

LEGAL PRINCIPLES OF PRE-TRIAL INVESTIGATION WAR CRIMES

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DOI: <https://doi.org/10.61345/1339-7915.2024.3.28>

Annotation. The modern legal principles of the activity of law enforcement agencies regarding the investigation of war crimes have been defined. It is emphasized that war crimes are complex in terms of their mechanism of commission, which is characterized by consequences in the form of significant destruction of civilian infrastructure objects, a large number of unidentified dead; instruments of commission, which neither pre-trial investigation bodies nor forensic experts have encountered before; by persons of criminals who change their locations, including those who are in the territory of another state, etc. It is noted that in Ukraine since the declaration of the legal regime of martial law by the Decree of the President of Ukraine, significant changes have taken place in the criminal procedural legislation, which established a special regime of pre-trial investigation and trial under martial law conditions, provided for in Section IX-1 of the Criminal Procedure Code of Ukraine.

It is noted that the pre-trial investigation of war crimes requires considerable expenditure of resources, including human resources, due to which employees of various law enforcement agencies, including units of the National Police, are involved in carrying out certain procedural actions. Legal problems in the activities of the National Police of Ukraine regarding the organizational features of the pre-trial investigation that need to be resolved at the legislative and departmental levels are highlighted. Proposals are made to improve the legislation on the regulation of the term “war crime” in the Criminal Code of Ukraine. The requirements regarding the procedure for collecting evidence of war crimes for the purpose of further transfer of materials for consideration by the International Criminal Court have been updated. Attention is focused on the fact that the principles, subjects and forms of interaction at the national and international levels during the pre-trial investigation of war crimes should be properly regulated. During the writing of the article, the methods of dialectics, comparative legal and systemic analysis, and formal logic were used.

Key words: war crimes, pre-trial investigation, legal principles, criminal proceedings, evidence.

1. Introduction.

Due to the military aggression of the Russian Federation against Ukraine, on the basis of the proposal of the National Security and Defense Council of Ukraine, in accordance with Clause 20, Part 1, Art. 106 of the Constitution of Ukraine, the Law of Ukraine “On the Legal Regime of Martial Law” by Decree of the President of Ukraine No. 64/2022 dated February 24, 2022, martial law was introduced in Ukraine [1]. The declaration of martial law in Ukraine brought to the fore the issue of investigating war crimes. In this context, the state was forced to take a number of measures in the field of their normative and legal regulation in order to optimize the activities of the authorized subjects in the documentation and pre-trial investigation of war crimes. This especially affected the criminal procedural legislation, in the part related to the investigation of war crimes. This is caused, first of all, by the fact that war crimes are a relatively new type of criminal offense that pre-trial investigation bodies face in practice. Secondly, the named acts are complex in terms of their mechanism of execution, which is characterized by consequences in the form of significant destruction of civil infrastructure objects, a large number of unidentified dead; instruments of commission, which neither pre-trial investigation bodies nor forensic experts have encountered before; by persons of criminals who change their locations, including those who are in the territory of another state, etc. Thirdly, the pre-trial investigation of

war crimes requires a significant expenditure of resources, including human resources, due to which employees of various law enforcement agencies, including units of the National Police, are involved in the implementation of certain procedural actions. Taking into account the above, the issue of determining the legal basis of pre-trial investigation of war crimes is considered relevant.

2. Analysis of scientific publications.

Scholars and practitioners such as Yu.L. Bielousov, I.V. Hloviuk, O.M. Dufeniuk, V.V. Kikinchuk, O.M. Lytvynov, Yu.V.Orlov, M.I. Pashkovskyi, O.V. Pchelina, V.V. Romaniuk, T.I. Savchuk, R.L. Stepaniuk, H.K. Teteriatnyk, T.H. Fomina, M.S. Tsutskiridze, V.M. Shevchuk and others pay attention in their scientific work to the elucidation of the legal basis of the concept, types of war crimes, their criminal-legal characteristics, criminal procedural and forensic aspects of their pre-trial investigation. However, the change in the current conditions of the legal basis of the pre-trial investigation procedure, the powers of its subjects, the specifics of the conduct of individual investigative (search) and covert investigative (search) actions require further work in the formation of complex studies of the problems of pre-trial investigation of war crimes.

