



Modern Aspects of Forensic Medical Examination in the Conditions of Military Conflict

Vitalii Svitlychnyi

PhD, Kharkiv National University of Internal Affairs, Kharkiv, Ukraine,
ORCID: <https://orcid.org/0000-0003-3381-3350>, e-mail: vit.svet@ukr.net

Dmytro Yezhov

Kharkiv National University of Internal Affairs, Kamianets-Podilskyi, Ukraine,
e-mail: ezovdima52@gmail.com

Forensic examination under martial law faces a number of challenges caused by the destruction of infrastructure, changes in legislation, an increase in the number of war crimes, and a lack of resources and personnel. These challenges can negatively affect the quality of forensic examinations, the speed of investigations and judicial justice. It is necessary to address these problems and improve forensic examination in time of war.

Keywords: forensic examination; martial law; war crimes; destruction of infrastructure; lack of resources; reforms.

Сучасні аспекти судово-медичної експертизи в умовах воєнного конфлікту

Віталій Світличний, Дмитро Єжов

Судові експертизи в умовах воєнного стану стикаються з низкою викликів, спричинених знищенням інфраструктури, змінами у законодавстві, збільшенням кількості воєнних злочинів та нестачею ресурсів/ персоналу. Ці виклики можуть негативно позначитися на якості судових експертиз, швидкості розслідувань та справедливому судовому розгляді. Необхідно вирішувати ці проблеми та підвищувати якість судових експертиз під час війни.

Ключові слова: судова експертиза; воєнний стан; військові злочини; знищення інфраструктури; нестача ресурсів; реформи.

Forensic science under martial law faces a number of new challenges that need to be addressed urgently. These challenges are due to the destruction of infrastructure, changes in legislation, an increase in the number of criminal cases related to war crimes, as well as a lack of personnel, access to crime scenes and other resources [1].

Consequences of the problems of forensic examination under martial law:

1. Decreased quality and efficiency of forensic examinations:
 - insufficient material resources can lead to errors in expert research;
 - the lack of qualified personnel can negatively affect the level of competence of experts;
 - an increase in workload can lead to delays in the conduct of examinations and a decrease in their quality.
2. Delayed investigation of crimes:

- failure to conduct examinations in a timely manner may delay the investigation process;
- shortcomings in expert research may result in the need to repeat the examination, which can also lead to delays.

3. Failure to achieve justice:

- poor quality expertise can lead to errors in investigations and court decisions;
- delays in the investigation may result in the perpetrators of crimes not being punished.

4. Other consequences:

- decreased trust in the judicial system;
- a sense of impunity for criminals;
- violation of the rights of victims.

5. Impact on the image of Ukraine:

- an ineffective investigation of war crimes could negatively affect Ukraine's image in the international arena;



- this could lead to a decrease in trust in Ukraine on the part of other countries and international organizations.
- 6. Economic consequences:
 - delays in investigating crimes can lead to economic losses;
 - this may be due to the loss of investment, a decline in tourism, and other factors.
- 7. Social consequences:
 - failure to achieve justice can lead to social tensions.;
 - this may be due to a sense of impunity for criminals and a lack of faith in the judicial system.
- 8. The risk of recidivism:
 - ineffective investigation of crimes can lead to similar crimes being repeated in the future;
 - possibility of human rights violations: Under martial law, the risk of human rights violations, including the right to a fair trial, increases;
 - impact on the emotional state of society: Ineffective war crimes investigations can lead to a sense of helplessness and disillusionment in society;
 - it is important to take steps to minimize these risks and ensure an impartial.
- 9. Challenges for international cooperation:
 - investigating war crimes in Ukraine requires close international cooperation;
 - the problems of forensic expertise in Ukraine may complicate this cooperation.
- 10. The need to reform forensic examination:
 - the problems faced by forensic expertise under martial law indicate the need to reform this area [2].

In addition to the above, it is also important to mention the following:

- the need to document war crimes: It is important to thoroughly document all war crimes in order to bring perpetrators to justice;
- the importance of expert support: Experts working on war crimes need [3].

To solve these problems, comprehensive measures are needed:

- restoration of the material base: The state should allocate funds to restore

destroyed expert institutions and purchase new equipment;

- training of experts: Refresher courses should be organized for experts to familiarize them with the new rules for conducting examinations under martial law;
- hiring additional staff: Experts from other countries, as well as volunteers with relevant education and experience, can be involved;
- cooperation with international organizations: International organizations can help by providing equipment, expertise, and coordination of war crimes investigation efforts;
- improvement of legislation: Legislation on forensic science should be adapted to the new conditions to ensure a clear and efficient process of crime investigation;
- raising awareness: The public needs to be informed about the importance of forensic science and how it can help in the investigation of war crimes.

It is important to note that solving the problems of forensic science is not only the task of the state. The public, international organizations, and other stakeholders can also contribute to this cause.

In addition to the above, there are other important things:

- develop a clear algorithm of actions for experts in case of emergencies;
- provide experts with personal protective equipment;
- create a system of psychological support for experts working with war crimes;
- increase funding for forensic activities.

All of these measures will help Ukraine overcome the challenges faced by forensic experts under martial law and ensure impartial and effective investigation of crimes.

The problems of forensic examination under martial law have a significant impact on the investigation of crimes, the achievement of justice, and Ukraine's image in the international arena. These problems can lead to a decrease in the quality and effectiveness of forensic examinations, delays in the investigation of crimes, failure to achieve justice, as well as economic, social and other negative consequences.



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