

Implementation of international experience in forensic expert activity of Ukraine

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In modern world, where globalization and information technologies are an integral part and condition of daily existence, the issue of improving criminal procedural legislation and forensic expert activity is of particular importance. On the way to joining the European Union, our state should, in particular, introduce European standards of justice into the work of Ukrainian criminal justice, adapt international experience to domestic realities (especially in the area of criminal procedural legislation and expert forensic activities).

Investigation effectiveness of criminal cases and the provision of justice directly depend on the objectivity of the expert examinations, efficiency of their conducting and scientific level of forensic expert conclusions. In Ukraine, there is a need to improve the mechanisms that regulate this activity, taking into account the best practices of other states. Experience of international organizations and countries with a developed criminal justice system is an important source for reforming national legislation and improving professionalism of forensic experts.

Since borrowing of international experience can significantly increase the efficiency and transparency of judicial procedures, as well as contribute to strengthening public confidence in justice in Ukraine, Research Paper Collection: *Theory and Practice of Forensic Science and Criminalistics* contains articles that consider key aspects of the implementation of

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international standards in the criminal procedural legislation of Ukraine, analyze the advantages and disadvantages of existing approaches to forensic science, special attention is paid to forensic examinations, which play an important role in the pre-trial investigation and trial of crimes and other offenses.

Currently, the Research Paper Collection: *Theory and Practice of Forensic Science and Criminalistics* is indexed in the following online databases: Google Scholar and international online databases: *Google Scholar* and international online databases: *Academic Scientific Journals Indexing*, *Bielefeld Academic Search Engine (BASE)*, *CORE*, *Crossref*, *Directory of Open Access Journals (DOAJ)*, *Directory of Open Access Scholarly Resources (ROAD)*, *Central and Eastern European online library (CEEOL)*, *ERIH PLUS*, *Eurasian Scientific Journal Index (ESJI)*, *Europub*, *Index Copernicus International*, *MIAR*, *RefSeek*, *ResearchBib*, *Ulrich's*, *WorldCat*, as well as in the Register of Scientific Publications of Ukraine and in DOI Foundation. Electronic versions of the collection are posted on the Internet on the platforms of Vernadsky National Library of Ukraine, libraries of forensic institutions of the Ministry of Justice of Ukraine, institutions of higher education of the Ministry of Internal Affairs of Ukraine, etc., which facilitates the exchange of scientific developments between the publication authors and scientists from around the world.

Like previous issues, research papers of this collection *Theory and Practice of Forensic Science and Criminalistics* are combined into two groups: *Research Papers* and *Case Notes*.

Let us briefly review the materials of the current issue. In the article *Collection and research on electronic documents using specific expertise* by Ukrainian authors **Mykhaylo Shcherbakovskyi**, Doctor of Law,

Professor, and **Viktor Sezonov**, PhD in Law, Docent, essence, form of electronic documents and their media, peculiarities of involvement of specialists and experts in their recording and research are considered and it is proved that the essence of the concepts of *electronic (digital) information*, *electronic data*, *electronic document* in criminal procedural aspect should be considered as the same thing. For ensuring admissibility of electronic documents as evidence in criminal proceedings, during investigative actions aimed at searching, detecting and recording electronic documents with the participation of an information technology specialist, it is recommended that all operations of the specialist with the carrier of electronic documents should be recorded (in writing in the protocol or by means of video recording) or an electronic communications or computer forensic science should be appointed at the inspection (search and seizure).

Mykhaylo Shepitko, Doctor of Law, Professor, **Kateryna Latysh** (PhD in Law, Docent, Doctoral Student of the MS-CA4Ukraine Program of Vilnius University (Republic of Lithuania) in the *Use of artificial intelligence in forensic science* research paper scientific work explored the unique importance of artificial intelligence for certain areas of forensic expert activities, in particular: identification of a person based on appearance, fingerprints and DNA; document research; analysis of digital information, etc.

Section containing research papers continues with the article: *Specific expertise use during investigation of misappropriation of enterprise, institution, organization property* by **Vlada Huseva**, Doctor of Law, Professor and **Serhii Stetsenko** PhD student (both Ukraine) that examines the forms specific expertise application of special knowledge, the grounds for their applica-

tion and tasks; an approximate list of specialists whose involvement may be needed during the investigation of the facts of illegal appropriation of the property of an enterprise, institution, or organization is outlined; it is noted that the criminal offenses provided for in Art.206-2 *Illegal acquisition of property of an enterprise, institution, organization* of the Criminal Code of Ukraine, differ in the method of execution, the identity of the criminal, consequences and other forensic features; certain aspects of specific expertise use during investigations under this article, etc. are considered.

Research paper by **Serhii Tiulieniev**, PhD in Economics (Ukraine) is devoted to clarifying the specifics inherent in victims of criminal offenses related to illegal takeover and seizure of assets and corporate rights thereto and to determining tactical specifics of conducting procedural actions involving victims. The author considers the needs and typical problematic issues of investigative practice; author characterizes the victim personality of criminal offenses related to corporate raid, indicates their victimization; identifies typical forms of participation of victims and their representatives in relevant criminal proceedings; identifies those investigative (search) actions which victims most often participate in; outlines the prosecution algorithm. Prospects for further research are outlined.

Volodymyr Popov, PhD in Law (Ukraine) in the manuscript: *Scientific support of pre-trial investigation of interference in activities of public authorities* focused on the problems of bringing a person to criminal responsibility for committing criminal offenses of this category, the peculiarities of their criminological characteristics, the development of methods for preventing them and scientifically based

recommendations for their pre-trial investigation, and also proposed to use the term *interference in the activities* to denote illegal activities related to any interfering with the activities of representatives of public authorities. The author paid special attention to the prospects for further research within the framework of the issues raised.