3. The aim of the work.

To carry out an analysis of the current legal basis of the pre-trial investigation of war crimes, with the aim of determining their features in the current legal conditions of martial law.

4. Review and discussion.

In the legal sphere, the concept of “war crimes” appeared in 1945 in Art. 6 of the Statute of the International Military Tribunal in Nuremberg, which stated that such crimes should be considered “violations of the laws and customs of war, including murder, ill-treatment or deportation of civilians in occupied territories, murder or ill-treatment of prisoners of war, killing of hostages, theft of state or private property, senseless destruction of settlements, which is not caused by military necessity” [2, p. 121]. Later, the concept of “war crimes” was reflected in Art. 8 of the Rome Statute of the International Criminal Court [3]. The Criminal Code of Ukraine does not use the term “war crime”. Its international legal content corresponds to the system of criminally illegal acts provided for by various articles of the Criminal Code of Ukraine [4, p. 101]. The basic composition of a war crime is enshrined in Art. 438 of the Criminal Code of Ukraine “Violation of the laws and customs of war” which means “cruel treatment of prisoners of war or the civilian population, deportation of the civilian population for forced labor, looting of national values in the occupied territory, use of means of warfare prohibited by international law, other violations of laws and customs wars provided for by international treaties, the binding consent of which has been given by the Verkhovna Rada of Ukraine, as well as giving an order to commit such actions” [5].

Other violations of the laws and customs of war should be understood, in particular, as the use of prohibited methods of waging war, as well as other serious violations of International Humanitarian Law that do not fall within the scope of the socially dangerous actions described above (with the exception of giving an order to commit them). For example, the use of hunger as a method of warfare, indiscriminate use of weapons, treacherous attack, attack on civilian objects, acts of terrorism not due to military necessity, use of civilians as “human shields” (prohibited methods of warfare), etc. This list can also include a serious violation of the right to a fair trial (the competent judicial authorities of the occupying state do not have the right to pass any sentence without considering the case in accordance with the established procedural order) [6], or discriminatory criminal prosecution.

At the same time, we emphasize that the provision of Part 1 of Art. 438 of the Criminal Code of Ukraine does not contain an exhaustive list of violations of laws and customs of war, referring to international legal acts ratified by Ukraine. The main ones are the following: The Hague Convention on the Laws and Customs of War on Land and its annex: Regulations on the Laws and Customs of

War on Land dated October 18, 1907; Geneva Convention (I) on the Amelioration of the Fate of the Wounded and Sick in Active Armies of August 12, 1949; Geneva Convention (II) on the Amelioration of the Fate of the Wounded, Sick and Shipwrecked Members of the Armed Forces at Sea of August 12, 1949; Geneva Convention (III) on the Treatment of Prisoners of War of August 12, 1949; Geneva Convention (IV) on the Protection of the Civilian Population in Time of War of August 12, 1949; Additional Protocol to the Geneva Conventions of August 12, 1949, relating to the Protection of Victims of International Armed Conflicts (Protocol I), dated June 8, 1977; Additional Protocol to the Geneva Conventions of August 12, 1949, relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), dated June 8, 1977; Additional Protocol to the Geneva Conventions of August 12, 1949, concerning the adoption of an additional distinctive emblem (Protocol III); UN Convention on the Prohibition or Restriction of the Use of Certain Conventional Weapons Which May Be Considered to Cause Excessive Injuries or to Have an Indiscriminate Effect of October 10, 1980; The UN Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction of September 18, 1997; Convention on the Protection of Cultural Property in the Event of Armed Conflict of September 14, 1954; other international conventions ratified by the Verkhovna Rada of Ukraine.

