In other words, the organizer is the participant of the crime who distributes responsibility as be a member of a criminal group or criminal organization to bring evidence objective in order carried out in efficient times and effect of the crimes won't discovered by special institution.

Another part of penalty is the role of the instigator, who has responsibility to determine another person or group make something that forbidden the norms of social coexistence through various possible method, types or techniques.

The accomplice is the subject of the crime which joined as the members of the group commit the crime, this can characterized by the removal of obstacles, to promise that do something planned or not inform special institution in discover the method of the act committed, providing information or any other actions/inactions manifested by him the last one almost in most cases obtaining some benefits, gifts or any other rewards.

The participants in the action is the unique method of taking care of the majority of crimes through the crimes a mandatory condition is recognized otherwise completely cannot be achieved through the example of the illegal organization, mass disorder, etc.

The general conditions are the stability of the criminal law for the presence to be held criminally liable, such as responsibility, age and the natural person cannot be held criminally liable, animals, birds or other objects that do not have the appropriateness for it, whether they are the institutions powered to have the ability to care of exercise to the person at the time of committing the act.

Participation of several people in the committed of the crime requires the formation of special groups in the legal bodies equipped with all the necessary technical means or of any other type to achieve the final goal of the announced investigation of the act, or the persons who committed it and bring them to criminal responsibility for the illegal act mentioned.

General statistic presented by the National Bureau of Statistics reveal the fact that in the Republic of Moldova the most frequent crimes are committed based on patrimonial type such as thefts, robberies, scams have any other time than these prohibition actions followed by crimes in the field of transport such as exploitation improper use of vehicles or driving for influence of various substances such as alcohol.

The level of criminality registers a slight decrease but in general terms, maintained the general characteristic the most crimes are committed by men between the ages of 20-40, in cities cause of the economic level of development but also the concentration of the population on a certain territory.

Women makes crimes in which serious facts can be found in their actions, whether the social economic situation imposed or the environment in which they live formed all the necessary conditions for achieved the situation in question.

The law enforcement institution, and here I am refer to the supreme house, apply as sanctions the most common was conditional release, privation of liberty, fines, unpaid work for the benefit of the community.

Migration is a issue in our society which family situation becomes comfortable, parents send various goods also money, food also products or any other benefits, but from a moral point of view such as discussion because children are left without effective supervision or the educational level is sometimes not what children expect stay at home join groups of friends who together consume various unhealthier substances or commit various illegal act for various reasons to impress someone or the level of development does not allow awareness of the actions taken.

In order not to find various anti-social phenomena, each person must be involved in either working routine or educational activities, including the environment that he is part of, must be a healthy one through which either person will appropriate only those ones good parts of society.

Actually, there are a lot of educational centers, NGOs, institutions responsible for the social integration of the socially vulnerable population, whether they are old person, people with disabilities, children who don't know their parents and other categories to which, on any occasion, people are offered support in different types but whose existence in the world is recognized for a moment in life.

The lowest level of unemployment will also represent a level of crime rate till to the fact that each person will have for an unpredictable period of time an income that will ensure their existence from food products, clothes, payment of communal services as well as for other necessities such as entertainment with the appropriate ones, but for now unemployment represents one of the situations from which one ends up commits criminality till fact that the person resorts easier method to maintain their existence.

The judgement having for examination the participants in the crime depending on the case, whether the person didn't commit the act, the statute of limitations has out of time or there are no elements of the crime, in other types privation of liberty would applied, in the following I will refer to some examples of decisions refer by the judge.

The persons are accused of committed fraud in complicity art 190 and art. 42 paragraph 5 of the Criminal Code of the Republic of Moldova, namely, taking advantage of the person's advanced age, they convinced her to sign the contract of donation of the apartment, acquiring the good of another person willingly, judge examined each part of evidence presented in reliance by the person who committed for the majority whether the act was not committed by the defendant or the privation of liberty and payment of the moral damage suffered.

Another case before the court on the topic of participants in the crime refers to the fact that the person as the author art. 42 and 217¹ paragraph 4 of the Criminal Code of the Republic of Moldova found guilty of commission the crime but not deprived of liberty till to the death of the defendant, this the procedural decision is to terminate the criminal prosecution process.

A last case that I will mention in this article in which the court exposed itself to the subject of the participants in the crime represents the commission of the crime of sending various goods by eluding customs control such as auto parts in complicity therefore we refer to the commission of the crime provided by art. 42 par. 5 participation by complicity and art 248 par. 5 smuggling from the Penal Code of the Republic of Moldova regarding the charges, the decision acquitted and full rehabilitation was taken because in most cases in their facts the court didn't find the elements of the crime.

