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AGREEMENTS IN CRIMINAL PROCEDURE OF UKRAINE AND THE UNITED STATES OF AMERICA

The article deals with the analysis of amicable agreements in the USA and Ukraine criminal proceedings and the necessity of implementation of foreign extensive experience that has proved its effectiveness into Ukrainian legislation.

The article is researching historical backgrounds of settlement agreements institute and advantages of summary proceeding. For instance, the majority of criminal proceedings in well-developed countries are held in the order of amicable agreements conclusion.

Furthermore, the author pays attention to the fact, that criminal proceedings, based on agreements, answer the main objectives of criminal procedure, for example: the protection of rights, freedoms and legitimate interests of participants in criminal proceedings, as well as the insurance of quick, comprehensive and impartial investigation and trial in order that everyone who committed a criminal offense were prosecuted in proportion to his guilt. Also, the institute of

agreements in criminal proceeding gives an opportunity to economize on expenses and unload the work of judges. In the same time, the article points out the problems, arising in connection with the implementation of this special procedure in the Ukrainian legal system.

The author compares the main provisions of criminal legislation of both countries and explores two types of agreements in Ukraine, in particular, reconciliation agreement between the victim and the suspect or the accused, plea agreement between the public prosecutor and the suspect or the accused about pleading guilty.

In conclusion, the author also pays attention that the process of criminal legislation reform is extremely important and proofs the necessity of implementation of foreign experience, considering all disadvantages of each implemented institute. Moreover, foreign legislation may be duly adapted to the Ukrainian legal system.