Features of the regime of pre-trial investigation and trial under martial law are reflected in section 9-1 of the Criminal Code of Ukraine and are detailed: "Special regime of criminal proceedings under martial law" (Article 615 of the Criminal Code of Ukraine); "Restoration of lost materials of criminal proceedings under martial law" (Article 615-1 of the Criminal Procedure Code of Ukraine); "Cancellation of a preventive measure for military service under conscription during mobilization, for a special period or changing a preventive measure for other reasons" (Article 616 of the Criminal Procedure Code of Ukraine). The norms of Section 9-2 of the Criminal Procedure Code of Ukraine "Peculiarities of cooperation with the International Criminal Court" [7] are of great importance in today's conditions.

The pre-trial investigation of war crimes begins with the grounds and in the manner determined by Articles 214, 615 of the Criminal Procedure Code of Ukraine. In particular, the pre-trial investigation of the investigated category of criminal offenses begins from the moment of entering information about the circumstances that may indicate their commission into the Single Register of Pre-trial Investigations. The obligation to start a pre-trial investigation rests with the investigator, inquirer, and prosecutor. The grounds for entering information about circumstances that may indicate the commission of a criminal offense are the submission of a statement, notification of a committed criminal offense or their independent discovery by a prosecutor, inquirer, investigator from any source. At the same time, the named subjects are obliged to start a pre-trial investigation immediately, but no later than 24 hours after receiving information about the commission of a war crime. However, in the case of the introduction of the legal regime of martial law and in the absence of technical access to the Unified Register of Pre-trial Investigations, the pre-trial investigation of war crimes begins from the moment the investigator, investigator, prosecutor issues a resolution on the initiation of a pre-trial investigation. At the same time, the information to be entered into the Unified Register of Pre-trial Investigations is entered into it as soon as possible [7].

Thus, the statistical data of the Office of the Prosecutor General of Ukraine on registered criminal offenses and the results of their pre-trial investigation indicate that if in 2021 159 criminal offenses under Art. 438 of the Criminal Code of Ukraine, already in 2022 there were 49 483 such cases, in 2023 – 53 463, and in seven months of 2024 – 13 874 [8].

The basis for the initiation of a pre-trial investigation of war crimes is not any statements and reports of criminal offenses, but those accepted and registered properly and by an authorized entity. In particular, in accordance with Part 4 of Art. 214 of the Criminal Procedure Code of Ukraine, the obligation to accept and register a statement or notification of criminal offenses is assigned to an investigator, prosecutor, other official authorized to accept and register such statements or notifications [7].

The procedure for accepting, registering and responding to statements or reports of criminal offenses is established by departmental subordinate legal acts, namely:

- Instructions on the procedure for receiving, registering and considering applications and reports of committed criminal offenses in the Security Service of Ukraine, approved by the order of the Central Department of the Security Service of Ukraine dated November 16, 2012 № 515 [9];
- The procedure for keeping uniform records in police bodies (subdivisions) of statements and notifications about criminal offenses and other events, approved by the order of the Ministry of Internal Affairs of Ukraine dated February 8, 2019 № 100 [10];
- Instructions on the organization of response to applications and reports on criminal, administrative offenses or events and operational information in the bodies (units) of the National Police of Ukraine, approved by the order of the Ministry of Internal Affairs of Ukraine dated April 27, 2020 № 357 [11];
- Instructions on the procedure for receiving, registering and considering applications and reports of criminal offenses in the central office of the State Bureau of Investigation, approved by the order of the State Bureau of Investigation dated December 28, 2021 № 726 [12];
- Instructions on the procedure for accepting, registering and considering applications and reports on criminal offenses that are legally under the jurisdiction of the Bureau of Economic Security of Ukraine, approved by the order of the Bureau of Economic Security of Ukraine dated March 23, 2022 № 58 [13] and others.

The analysis of the above normative and legal acts shows that in the case of acceptance of an oral statement (notification) about a criminal offense by an authorized official, a protocol of acceptance of a statement about a criminal offense is drawn up. At the same time, all received statements and notifications about criminal offenses (written and oral) are subject to mandatory registration [10]. Such statements and notifications are registered in the information and telecommunication system “Information portal of the National Police of Ukraine” or the journal of the unified record of statements and messages about criminal offenses and other events. If statements (notifications) about a criminal offense are submitted to the State Bureau of Investigation, the Bureau of Economic Security of Ukraine, they are registered in the Journal of registration of statements and notifications about criminal offenses, which is kept in the electronic document circulation system [12].