In the following research paper *Price lists for amber products as a tool of expert evaluation: gemological and legal principles* by **Petro Baranov** Doctor of Geological Sciences, Professor, **Roman Kirin** Doctor of Law, Docent and **Olena Slyvna** PhD in Geology (all from Ukraine) developed an algorithm for determining the value of amber products based on dependence of commercial value of the product on gemological and physical quantitative and qualitative indicators (as well as the estimated value of raw materials) and which allows (using the example of calculations of the value of beads and bead necklaces) to offer reasonable price lists for amber products and compile improved price lists for amber raw materials. It is proposed to consider the percentage ratio of the indicator of the cost of raw materials to the cost of the product as the limit, below which the production of amber balls is devoid of profitability. Objectivity and reliability of the obtained results is guaranteed by the software created according to the real indicators of quality of raw materials (color, weight, size, transparency) and the technological process of the production of commercial products.

The research section concludes with the article: *Praxeological principles of forensic veterinary examination: issues and optimization of ways to their solving* by **Ivan Yatsenko**, Doctor of Veterinary Medicine. The author elucidates the influence of praxeological assets on stimulating the development of special veterinary knowledge in

the context of formation of the concept of effective forensic veterinary activity, argues peculiarities of the praxeological approach in the forensic veterinary field, and also focuses on the developing and improved theories, methodologies and praxeology of forensic veterinary expertise, which is the basis for improving the efficiency of the judiciary. The scientist proposes the newest praxeological construction of the domestic forensic veterinary examination, an addition to the Criminal Procedural Code of Ukraine (regarding mandatory appointment of a forensic veterinary examination to clarify the nature and degree of severity of damage caused to the animal health, as well as to establish the cause of its death) and Scientific and methodological recommendations on issues of preparation and appointment of forensic examinations and expert studies (expansion of the range of questions that are asked to the forensic veterinary expert during appointment of the relevant examination).

The Case notes section opens the content: *The International Experience in Preventing Service Offences by Forensic Science Authorities' Personnel: Advancing the Legal Framework* by **Oleksii Korniev**, PhD in Law (Ukraine) and **Sertan Alibekiroğlu** Doç. Dr., Lecturer, Gaziantep University, Şehitkamil - Gaziantep, (Turkey). The authors analyzed application of approaches to the prevention of official offenses in the activities of forensic institutions in Germany, France, Poland, and the Baltic countries; investigated how this experience can be adapted to Ukrainian realities, and proposed specific measures that will contribute to increasing the effectiveness of preventive activities.

The article *Experience of European States in Development of Institutions of Legal Aid and Protection in Criminal Proceedings* by Миколи Коломойцева Doctoral

Student PhD in Law (Ukraine): describes typical mistakes in activities of law enforcement agencies and defenders at the stage of pre-trial investigation, which significantly affect the international principles of protecting a person from criminal prosecution.

Inessa Ovsianynkova, PhD in Law, **Olena Stepanova**, and **Iryna Shevchenko** (all from Ukraine) devoted their manuscript to the problematic issues of forming research competence of forensic experts, determining the ways to overcome them and outlining the system elements of the research competence of a forensic expert. Scientists emphasize importance of integration with European educational standards and the implementation of international experience of the best world practices in the use of educational technologies and programs that will contribute to increasing the level of professional training of Ukrainian forensic experts. The researchers note that experts who are well versed in forensic science and law, who analyze incoming information quickly and efficiently, are able to apply the most effective methods to perform their expert tasks, and conclude that a high level of education and training of forensic experts is important to ensure effectiveness of forensic science activity in Ukraine.

The final article of this issue: *Formation and Essence of Representation Institution in Criminal Procedure of Ukraine* by **Ivan Iemets** (Ukraine) PhD in Law, Doctoral Student of NSC «Hon. Prof. M. S. Bokarius FSI» by reveals the issue of improving and expanding practical mechanisms for guaranteeing the rights of victims whose individual rights and legitimate interests have been violated by a committed criminal offense. The scientist proposes to understand the representation of the interests of the victim in criminal proceedings as a form of advoca-

cy, which consists in providing the victim of a criminal offense with professional legal assistance to ensure his rights and legitimate interests during the pre-trial investigation, court proceedings and procedural actions that can be carried out before the start of the pre-trial investigation. The researcher is sure that the focus of the victim's representative's activities in a broad sense is determined by the tasks of criminal proceedings, and in a narrow sense by protecting the interests of the victim and restoring his violated rights, compensation for the caused damage.

The last pages of the 36th issue of Research Paper Collection: Theory and Practice of Forensic Science and Criminalistics contain a section reflecting the current events of scientific life. This time the Editorial Board of the collection could not ignore international and all-Ukrainian events, in which, despite military aggression of the Russian Federation against Ukraine, employees of Research Paper Collection: *Theory and Practice of Forensic Science and Criminalistics*. Conducted

at a high scientific level, such events demonstrate the invincibility of Ukrainian scientists and practitioners to adverse conditions of martial law.

Editorial Board of the edition expresses its sincere gratitude to the authors who provided materials for publication, as well as to the employees who participated in the preparation for printing. Your interesting achievements enrich our publication. We also invite foreign and Ukrainian scientists and practitioners, employees of expert institutions, higher education institutions, law enforcement agencies, courts, etc., submit their scientific developments for publication on the pages of our collection. The fruitful cooperation of the editorial board with the authors is the key to successful work on new issues of *Research Paper Collection: Theory and Practice of Forensic Science and Criminalistics* and contributes to continuous scientific development even in difficult conditions of war!

Together to the victory!
Glory to Ukraine!

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