

Actual problems of criminal law, criminal procedure and criminalistics

Materials of scientific conference

«East West» Association for Advanced Studies and Higher Education GmbH

**Vienna
2016**

Actual problems of criminal law, criminal procedure and criminalistics

Materials of scientific conference

ISBN 978-3-903115-04-0

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Editorial office

“East West” Association for Advanced
Studies and Higher Education GmbH,

Am Gestade 1

1010 Vienna, Austria

info@ew-a.org

Email:

www.ew-a.org

Homepage:

This collection contains materials of scientific conference "Actual problems of criminal law, criminal procedure and criminalistics". The works are aimed at addressing problems such as the modern criminal policy, combating transnational organized crime and corruption, the development of criminal procedure legislation, to ensure the effective investigation of crimes.

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Typeset in Berling by Ziegler Buchdruckerei, Linz, Austria.

Printed by «East West» Association for Advanced Studies and Higher Education GmbH, Vienna, Austria on acid-free paper.

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No court condemns to inactivity, but on the contrary, the court requires the prosecution and the defense to total activity, while keeping them space to perform any action provided for by law in the case of poor implementation by

the parties of their procedural functions. And therefore, actively involved in the court process evidence, should be attributed to the position of the court in adversarial proceedings.

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*Aldabergen A.
4th-year Student
Faculty of Law
Al-Farabi Kazakh National University*

*Duzbayeva S.B.
Teacher
Department of criminal law,
Criminal procedure and criminalistics
Faculty of law
Al-Farabi Kazakh National University*

Mediation - the art of resolving conflicts

Abstract: This article describes mediations as the art of resolving conflicts. Conflict itself is a kind of disagreement; with the help of mediator this disagreement can be solved. The article gives detailed information about mediation which is the topical theme nowadays.

Keywords: Mediation, agreement, mediator, parties.

The conflict is disagreement, clash of opposing views, parties, and forces. What do you need to solve differences? It is an objective view from outside. For what and why use services of a mediator.

Word "mediation" comes from Latin *medius*, *medium*, and means "middle". Mediation - a process, in which involves an impartial third party that helps disputants or conflicting parties to understand the differences between them, understand the nature of any differences and resolve them as possible. Its feature is that the mediation procedure is not intended to judge the parties by determining that one of the parties of conflict is rights, and the other is guilty. The mediator is looking for a solution that will

reconcile to satisfy both sides; develops common positions on key aspects of the dispute.

The main thing to aspire in mediation is to achieve mutually beneficial and peaceful agreement that satisfies both parties, and reducing the level of conflict. Unlike the trial, there is no «guilty" or "innocent" parties in mediation. Since the principles of this law does not provide for punishment of criminals by imprisonment, but the protection and restoration of human rights and freedoms. In other words, mediation seeks as much as possible not to go to court.

It is important the desire of the parties to resolve the conflict in a peaceful way. If one of the parties want certainly its opponent to