According to Art. 216 of the Criminal Procedure Code of Ukraine, the investigation of war crimes is assigned to the responsibility of the Security Service of Ukraine [7]. If during the investigation it turns out that part of the related crimes are under investigation by the Security Service of Ukraine, and part is under investigation by the National Police or another pre-trial investigation body, the investigation, in accordance with Part 10 of Art. 216 of the Criminal Procedure Code of Ukraine, determined by the prosecutor [14].

Given the scale of the consequences of war crimes, the difficulties in the process of proof, a group of investigators is usually involved in this process. At the regulatory level, the creation of interdepartmental investigative groups is provided for in accordance with Part 4 of Article 39 of the Criminal Procedure Code of Ukraine, as well as international joint investigative teams [15, p. 686]. As a result, investigators of all pre-trial investigation bodies are involved in the investigation of war crimes as part of joint investigative teams, regardless of their legal jurisdiction. Within the structure of the Office of the Prosecutor General of Ukraine, there is a Department for Combating Crimes Committed in Conditions of Armed Conflict, which cooperates with the Security Service of Ukraine, the National Police, the State Bureau of Investigation, the National Anti-Corruption Bureau, and the Bureau of Economic Security of Ukraine on the investigation of war crimes at the national level [16, p. 232]. In connection with this, organizational issues of coordinating the activities of a large number of departments arise, i.e. when there is an inevitable need for ordering, interconnection, and coordination of their joint efforts. Timely and coordinated interaction of the above-mentioned structures enables the employees of investigative units to conduct criminal proceedings as quickly and efficiently as possible. So, today the entire law enforcement system of Ukraine is one way or another involved in the investigation of war crimes.

Organizational and methodological activities of the Office of the Prosecutor General of Ukraine, the National Police, other law enforcement and judicial bodies, which are carried out together with international bodies and organizations, domestic public organizations, play an important role in the investigation of war crimes. So far, a whole series of action algorithms have been developed

for recording evidence at the sites of war crimes, registration and storage of criminal proceedings materials, methodological guidelines for conducting investigative (search) actions with various categories of subjects of criminal proceedings in conditions of armed aggression, interaction between various bodies and units.

A feature of war crimes is the possibility of conducting a special pre-trial investigation (in absentia), which is carried out on the basis of the decision of the investigating judge in criminal proceedings regarding the crimes provided for, including Art. 438 of the Criminal Code of Ukraine in relation to a suspect, except a minor, who is hiding from investigative bodies and courts in the temporarily occupied territory of Ukraine, in the territory of a state recognized by the Verkhovna Rada of Ukraine as an aggressor state, for the purpose of evading criminal responsibility and/or declared an international wanted person (Art. 297-1 of the Criminal Procedure Code of Ukraine).

A special pre-trial investigation is carried out on the basis of the decision of the investigating judge in criminal proceedings regarding the crime committed by the suspect, in relation to which the authorized body made a decision to hand him over for exchange as a prisoner of war and such an exchange took place.

A special pre-trial investigation of other crimes is not allowed, except in cases when the crimes were committed by persons who are hiding from the investigation and court authorities in the temporarily occupied territory of Ukraine, in the territory of a state recognized by the Verkhovna Rada of Ukraine as an aggressor state, with the aim of evading criminal responsibility and/or declared internationally wanted, and are investigated in one criminal proceeding with the crimes specified in this part, and the allocation of materials regarding them may negatively affect the completeness of the pre-trial investigation and trial [7].

An important aspect in the investigation of war crimes is the establishment and provision of effective cooperation. Given the scale of their consequences and the complexity of the proof process, a group of investigators is usually involved in this process. At the normative level, it is already provided for the creation of interdepartmental investigative groups in accordance with Part 4 of Article 39 of the Criminal Procedure Code of Ukraine, as well as international joint investigative teams. Currently, a joint investigative group is working in Ukraine to investigate serious international crimes in Ukraine with the participation of foreign specialists. Another area of interaction is cooperation between law enforcement agencies, prosecutor's offices, and the military during investigative (search) actions and working with information on war crimes.