All the cases of criminal participation that the court had before it were examined in detail, mention the illegal actions committed, the accusation brought against the defendant, the evidence examined in the court session, the witnesses, the details regarding the illegal actions committed and in a final decision taken by the court, whether it found the criminal element in the actions of the person, therefore determining the privation of liberty in the best case conditional on the application of the seizure of the acquired goods and the return to the owner or in another case the person was found guilty of committing a crime but intervening other procedural aspects of termination of the process in a different order of ideas, the situation is found, the non-existence of the component of the crime, the person is not guilty of the person's commission, the justice finish the criminal process, the person was fully rehabilitated.

The participants in the crime as a field of criminal law obviously that on the plan of the justice session there will be either that in most of the facts it is committed as an author or complicity represents the important institution in attention of the law enforcement bodies.

The subject of participants in crime involves the use of different study methods such as:

1) Historical — comparative analysis of criminal legislation in different periods of time such as the categories of participants in crimes provided for by the criminal code of 1961 and the actual legislation. The institution of criminal participation was previously regulated in the Criminal Code of the Republic of Moldova from 1961 in art. 17-19, the following terms specific to criminal participation included: complicity, criminal organization, favoritism and non-reporting the categories of participants are provided for in art. 42 of the Criminal Code of the Republic of Moldova author, organizer, instigator and accomplice.

2) Statistics — this paper presented statistical data regarding the commission of the crime depending on different periods of time, age, gender, territory, categories of the crime most often committed in general, the level or rate of crime over the last 5 years recorded on the territory of the Republic of Moldova.

3) Comparative — analysis of national and international legislation in terms the categories of participants, the criminal codes of different countries generate directly or indirectly the criminal activity committed by the organizer of the crime, for example the German Penal Code art. 85, 121, 127, the Italian Penal Code art. 306, Spanish Penal Code art.545 or Romanian Penal Code art.167.

4) Scientific — involves the research of different bibliographic sources from monographs, manuals, collection of problems and the detailed presentation of the categories of participants in crimes and the defining features

5) Descriptive — this paper presents the detailed analysis of each category of participant in the crime, the defining features, the general characteristic, the general analysis of the participants in the crimes from several points of view, taking into account cases from daily reality.

The article made on the subject of participants in crime refer by the criminal legislation of the Republic of Moldova, but which we also find in foreign criminal codes, represents the problems presented by all of humanity: organized crime, the cooperation of several people in the commission of illegal acts.

Organized crime represents a problem of society that itself must solve caused or provoked by us, we must adopt a series of measures together with the institution for the protection of the legal norms of the methods that were used to commit them, the factors that determined the worsening of the situation by resorting to commit crimes.

Non-governmental organizations as well as state institutions must address people ability to commit illegal acts or who have attempted a negative history in the attention of law enforcement bodies by participating in various thematic conferences or establishing a special institution/organization address the problem of participants in crime in all the complexity would represent to you the factor of development of the society towards progress.

Through this article, I have addressed the main factors that serve to commit illegal actions through participation, a problem that society is find today, and therefore measures must be adopted to increase the level or harmful factors from the outside that influence us on our daily methods of life.

The application of different types such as historical, scientific, comparative, descriptive or statistical provides us with information from different forms of scientific activity, aspects or exhaustive details regards the participants in the crime.

Research and presentation of what the justice have examined regarding the subject addressed provide concrete examples of what has committed, the type of criminal participation mentioned in the case whether it is only authorized or complicity, the court leading either on conditional release, the termination of the criminal process or rehabilitation of the person for the reason that the person is not guilty of the committed or the less of the criminal component.

The level of crime in a society is determined by the antisocial factors to which the population is exposed, which form favorable conditions for the presence of criminal participation to exist, sometimes there are states where in some areas legal organs do not have the full capacity to act refer to the fact that the level of development of the state is improper, its management has relatives or the circle of people who surround them in the efficient administration of the public domain by defending the most important social values protected by law and all institution responsible to protect all rights people for wrong influence society.

Criminal participation is becoming a tradition for some ethnic groups committed patrimonial crimes caused to the antisocial phenomenon to which the group of people such as foreigners, ethnic groups, by the old person or people with a degree of disability is exposed, for all of these the state institutions must adopt and a series of concrete, reversible actions.

Actually, my article it is a short description of issue a society, some interesting, useful information which we need to consider and adopt some decision and finally it is my opinion of one problem of our society maybe it can find in different part of world for future we can find solution organized different meetings at this matter.