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1996–2000 Faculty of Criminal Justice Sciences, University of Sarajevo. 2005 LL.M. in Criminal Law at the Faculty of Law, University of Mostar. With the financial support of DAAD obtained his Dr. iur. in 2009 at the Albert Ludwigs University of Freiburg within the framework of the International Max Planck Research School for Comparative Criminal Law (IMPRS-CC) under the supervision of Prof. Dr. Dr. h.c. mult. Ulrich Sieber. Since 2001 employed at the Faculty of Criminal Justice Sciences, University of Sarajevo where he currently works as an Assistant Professor of Criminal Law.

The extension of criminalisation to include the early preparatory stages of the commission of criminal offences represents one of the most debatable issues in modern criminal law. In response to some of the most complex forms of crime usually committed by criminal collectives (such as terrorism, organised crime, or economic crime), different legal systems have developed diverse legal models to address the problem. All in all there are two main models. Countries of the continental criminal law tradition usually rely on the ‘participation in a criminal organisation/association’ model, whereas countries of the common law tradition utilise the ‘conspiracy’ model. These models, although having similar functions (to criminalise the early preparatory stages of the commission of criminal offences), are very different in their constitutive elements.

This book, for the very first time, explains the differences between the two types of models and points out the process of transfer of their elements from traditional models (Germany and England and Wales) to the international models (UN and EU), and furthermore to transitional models (Bosnia and Herzegovina, Croatia, and Serbia).

The author is of the opinion that the differences between the two types of models are such that they cannot be seen as viable alternatives in criminal law, as suggested by the international models. He therefore suggests that the fight against criminal collectives requires cumulative criminalisation using both models in order to be effective.

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‘Participation in a Criminal Organisation’ and ‘Conspiracy’

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## ‘Participation in a Criminal Organisation’ and ‘Conspiracy’

Different Legal Models Against Criminal Collectives

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