Among the positive developments, it is appropriate to note the adoption of the Law of Ukraine "On State Registration of Human Genomic Information", which is carried out to identify persons who have committed a criminal offense; searching for missing persons; identification of unrecognizable human corpses, their remains and human body parts; identification of persons who are unable to provide information about themselves due to health, age or other circumstances [17].

In addition, positive developments have taken place through the introduction of changes and additions to the criminal procedural legislation, namely to Art. 71 "Specialist", Art. 99 "Documents", Art. 104 "Protocol", Art. 245-1 "Taking readings of technical devices and technical means that have the functions of photo, film, video recording, or photo, film, video recording" of the Code of Criminal Procedure of Ukraine, etc. This mainly concerns the improvement of the form of use of special knowledge and the legal status of computer data and other evidence in criminal proceedings, which are aimed at removing formal difficulties in using the help of specialists, as well as photo and video materials, and other digital evidence in specific criminal proceedings for violations of laws and customs of war and other serious crimes [18, p. 370].

5. Conclusions.

War crimes belong to the category of criminal offenses that have significant specificity and complexity of investigation. The formation of national experience in the investigation of war crimes at the stage of pre-trial investigation is not only a requirement of today, but also an element of the formation of the

latest methodology and approaches to the investigation of these crimes. Since the beginning of the armed conflict until now, there have been significant changes in the legislation. In the part related to the investigation of war crimes, this applies especially to criminal procedural legislation. It was significantly improved by settling a number of issues related to the implementation of proceedings under martial law, the terms of pre-trial investigation of war crimes, the possibility of creating interdepartmental investigative teams, the introduction of Section 9-1 of the Criminal Procedure Code of Ukraine “Special regime of pre-trial investigation, trial in conditions martial law” and section 9-2 “Peculiarities of cooperation with the International Criminal Court” and many others. However, the legal principles of the pre-trial investigation of war crimes need to be brought up to international legal standards of the provisions of criminal and criminal procedural legislation, in particular in terms of: regulation of the term “war crime” in the Criminal Code of Ukraine; determination of requirements for gathering evidence of war crimes for the purpose of further transfer of materials for consideration by the International Criminal Court; determining the procedure for compensation for damages caused by war crimes, etc. In addition, the principles, subjects and forms of interaction at the national and international levels during the pre-trial investigation of the specified crimes should be properly regulated. Therefore, an important aspect in the investigation of war crimes is the use of relevant guidelines developed by international practice of various protocols for conducting investigative (search) actions, without which it is difficult to imagine the proper recording of evidence of war crimes and, in the future, their use in the International Criminal Court.

References:

