

Methodological Aspects of Complex Forensic Psychological and Linguistic Examination Realities of Armed Aggression of Russian Federation Against Ukraine

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This article purpose is to highlight the features of conducting multidisciplinary forensic psychological and linguistic examinations in criminal proceedings regarding damage caused to national security of Ukraine. Methodological basis of the research is general scientific and special methods of scientific knowledge. Scientific and methodological principles of such researches are considered, special attention is paid to the object, topic, tasks and methods. Taking into account the multidimensionality of the object of multidisciplinary psychological and linguistic examination, it is proposed to consider it according to the following features: generic (material carrier on

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which information material is recorded about the products of the communicative activity of a person / persons in a situation that is the subject of investigation / consideration in the legal process); special (information material recorded on a material carrier, containing a set of factual data about specifics, functions of information message as a communicative act and about potential of its influence on mental activity of recipients); information specifics in accordance with the field of special knowledge of the experts (1.2 “Linguistic research on speech” / 14.1 “Psychological research”). General and individual tasks of multidisciplinary psychological and linguistic examination in criminal proceedings regarding causing harm to information security of State are determined. Methods of a multidisciplinary psychological and linguistic information analysis are considered as a mutually agreed operational-logical system with the aim of obtaining data about research object in accordance with the tasks performed and the limits of competence of the forensic linguist and forensic psychologist.

Keywords: *forensic science; multidisciplinary psychological and linguistic examination; research object; topic research, research tasks; research methods; methodology; national security; information security.*

Research Problem Formulation

For a long time, Ukraine has been subjected to large-scale armed and information aggression by the Russian Federation. Russian propaganda is spread by means of information aggression, which poses a threat to the national security of our country.

Article 1 of the Law of Ukraine: *On National Security of Ukraine* stipulates that national security of the State consists in the protection of state sovereignty, territorial integrity, democratic constitutional order and other national interests of Ukraine from real and potential threats. The national interests of Ukraine primarily include the vital interests of a person, society and the state, which implementation guarantees State sovereignty of Ukraine, as well as safe living conditions

and well-being of its citizens. Threats to the national security of Ukraine are phenomena, trends and factors that make it impossible or complicate / can make it impossible or complicate the implementation of national interests and the preservation of national values of Ukraine¹.

Integral part of the Law of Ukraine: *On National Security of Ukraine* is the National Security Strategy of Ukraine defining destructive role of special services of foreign states, primarily the Russian Federation, which consists in intelligence and subversive activities against Ukraine, in fueling separatist sentiments, in the use of organized criminal groups and corrupt officials seeking to strengthen the infrastructure of influence. Among the means of destructive influence, propaganda from outside and inside Ukraine is singled out using contradictions in Ukrainian society,

1 Про національну безпеку України : Закон України від 21.06.2018 р. № 2469-VIII (зі змін. та допов.). URL: <https://zakon.rada.gov.ua/laws/show/2469-19#Text> (date accessed: 12.08.2025).

incites hatred, provokes conflicts, thereby undermining social unity².

Current challenges and threats to Ukraine national security include threats in the information field. Information Security Strategy states that information security is a component of the national security of Ukraine and its society that can be harmed by the spread of negative information influences, destructive propaganda, and the general use of information operations technologies, etc. Information threat is interpreted as “potentially or actually negative phenomena, trends, and factors of information influence on individuals, society, and the state, which are used in the information sphere with the aim of preventing or complicating the realization of national interests and the preservation of national values of Ukraine and may directly or indirectly harm the interests of the state, its national security and defense”³. Global threats and challenges include an increase in the number of special disinformation operations by the aggressor state to manipulate the consciousness of individuals and groups of the Ukrainian population and to intensify internal contradictions in Ukraine.

Technologies of Russian information and psychological operation (hereinafter referred to as the PSYOP), implemented on the Internet (especially in social net-

works), are quickly adapting to the local contexts of the Ukrainian information space, destructively affecting the internal and external socio-political situation in our country. Reducing the criticality of the perception of information by Internet users forms the basis for possible manipulations of public opinion, contributes to the growth of the influence of disinformation and hostile propaganda, the popularity of conspiracy theories, creating threats to the social, political and economic stability of Ukraine.

