



Asociaciones ilícitas y organizaciones criminales en el código penal español (Spanish Edition)

Patricia Faraldo Cabana

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Introducidos en el Código Penal en la reforma de 2010, los delitos de organización o grupo criminal constituyen uno de los instrumentos más importantes de que dispone el ordenamiento jurídico para hacer frente a la delincuencia organizada. Siguiendo las pautas establecidas en la normativa internacional y europea los arts. 570 bis y siguientes ofrecen un concepto de organización y grupo criminal que pretende abarcar tanto las agrupaciones de pocos miembros como las grandes estructuras criminales de carácter transnacional, castigando las conductas de constitución o promoción, dirección, pertenencia y favorecimiento. Ahora bien, el mantenimiento de los delitos de asociación ilícita, que cubren un ámbito de la delincuencia similar a los de organización o grupo criminal, las dificultades existentes a la hora de delimitar los criterios que separan el crimen organizado de la delincuencia empresarial y la tendencia a la consolidación de una legislación de emergencia con medidas cada vez más incisivas contra el terrorismo y la delincuencia organizada hacen necesario un estudio como éste, donde se analizan con detenimiento los elementos típicos de estas figuras delictivas con el objetivo claro de facilitar su aplicación al intérprete.

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