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Verbitsky Bogdan,
cadet of the 3rd year of the
Training Scientific Forensic Criminalistics Institute of the
National Academy of Internal Affairs, specialty «Law»
Language Adviser: **Volik O.V.,**
Senior Lecturer of the Language Training Department
of the National Academy of Internal Affairs

RECORDING EVIDENCE DURING MARTIAL LAW: TECHNICAL MEANS

The recording of evidence in criminal proceedings has traditionally been regarded as a key element of forensic support for proof, consisting in the fixation of factual data in a legally prescribed form for their further use in the process of proving. Under the current conditions of martial law, this activity becomes particularly complex, as it is carried out in an environment of increased risks, limited access to crime scenes, and the need for rapid response to offenses, especially war crimes. Therefore, technical means of recording evidence are no longer merely auxiliary tools but have effectively become a central component of forensic activity [6].

From a general theoretical perspective, recording is defined as the process of fixing traces, objects, and phenomena that have evidentiary value by reflecting them in material or digital form [6]. According to the provisions of the criminal procedural legislation of Ukraine, in particular Article 107 of the Criminal Procedure Code of Ukraine, the use of technical means of recording is mandatory in a number of procedural actions, and in other cases is carried out at the discretion of the investigator or upon request of the participants in the proceedings [4]. However, during martial law, these provisions undergo certain transformations due to the need to ensure the effectiveness and continuity of investigations.

Scientific literature emphasizes that under martial law, the use of accessible technical means becomes particularly important, even if they are not specialized forensic tools, such as mobile phones, portable video recorders, and unmanned aerial vehicles [1]. Such tools allow оперативно recording the situation at the crime scene, which is critically important in situations where there is a risk of destruction of evidence or the impossibility of repeated access to the object. At the same time, the issue of admissibility of such evidence arises, since their collection does not always comply with classical procedural standards [2].

Special attention should be paid to digital evidence, which in modern armed conflicts constitutes a significant part of the evidentiary base. The use

of photo and video recording, data from surveillance cameras, satellite imagery, and information from mobile devices allows documenting facts of war crimes and crimes against national security [3]. In this context, digital forensics becomes a key direction in the development of forensic technology, providing not only the possibility of recording but also further analysis of digital traces [5].

At the same time, the use of technical means of recording under martial law is accompanied by a number of problematic aspects. First, there is the issue of authenticity and reliability of the obtained materials. In modern conditions of technological development, there is a risk of falsification of digital evidence, particularly through the use of artificial intelligence technologies. Second, the problem of storage and transmission of information is relevant, since military actions may lead to loss or damage of data carriers. Third, compliance with procedural form is essential, as even in difficult conditions it is necessary to ensure that the investigator's actions meet legal requirements for evidence to be deemed admissible [2].

In light of these problems, it is advisable to propose several directions for improving forensic practice. First of all, there is a need for regulatory consolidation of the possibility of using alternative technical means of recording, including general-purpose devices, provided their reliability and identification of the source of information are ensured. In addition, unified standards for documenting digital evidence should be developed, taking into account the specifics of martial law and international requirements for the investigation of war crimes.

An important direction is also the implementation of modern data protection technologies, in particular the use of cryptographic means to ensure the integrity and immutability of information. This will minimize the risks of loss or falsification of evidence and increase their evidentiary value in court. Furthermore, it is advisable to create centralized databases that would ensure the accumulation and systematization of information about crimes committed under martial law.

No less important is the issue of personnel training. Investigators and other participants in criminal proceedings must possess the skills to work with modern technical means, including digital technologies, and understand the specifics of their use in the process of proving. This requires updating educational programs and introducing specialized courses in digital forensics.

Thus, the recording of evidence using technical means under martial law is a complex and multifaceted process that requires the adaptation of traditional forensic approaches to new realities. The effectiveness of this activity largely depends on the ability of law enforcement agencies to use modern technologies while ensuring compliance with procedural guarantees and human rights. At the same time, further development of forensic science

should be aimed at addressing the problems associated with the use of technical means of recording, which will enhance the effectiveness of crime investigation in extraordinary conditions.

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Verbittsky Roman,

cadet of the 3rd year of the

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National Academy of Internal Affairs, specialty «Law»

Language Adviser: **Volik O.V.,**

Senior Lecturer of the Language Training Department
Of the National Academy of Internal Affairs

TACTICS OF INTERROGATION OF WITNESSES OF WAR CRIMES

The tactics of interrogating witnesses of war crimes constitute one of the key elements of effective documentation of violations of international humanitarian law and ensuring a proper evidentiary base for national and international judicial institutions. In modern conditions of armed conflicts, particularly in the context of aggression against Ukraine, special importance is attached to the combination of criminalistic approaches with human rights standards, which requires adapting classical interrogation techniques to the conditions of witnesses' traumatic experiences and a complex security environment. Recent scholarly studies emphasize the necessity of applying a