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**CURRENT EDITION OF THE CRIMINAL EXECUTIVE LAW  
(Criminal Executive Law of Ukraine: textbook (in 2 volumes))<sup>1</sup>**

The reforms implemented in the State Penitentiary Service of Ukraine and adaptation of domestic Criminal Executive Law to the European standards have created new challenges for the Criminal Executive Law and lawyers training. Nowadays there is a change of accents, i.e. the main task of the penitentiary system is to return the convicted person who served a sentence to a normal life. It fully complies with the purpose of the Criminal Executive Law of Ukraine, which regulates the procedure and conditions for the criminal sentences execution and servicing, protecting individual, society and state interests by creating conditions for convicted correction and re-socialization, preventing new criminal offenses both by convicted and others persons, and preventing tortures and inhuman or degrading treatment with convicted persons (Section 1 of art. 1 of CEC of Ukraine) [1].

The issue on educational books availability that meet contemporary requirements and considers legislative changes and modern European tendencies is extremely relevant under such conditions. In this sense, the textbook “Criminal Executive Law of Ukraine” [2; 3], under general editorship of the Doctor of Law, Professor Y. Y. Barash, relates to the fundamental educational and scientific works, which largely eliminate the gaps in domestic law books.

The textbook is prepared in accordance with the curriculum program “Criminal Executive Law”, taking into account changes and amendments introduced into the law. The contents of the textbook and its structure correspond to requirements related to the law educational books. Learning materials explanation is systematic, reasoned and logical; the text is written in understandable language, which is required for its digestion by the students (cadets or listeners). An obvious advantage of the academic and scientific work is its division into 2 volumes, respectively, into General and Special Parts of the Criminal Executive Law. Its structure allowed the authors to fundamentally outline all the key issues and issues of the Criminal Executive Law of Ukraine, taking into account the latest tendencies in modern penology.

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<sup>1</sup> Muzyka, A. A., Konopelskyi, V. Ya., Pysmenskyi, Ye.O., Sokalska, O., Steblynska, O., Kyryliuk, V., Isakov, P., Mykytas, I., Zaliylova, I., Rudnytskykh, M., Kislov, O., Bezorchuk, O. (2018). *Criminal Executive Law of Ukraine. Volume 2*. Kyiv: National Academy of Internal Affairs, SP T. P. Kandyba.

The first volume outlines the following issues: concepts and principles of the Criminal Executive Law, modern aspects of state policy in the field of sentences execution, stages of criminal executive system formation and relevant legislation, system of international legal acts in the field of sentences execution and Criminal Executive Law, criminal executive legal relations and legal status of participants in the penal enforcement process, system of penitentiary bodies and facilities, control and supervision over their activities. The second volume of the textbook covers the key issues of the various types of punishment, classification of convicted to imprisonment and their distribution among the penitentiary facilities, prisoners direction, acceptance, placement and transfer to imprisonment, regime and conditions of detention, medical care of convicted, release from service of punishment, etc.

The authors could logically, fully and consistently set out learning material, without breaking the ties between the subjects. Also it is worthy taking into account carefully developed and clearly formulated conceptual apparatus, which is distinguished by argumentativeness. This eliminates the possibility of contradictory interpretations stipulated by different understanding of the same terms.

A methodically correct wording of issues is given at the end of each section intended for self-control, which will help to increase the level of material digestion, and the list of the main recommended literature related to the subject.

At the beginning of Section I (volume 1), interesting information is provided concerning the first Ukrainian Code that regulated public relations in the field of sentences execution and servicing. It was not called corrective labor. So, on October 23, 1925, at the 2nd session of the VUTSVK of the IXth convocation, in particular, Resolution “On enforcement of Correctional Labor Code of the USSR” was approved. This information is apparently well-known, but the textbook is rightly stressed on another issue: “It is amazing but in domestic legal literature the actual Code title, “Correctional Labor Code of the USSR” has not been used, although officially it has never undergone any changes for almost forty-six years (unless considering only replacement of capital letters into small letters in some words that form the title of the Code). Even in six-volume “Legal Encyclopaedia” (1998, p. 404) article was called “Correctional Labor Code of the USSR 1925”. This Code (with current title) is no valid on the basis of the Decree of Presidium of the Supreme Council of USSR “On the recognition of certain legislative acts of the USSR as became invalid in connection with Correctional Labor Code of USSR entry into force” dd. June 30, 1971, No. 3 794-VII” [4].

It should be noted separately. Introduction to the learning books (textbooks and manuals) on Criminal Executive Law evidences that stated sources, in fact, have no even elementary provisions on dividing Criminal Executive Law into a branch of law and a branch of legislation. In peer-reviewed textbook, this gap was eliminated. In this regard, it is quite reasonable to refer to the international legal document on as-

assessment of the principle of rule of law in Ukraine - “Rule of Law Checklist” (there is a translation into Ukrainian “Mirylo pravovladdia”).

The issues of state policy in the field of punishment servicing are well covered (Section 2), in particular: place of criminal executive policy in the state policy in the field of combating crime, its relationship with the criminal law, criminal procedural and criminological policy of the State; directions of the criminal executive policy; concept and content of the criminal executive policy; purpose and tasks of the criminal executive policy; principles of the criminal execution policy; factors influencing the criminal executive policy formation and implementation; subjects of the criminal executive policy formation and implementation; strategy and current tendencies in Ukrainian criminal executive policy development; and levels of the criminal executive policy: doctrinal, scientific, program, regulatory and law enforcement.

Comparing with other textbooks in the peer-reviewed publication organizational and managerial structure of the State Penitentiary Service of Ukraine has been structurally outlined, taking into account changes taken place in the recent years, detailed provisions determining peculiarities of the sentences execution not related to imprisonment, and organizational principles of Probation Service of Ukraine activities (Section 13).

Provisions on specific features of sentences servicing in the form of imprisonment in the prison camps of different security levels and changes in convicted living conditions before imprisonment, aspects of dynamic security implementation are quite relevant.

It is appropriate to refer in the textbook (Section 34, volume 2, p. 561 - 563) to so-called “law of Savchenko” (in particular, its application to convicted to life imprisonment Pukach). It is about the need to use this law when calculating the terms of the sentence serviced.

In my opinion, author’s (critical) attitude to the current legislation, but not just a mechanical statement of its provisions shall be in the modern textbook. In general, I am convinced that the textbooks should be different, but not carbon copied. It is necessary to overcome positivism in this case.

The textbook will be useful for cadets, students and listeners of the higher law institutions when they study such discipline as “Criminal Executive Law”, special courses “Penitentiary Systems” and “Probation Service”, etc. It will be also useful for scholars, practitioners, judges, lawyers, human rights activists and public figures interested in the issues of the Criminal Executive Law. Certainly, peer-reviewed publication has some disadvantages. However, they cannot deteriorate overall positive impression this work made.

Thus, it can be stated that the textbook “Criminal Executive Law of Ukraine (in two volumes)” fully meets requirements related to educational and methodological books, is original and timely publication prepared by the qualified team of authors.

## REFERENCES

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