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## **HISTORICAL PRECONDITIONS FOR INTRODUCTION OF AGREEMENTS IN CRIMINAL PROCEEDINGS**

Alternative ways of conflict solving, such as a compromise or agreement in criminal proceedings, have been increasingly usable and significant in the environment of criminal law reforms aimed at harmonisation with the applicable international standards.

A compromise originates from the initial stages of criminal law development, and has gradually improved and progressed ever since. Earliest attempts of amicable dispute solving can be found in the ancient Code of Hammurabi. The codified state laws of the Ancient Rome, the Law of the Twelve Tables, also had reference to probable agreement between a guilty person and an aggrieved person.

Russkaya Pravda was the key justice ruling in the Kyivan Rus. At that time, indemnification of damages incurred was the primary goal of justice followed by a punishment for a crime. In the territory of Halychyna under Polish ruling, parties had the option of amicable agreement instead of blood vengeance.

The Rules of Criminal and Educative Punishments of 1845 provided for full confession (acknowledgement of a guilt) and probable cancellation of a punishment if a guilty person made an amicable agreement with an aggrieved person.

The Criminal Law Code of 1864 also included provisions with respect to an amicable agreement between the guilty and the aggrieved, and with respect to guilt acknowledgement by the accused.

At Soviet times, in particular, during the effective period of the three Criminal Procedure Codes in the Ukrainian SSR (rev. 1922, rev. 1927, and rev. 1960), simplified procedures of criminal case examining (i.e. private prosecution cases, records of case bundle, reduced time of case examination based on parties' waiver of certain evidence investigation, exemption of criminal liability for various reasons) were applied to some extent.

Development and widespread use of agreements in criminal proceedings is a global trend extending to law systems of both Anglo-Saxon and continental countries.

The analysed sources and historical conditions precedent to agreements in criminal proceedings witness to their justification in the national criminal procedure laws, and to a reasonable necessity of further improvement of such provisions taking into account recommendations of the international community and experience of other countries.