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THE DEVELOPMENT OF THE SCIENTIFIC THOUGHT AND THE LEGISLATION ON PARTICIPATION OF THE PROSECUTION IN CRIMINAL PROCEEDINGS DURING EXEMPTION OF A PERSON FROM CRIMINAL LIABILITY IN X-XVI CENTURIES

The article is devoted to research of the prosecution and the mechanism of exemption from criminal liability. Exemption of a person from criminal liability, as a method of rehabilitation of persons is studied. The basic rights, acting on the present territory of Ukraine in X-XVI centuries, are investigated. It is concluded on the importance of Russkaya Pravda for the history of Ukrainian law. The influence of Russkaya Pravda on legal developments is determined. The author reviewed the basic features of the criminal process of Kievan Rus, analyzed the rules of Russkaya Pravda and concluded on the existence of certain grounds for exemption from criminal liability. The article reviews provisions of Russkaya Pravda that allow releasing from criminal charges or punishment in connection

with remorse. The author studied the rules of Lithuanian Statute during the different years and in various editions in the context of exemption from criminal liability. The provisions of Lithuanian Statute that directly measured prototype mechanism for exemption from criminal liability were analyzed. No clear distinction between the rules of civil and criminal law in the Lithuanian Statute is established. Special trials of Lithuanian Statute are depicted. The features of the Ukrainian Cossack and Hetman Republic laws in the area of exemption from criminal liability are investigated. It is concluded that in criminal proceedings in application of the institute of exemption from criminal liability in Ukrainian Cossack and Hetman Republic dominates the thought of private prosecutor (victim).