

The legal position of the European Community concerning the abuse of human rights by the pre-trial investigation bodies

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Research Methodology: With the aid of the dialectical method of knowledge we consider the cases on which the Court makes a decision on the presence of ill-treatment of human organs in the pre-trial investigation. Systemic-structural approach used in the study of the content of components category of "abuse of a person." Methods of system analysis enabled us to analyze the fundamental provisions in the decisions of the European Court of Human Rights concerning the ill-treatment of human organs in the pre-trial investigation.

The Results: Approaches to understanding and defining the category of "cruelty to man" during prosecution.

Prosecution Novelty: The basic provisions under which the State's responsibility in cases of ill-treatment of a person during a criminal prosecution.

Practical significance: The practical significance of these results is that the conclusions of the article may be used: in the research field – to improve the understanding of the ill-treatment of a person; for further study of general and specific questions of responsibility for the mistreatment of a person during a criminal prosecution; to address issues of redress in the context of European integration face; in the practice of investigative bodies, investigators, prosecutors, defenders and judges.