As a socio-psychological weapon, the Russian PSYOP is aimed at achieving a strategic goal, namely: tectonic semantic shifts in Ukrainian cultural, ideological and historical values. The relevance of the scientific and practical study of such technologies of the aggressor state against Ukraine, in particular within the framework of multidisciplinary forensic psychological and linguistic examinations (hereinafter referred to as *MFPLE*), is beyond doubt.

Analysis of Essential Researches and Publications

Russia information war against Ukraine is the focus of attention of domestic political scientists, sociologists, and other scholars (e.g., Ye. Mahda⁴, H. Pocheptsov⁵,

2 Стратегія національної безпеки України : затв. Указ. Президента України від 14.09.2020 р. № 392/2020 (зі змін. та допов.). URL: <https://zakon.rada.gov.ua/laws/show/392/2020#Text> (date accessed: 12.08.2025).

3 Стратегія інформаційної безпеки : затв. Указ. Президента України від 28.12.2021 р. № 685/2021. URL: <https://zakon.rada.gov.ua/laws/show/685/2021#Text> (date accessed: 12.08.2025).

4 Магда Є. Виклики гібридної війни: інформаційний вимір. *Наукові записки Інституту законодавства Верховної Ради України*. 2014. № 5. С. 138–142. URL: http://nbuv.gov.ua/UJRN/Nzizvru_2014_5_29 (date accessed: 12.08.2025).

5 Почепцов Г. Смыслы и войны: Украина и Россия в информационной и смысловой войнах. Київ, 2016. 312 с. ; Его же. Войны новых технологий. Харьков, 2020. 601 с. ; Його ж. Сучасні інформаційні війни. Вид. 2-ге, допов. Київ, 2016. 502 с.

M. Dzyuba with co-authors ⁶ et al.), who note that the meanings integrated into the consciousness of Ukrainian people program behavior patterns for implementation of the Russian Federation long-term strategic goals. This opinion of politicians is confirmed by reality: for decades, especially since the beginning of the Russian Federation's full-scale invasion of Ukraine, the Ukrainian population has been subjected to massive attacks by Russian PSYOP. Their goal is to support Russian armed aggression, which the Russian Federation hypocritically nominates with the neutral-sounding military term "special military operation"; to approve the occupation of certain territories of Ukraine; to encourage cooperation with the aggressor state and the occupying authorities, etc. PSYOP arsenal includes artificial, propagandistic political clichés, implanting the Russian ideological matrix into the individual consciousness of Ukrainian people, disseminated through Internet resources, telecommunications, and even educational institutions (for example, "Novorosiya project," "Banderovism," "Ukrainian Nazis," "fascism in Ukraine," "Russia is liberator of the Ukrainian people," etc.).

Among the strategic goals of the PSYOP, special attention is paid to supporting Russian aggression against Ukraine, destroying Ukrainian identity, provoking extremism and panic in society. An unprecedented information campaign to create an alternative distorted information reality based on the narratives of the aggressor state has been launched in the occupied Ukrainian territories, in the regions where the line of combat collision passes. The Russian PSYOP constantly ma-

nipulates the consciousness of Ukrainian citizens, spreading, for example, myths and misinformation stereotypes about the negative consequences of Ukraine's accession to the EU and NATO.

Article Purpose

For highlighting peculiarities of conducting multidisciplinary forensic psychological and linguistic examinations based on the materials of criminal proceedings relating to damage caused to the national security of Ukraine.

Research Methods

Methodological basis of the study is general scientific and special methods of scientific knowledge.

