

prosecutors, weakening of the role of judicial review in a criminal trial, the actual destruction of an effective system of pre-trial investigation require

immediate introduction of significant changes to existing CPC of Ukraine, which would restore the effective functioning of the fight against crime.

*H. Mamka*

*Candidate of Law Sciences*

## **EQUALITY BEFORE THE LAW AND COURT AS THE CONSTITUTIONAL PRINCIPLE OF CRIMINAL PROCEEDINGS, ITS ESSENCE AND CONTENT**

The article is devoted to research of essence and content of the constitutional principle of equality before the law and court in criminal proceedings, to formulation of the concept of this principle, and also author's edition of the corresponding criminal procedural regulation.

It is specified that equality and inadmissibility of discrimination of people are not only the constitutional principles of national legal system of Ukraine, but also fundamental values of the world community which is manifested in international legal acts concerning protection of the rights and freedoms of man and the citizen.

It is established that the constitutional provision on equality before the law and court defines content of the law and practice of its application in criminal proceedings and acts as the requirement to activity of the legislator and subjects who carry out criminal proceedings. Thus, for government

bodies and officials the norm on equality before the law and court is a duty, and for citizens – a guaranty for implementation of their rights, protection of freedoms and legitimate interests.

Equality before the law and court is defined as the constitutional principle of criminal proceedings which works in all its stages, is directed on implementation of the provision on the highest natural value of each person, defines contents of the law and law-enforcement activity and grants to participants of legal relationship equal legal opportunities for implementation of the interests and demands from the legislator and subjects who carry out criminal proceedings, not allowing exclusive or discrimination position of its participants.

Author's edition of regulations on equality before the law and court which is enshrined in Article 10 of the Criminal Procedural Code of Ukraine is offered.