1. Pro vvedennia voiennoho stanu v Ukraini : Ukaz Prezydenta Ukrainy vid 24 liutoho 2022 roku № 64/2022 [On the introduction of martial law in Ukraine: Decree of the President of Ukraine dated February 24, 2022 № 64/2022.]. Ofitsiine internet-predstavnytstvo Prezydenta Ukrainy – The official web portal of the President of Ukraine. URL: <https://www.president.gov.ua/documents/642022-41397> [in Ukrainian].
2. Repetskyi V.M., Lysyk V.M. (2009) Poniattia ta oznaky voiennykh zlochyniv. Almanakh mizhnarodnoho prava [Concepts and signs of war crimes. Almanac of international law]. Vol. 1. P. 120–125. URL: https://nbuv.gov.ua/UJRN/amp_2009_1_15 [in Ukrainian].
3. Rymyskyi statut Mizhnarodnoho kryminalnoho sudu [The Rome Statute of the International Criminal Court]. URL: https://zakon.rada.gov.ua/laws/show/995_588#Text [in Ukrainian].
4. Piddubna M. V. (2016) Voienni zlochyny v kryminalnomu pravi Ukrainy [War crimes in the criminal law of Ukraine.]. Naukovyi visnyk Uzhhorodskoho natsionalnoho universytetu. Serii Pravo. - Bulletin of the Uzhhorod National University. Law series. Vol. 40. T. 2. P. 98–101 [in Ukrainian].
5. Kryminalnyi kodeks Ukrainy : Zakon Ukrainy vid 05 kvitnia 2001 r. № 2341-III. [Criminal Code of Ukraine: Law of Ukraine dated April 5, 2001 No. 2341-III.] Ofitsiinyi veb-portal Verkhovnoi Rady Ukrainy – The official web portal of the Verkhovna Rada of Ukraine. URL : <http://zakon2.rada.gov.ua/laws/show/2341-14> [in Ukrainian].
6. Zhenevska konventsiiia pro zakhyst tsyvilnoho naselennia pid chas viiny : vid 12.08.1949 [Geneva Convention on the Protection of the Civilian Population in Time of War: dated August 12, 1949]. Ofitsiinyi veb-portal Verkhovnoi Rady Ukrainy – The official web portal of the Verkhovna Rada of Ukraine. URL: https://zakon.rada.gov.ua/laws/show/995_154 [in Ukrainian].
7. Kryminalnyi protsesualnyi kodeks Ukrainy: Zakon Ukrainy vid 13 kvitnia 2012 roku № 4651-VI [Criminal Procedure Code of Ukraine: Law of Ukraine dated April 13, 2012 № 4651-VI]. Ofitsiinyi veb-portal Verkhovnoi Rady Ukrainy – The official web portal of the Verkhovna Rada of Ukraine. URL : <http://zakon2.rada.gov.ua/laws/show/4651-17> [in Ukrainian].
8. Statystyka. Ofis Heneralnoho prokurora [Statistics. Office of the Prosecutor General]. URL: <https://gp.gov.ua/ua/posts/statistika> [in Ukrainian].
9. Instruksiiia pro poriadok pryimannia, reiestratsii ta rozghliadu v Sluzhbi bezpeky Ukrainy zaiav i povidomlen pro vchyneni kryminalni pravoporushennia : zatv. nakazom Tsent. upravlinnia