Main Content Presentation

Actions aimed at harming national security are criminalized in Section I: *Criminal Offenses Against Foundations of National Security of Ukraine*, of the Special Part of Criminal Code of Ukraine in particular Article 109 (*Actions aimed at violently changing or overthrowing the constitutional order or seizing state power*), Article 110 (*Encroachment on Territorial Integrity and Inviolability of Ukraine*), Article 111 (*High Treason*), Article 111-1 (*Collaborationist Activities*), Article 114-2 (*Unauthorized dissemination of information about the direction, movement of weapons, armaments, and ammunition to Ukraine, the movement, relocation, or deployment of the Armed Forces of Ukraine or other military formations established in accordance with the laws of Ukraine, committed*

6 Дзюба М. Т., Жарков Я. М., Ольховой І. О., Онишук М. І. Нарис теорії і практики інформаційно-психологічних операцій : навч. посіб. / за заг. ред. В. В. Балабіна. Київ, 2006. 471 с. URL: https://shron1.chtyvo.org.ua/Balabin_Viktor/Narys_teorii_i_praktyky_informatsiino-psykholohichni_kh_operatsii.pdf (date accessed: 12.08.2025).

under conditions of martial law or a state of emergency”)⁷.

Let us turn our attention to criminal offenses which, according to the Criminal Code of Ukraine, do not constitute crimes against the foundations of Ukraine national security but, in accordance with the Law of Ukraine: *On National Security of Ukraine the National Security Strategy of Ukraine* and the *Information Security Strategy of Ukraine*, can be considered criminal offenses that cause harm to the state's information security. These crimes are defined in Articles 436: *War Propaganda* and 436-2: *Justification, Recognition as Lawful, Denial of Armed Aggression by the Russian Federation against Ukraine, Glorification of its Participants*, included in Section XX: *Criminal Offenses Against Peace, Human Security, and International Law and Order* of Criminal Code of Ukraine⁸.

The issue of whether the dispositions of these articles of the Criminal Code of Ukraine belong to the information security of the state is currently debatable in the circle of lawyers, so their consideration will be ignored.

Measures to implement the Information Security Strategy include the involvement of research institutions that provide analytical and expert support in the pro-

cess of forming and implementing the State information policy. In the current legislation of Ukraine, concept of *information security* covers many components, including linguistic and psychological factors that are essential for the legal qualification of criminal offenses that harm the information security of the State⁹.

Forensic experts from National Scientific Center «Hon. Prof. M. S. Bokarius Forensic Science Institute» (hereinafter referred to as *NSC «Hon. Prof. M. S. Bokarius FSI»*) and its regional branches perform most of the comprehensive forensic psychological and linguistic examinations in criminal proceedings concerning damage to Ukraine information security. As evidenced by expert practice, the performance of such comprehensive studies is complicated by the lack of a methodological basis, the vagueness and eclecticism of expert tasks, which often leads to experts exceeding their competence, illogical and unsubstantiated expert conclusions, etc. Violations of the principles of evidence, objectivity, and completeness of research, as well as exceeding the competence of a forensic expert, contradict the fundamental principles and regulations of forensic activity provided for by the current legislation of Ukraine¹⁰.

7 Кримінальний кодекс України від 05.04.2001 р. № 2341-III (зі змін. та допов.). URL: <https://zakon.rada.gov.ua/laws/show/2341-14#Text> (date accessed: 15.08.2025).

8 Там само.

9 Про національну безпеку України ... URL: <https://zakon.rada.gov.ua/laws/show/2469-19#Text> (date accessed: 12.08.2025) ; Стратегія національної безпеки України ... URL: <https://zakon.rada.gov.ua/laws/card/392/2020> (date accessed: 12.08.2025) ; Стратегія інформаційної безпеки ... URL: <https://zakon.rada.gov.ua/laws/show/685/2021#Text> (date accessed: 12.08.2025) ; Кримінальний кодекс ... URL: <https://zakon.rada.gov.ua/laws/card/2341-14#Text> (date accessed: 15.08.2025).

