LEGISLATIVE ADJUSTING OF LAW ENFORCEMENT

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TENDENCIES OF IMPROVEMENT OF CRIMINAL LEGISLATION OF UKRAINE

Necessity of reforming of Ukrainian criminal legislation is caused by the economic, political and social transformations our country is going through. It is well known that high standards of life and stability are the main factors for evaluating the country's success and prosperity ensured by the effective and coordinated activity of the authorities responsible for preliminary inquiries on investigation of criminal offences and relevant judicial procedures. During the years of independence Ukraine faced many challenges but one question still is not settled – how to harmonize the Ukrainian criminal procedural legislation with the European standards and keep it an effective tool for protection of rights, freedoms and legal interests of every Ukrainian citizen. According to the standardized definition basic sources of the criminal procedural legislation are the Constitution of Ukraine, relevant laws concerning judiciary system, status of judges, prosecution, Security Service of Ukraine, law enforcement agencies, lawyers and notaries, investigative activity aimed at statutory compliance and crime prevention in our country. That is why all legal norms concerning criminal procedure must be in full compliance with the Constitution.

This article provides analysis of the main directions of current research on the abovementioned issues. Terms, legal nature, types, prerequisites, background and legal consequences are defined. Different forms of legal policy including criminalization, decriminalization, penalization and depenalization are considered. Basic principles of the theory of criminalization, decriminalization, penalization and depenalization of crimes are outlined. Measures aimed at correction of mistakes occurring during the implementation of the criminal legislation of Ukraine are offered.

Keywords: criminal policy; criminalization; decriminalization; penalization; depenalisation; criminal legislation; crime; punishment.