- Sluzhby bezpeky Ukrainy vid 16.11.2012 № 515 [Instructions on the procedure for receiving, registering and considering in the Security Service of Ukraine statements and notifications about committed criminal offenses: sealed. by order of the Center. Administration of the Security Service of Ukraine dated November 16, 2012 № 515] Ofitsiyni veb-portal Verkhovnoi Rady Ukrainy – The official web portal of the Verkhovna Rada of Ukraine. URL: <https://zakon.rada.gov.ua/laws/show/z2022-12> [in Ukrainian].
10. Poriadok vedennia yedynoho obliku v orhanakh (pidrozdilakh) politsii zaiav i povidomlen pro kryminalni pravoporushennia ta inshi podii : zatv. nakazom MVS Ukrainy vid 08.02.2019 № 100 [The procedure for keeping a unified record in police bodies (subdivisions) of statements and reports on criminal offenses and other events: approved. by the order of the Ministry of Internal Affairs of Ukraine dated February 08, 2019 № 100] Ofitsiyni veb-portal Verkhovnoi Rady Ukrainy – The official web portal of the Verkhovna Rada of Ukraine. URL: <https://zakon.rada.gov.ua/laws/show/z0223-19> [in Ukrainian].
 11. Instruksiia z orhanizatsii reahuvannia na zaiavy i povidomlennia pro kryminalni, administratyvni pravoporushennia abo podii ta operatyvnoho informuvannia v orhanakh (pidrozdilakh) Natsionalnoi politsii Ukrainy : zatv. nakazom MVS Ukrainy vid 27.04.2020 № 357 [Instructions on the organization of response to statements and reports on criminal, administrative offenses or events and operational information in bodies (subdivisions) of the National Police of Ukraine: approved. by the order of the Ministry of Internal Affairs of Ukraine dated April 27, 2020 № 357] Ofitsiyni veb-portal Verkhovnoi Rady Ukrainy – The official web portal of the Verkhovna Rada of Ukraine. URL: <https://zakon.rada.gov.ua/laws/show/z0443-20> [in Ukrainian].
 12. Instruksiia pro poriadok pryimannia, reiestratsii ta rozghliadu zaiav i povidomlen pro kryminalni pravoporushennia u tsentralnomu aparati Derzhavnoho biuro rozsliduvan : zatv. nakazom Derzh. biuro rozsliduvan vid 28.12.2021 № 726 [Instructions on the procedure for receiving, registering and considering applications and reports on criminal offenses in the central office of the State Bureau of Investigation: sealed. by order of the State Bureau of Investigations dated December 28, 2021 № 726] Derzhavne biuro rozsliduvan: ofits. sait. – The official web-site of the State Bureau of Investigations. URL: <https://dbr.gov.ua/assets/files/diyalnist/npa/nakaz-vid-28.12.2021-n726.pdf> [in Ukrainian].
 13. Instruksiia pro poriadok pryimannia, reiestratsii ta rozghliadu zaiav i povidomlen pro kryminalni pravoporushennia, vidneseni zakonom do pidslidnosti Biuro ekonomichnoi bezpeky Ukrainy : zatv. nakazom Biuro ekonom. bezpeky Ukrainy vid 23.03.2022 № 58 [Instructions on the procedure for accepting, registering and considering applications and reports on criminal offenses brought under the jurisdiction of the Bureau of Economic Security of Ukraine by law: sealed by order of the Bureau of Economic Security of Ukraine dated March 23, 2022 № 58] Ofitsiyni veb-portal Verkhovnoi Rady Ukrainy – The official web portal of the Verkhovna Rada of Ukraine. URL: <https://zakon.rada.gov.ua/laws/show/z0472-22> [in Ukrainian].
 14. Kravchuk O., Bondarenko M. (2022) Dosudove rozsliduvannia voiennykh zlochyniv [Pre-trial investigation of war crimes]. K. : HO «Vektor prav liudyny» – K.: NGO “Human Rights Vector”. URL: <http://hrvector.org/> [in Ukrainian].
 15. Teteriatnyk H.K., Bekh O.V., Odazhyu Yu.M. (2023) Rozsliduvannia voiennykh zlochyniv: okremi teoretyko-prykladni pytannia [Investigation of war crimes: separate theoretical and applied issues]. Yurydychnyi naukovi elektronnyi zhurnal – Legal scientific electronic journal. № 6. 2023. P. 686–688 [in Ukrainian].
 16. I.V. Avdoshyn, O.I. Zabolotnyi, O.Iu. Zvonarov (2023) Voienni zlochyny: navch. posib. [War crimes: education. manual] Kyiv : 7BTs/ 280 p. [in Ukrainian].
 17. Pro derzhavnu reiestratsiiu henomnoi informatsii liudyny : Zakon Ukrainy vid 9 lypnia 2022 roku № 2391-IX [On state registration of human genomic information: Law of Ukraine dated July 9, 2022 № 2391-IX.] Ofitsiyni veb-portal Verkhovnoi Rady Ukrainy – The official web portal of the Verkhovna Rada of Ukraine. <https://zakon.rada.gov.ua/laws/show/2391-20#Text> [in Ukrainian].



18. Stepaniuk R.L. (2022) Deiaki pytannia tekhniko-kryminalistychnoho zabezpechennia rozsliduvannia voiennykh zlochyniv. Suchasni tendentsii rozvytku kryminalistyky ta kryminalnoho protsesu v umovakh voiennoho stanu: tezy dop. Mizhnar. nauk.-prakt. konf. (m. Kharkiv, 25 lystop. 2022 r.) [Some issues of technical and forensic support for the investigation of war crimes. Modern trends in the development of criminology and the criminal process in the conditions of martial law: theses addendum. International science and practice conf. (Kharkiv, November 25, 2022)]/ MVS Ukrainy, Kharkiv. nats. un-t vnutr. Sprav, F-t № 1 – Ministry of Internal Affairs of Ukraine, Kharkiv National University of Internal Affairs, Department № 1. P. 368-371 [in Ukrainian].

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