10 Про судову експертизу : Закон України від 25.02.1994 р. № 4038-XII (зі змін. та допов.). URL: <https://zakon.rada.gov.ua/laws/show/4038-12#Text> (date accessed: 12.08.2024) ; Кримінальний процесуальний кодекс України від 13.04.2012 р. № 4651-VI (зі змін. та допов.). URL: <https://zakon.rada.gov.ua/laws/show/4651-17#Text> (date accessed: 12.08.2024) ; Інструкція про призначення та проведення судових експертиз та експертних досліджень : затв. наказ. Мін'юсту України від 08.10.1998 р. № 53/5 (зі змін. та допов.). URL: <https://zakon.rada.gov.ua/laws/show/z0705-98#Text> (date accessed: 12.08.2024).

Professionals from NSC «Hon. Prof. M. S. Bokarius FSI» have developed methodological recommendations for a comprehensive psychological and linguistic study in criminal proceedings on causing harm to the information security of the state ¹¹ (hereinafter referred to as the *Methodological Recommendations*).

Scientific and methodological basis of MFPLE is the method of dialectical cognition of objective reality. Theoretical substantiation of this type of research is based on the provisions of philosophy, logic, theory of knowledge, general scientific principles of research, forensic expertology, linguistics and psychology, domestic legislation in the field of forensic examination and criminal law relating to national, in particular information, security of the state. The empirical base is statistical and scientific-practical data obtained from open sources, the practice of conducting MFPLE appointed in relevant criminal proceedings.

Methodological Recommendations outline the basic principles, object, subject, tasks, methods and algorithms of MFPLE in criminal proceedings for causing damage to information security of the State.

Methodological recommendations were developed with reliance on the syncretism of the methodology of linguistic and psychological research. MFPLE is a fairly new type of expertise in domestic practice of forensic examination. In the early stages of its formation, object of psychological and linguistic research was traditionally defined as a text that is

a product of speech communicative activity, united by meaning, structural integrity, content coherence and completeness (for example, books, articles, contracts, statements, notes, notes, etc.). With the development of the virtual social environment and the technological capabilities of the Internet, the range of MFPLE objects has increased significantly, so the expert study of the text only has become insufficient to perform tasks relevant to the pre-trial investigation and the court.

In particular, with mass distribution of digital media capable of recording video, the need for psychological analysis of combined (multimodal) information object in terms of relationships and hierarchy of verbal and non-verbal components of communication has increased. Therefore, media texts, including those with illustrative images (for example, articles in online publications), as well as variations of virtual communication in social networks and messengers (audio and video clips without comments, text and voice messages, comments of Internet users, etc.) have become relevant for psychological and linguistic research.

Thus, new objects containing information material, in terms of their communicative function, have gone beyond the traditional text format and have acquired characteristics that need to be studied by integrating knowledge in the fields of linguistics and psychology. The emergence of new objects and tasks of MFPLE requires their thorough methodological justification ¹².

11 Розробка методичних рекомендацій з комплексного психолого-лінгвістичного дослідження у кримінальних провадженнях щодо спричинення шкоди інформаційній безпеці держави / кер.: Т. М. Єгорова ; викон.: Є. В. Ковкіна, Ю. І. Браїлко, С. В. Полякова та ін. № ДР 0121U100229. Харків, 2023. 135 с.

12 Єгорова Т. М., Браїлко Ю. І. Актуальні проблеми комплексної судової психолого-лінгвістичної експертизи в умовах збройної агресії рф проти України. *Актуальні питання судової експертології, криміналістики та кримінального процесу* : мат-ли IV Міжнар. наук.-практ. конф. (Київ, 16.12.2022). Київ, 2022. С. 515—518. URL: <https://files.znu.edu.ua/>

In modern theory and practice of forensic examination, the most controversial is the outline of the object and topic of research. In philosophy, an object is defined as a category “that denotes any real or imaginary, native or ideal **reality** considered as something external in relation to a person and his consciousness and which becomes the subject of theoretical and practical activity of the **subject**”¹³. For scientific and cognitive activity (which includes forensic examination), it is necessary to distinguish the object of cognition as a fragment of reality, endowed with many properties, manifestations and connections with reality.

