

odnosa počinitelja prema ovim krivičnim djelima kao pravne kategorije, ali takve kategorije koja neumitno mora biti prožeta razumijevanjem svih okolnosti u ukupnosti njihovog socijalnog značaja. Tek ovakvo shvatanje umišljaja, uz uvažavanje razrađenih doktrinarnih postulata krivičnopravne nauke, može rezultirati adekvatnim formiranjem formalno, materijalno i logično pravilnih vrijednosnih sudova o psihičkom, subjektivnom odnosu počinitelja krivičnih djela prema onome što je objektivno eksteriorizirano vanjskim manifestacijama njihovih radnji i posljedicama koje su te radnje prouzrokovale.

PROVING INTENT IN CRIMINAL OFFENSES COMMITTED BY OFFICIAL OR RESPONSIBLE PERSONS

Summary: *Understanding and proving the psychic relationship of perpetrators of criminal offenses, in which the perpetrators appear as official or responsible persons, is primarily for the prosecution, probably the biggest challenge. Intent, as the focal point of the criminal law system, in a reality in which prosecution of perpetrators of this type of crimes is indisputably a task of exceptional significance in social terms as well as in regards to criminal policy, is an institute that is distinguished by its characteristic. Therefore it is necessary to devote considerable attention to the question of proofing intent. It is crucial to perceive this institute in a way that is based on criminal law doctrine, in order to avoid any form of arbitrariness of process entities, and in order to fully accomplish the purpose of criminal prosecution and sanctioning by correct understanding of the given form of guilt. In this regard, it is necessary to highlight some of the dilemmas that arise when assessing the existence of intent on the side of perpetrators of the aforementioned crimes. In this paper, the authors offer a review of essential doctrinal notions of intent within the framework of domestic and foreign criminal law dogmatics, presenting general observations about the institute. At the same time, the authors are emphasizing the necessity of making a distinction between intent, and other institutes of criminal law such as error about subsumption, awareness of unlawfulness, real and legal errors, along with providing practical case-law examples that support the argumentation presented in the paper. In addition to the above, authors provide a review on intent as element of the crime of abuse of official duty or authority as the basic criminal offense in regard to this type of criminal offenses. In the end, authors present the most frequent problems that arise in the process of proving intent from the aspect of the prosecution, discussing potential ways of overcoming these problems, based on their own view.*

Keywords: *criminal offense, intent, dolus, guilt, official person, responsible person*