As E. Simakova-Yefremian notes, forensic research object has a complex structure, since it contains information about itself as a material carrier, about the source of information, about the fact (event, phenomenon) and about the mechanism of transmitting this information from the source to it (carrier). Forensic research objects are distinguished by several criteria, among which the scientist distinguishes the object of comprehensive research as a systemic integral material (materialized) formation, combined by a common subject of research of its various aspects (properties), in order to perform a task that requires the application

of special knowledge in various fields of science, technology, art, etc.¹⁴

Taking into account the multidimensionality of MFPLE object, we propose to consider it on the following grounds:

- a) generic one: material carrier on which information material about the products of communicative activity of a person / people in a situation that is the subject of an investigation or is considered in a lawsuit is recorded;
- b) special one: information material recorded on a material carrier, containing a set of factual data on specifics, functions of the information message as a communicative act and the potential of its impact on the mental activity of recipients;
- c) information specifics: it is subject to research in two aspects depending on the expert specialty (1.2 *Linguistic research on speech* / 14.1 *Psychological research*), and therefore the objects have differences:
 - research object of forensic linguist is the product of human speech activity recorded on a material carrier in oral or written form, in particular text / fragment of text / other lingual units or verbatim text reproduction (transcript) of oral speech;

files/Bibliobooks/Inshi74/0055200.pdf (date accessed: 25.08.2025) ; Їх же. Проблема науково-методичного забезпечення комплексних психолого-лінгвістичних експертних досліджень у кримінальних провадженнях щодо злочинів проти інформаційної безпеки України. *Державна безпека України в умовах російської агресії: актуальні питання експертно-криміналістичного та науково-технічного забезпечення* : зб. мат-лів Всеукр. наук.-практ. конф. (Київ, 22.08.2023). Київ, 2023. Т. 1. С. 58—61. URL: https://tg.vkname.edu.ua/images/chaika/ZBIRNIK_Konferencii_Derzavna_bezpeka_Ukraini_22_08_2023_tom_1_.pdf (date accessed: 25.08.2025).

13 Йолон П. Об'єкт / Філософський енциклопедичний словник ; редкол.: В. І. Шинкарук (голова) та ін. Київ, 2002. С. 438—439. URL: https://shron1.chtyvo.org.ua/Shynkaruk_Volodymyr/Filosofskyi_entsyklopedychnyi_slovnyk.pdf (date accessed: 25.08.2025).

14 Сімакова-Єфремян Е. Б. Комплексні судово-експертні дослідження: теорія та практика : монографія. Харків, 2016. 456 с.

- Research object for forensic psychologist is information material recorded on a physical medium that reflects the specifics of the verbal and nonverbal output of the subject(s) in the process of communication in terms of its potential informational impact on the mental activity of the recipient(s)/target audience. Such objects may include video recordings, screenshots, texts with illustrations, voice messages, written texts, printed materials, etc.

Note that one object can be the subject of research of different examinations, so the essence of the examination determines its subject. Many research papers of domestic and foreign scientists are devoted to the subject of expert research, but it is still debatable. In our opinion, approach of M. Shcherbakovskiy, who considers the subject of examination as a practical activity from the standpoint of the information approach, deserves attention, because in the epistemological and procedural aspects, the expert's activity is always aimed at obtaining information about the event of a criminal offense using special knowledge and within his competence¹⁵. Such information is the result of research on certain properties of the object submitted for examination.

Summarizing the domestic practice of forensic examination, we conclude that subject of forensic research is factual data on the phenomenon, established on the basis of specific expertise while studying

objects: material or materialized carriers of information about a certain event that is the topic of investigation or is considered in litigation.

Similarly, essence of MFPLE is defined through its subject matter. Information products contained on a material medium (on an optical disk, flash drive, in a book, printing products, etc.) acquire their epistemological significance when experts (linguist and psychologist) establish their ability to be the subject of cognition within their competence. It should be assumed that the isolation of the essential aspects of the object of examination and its specific consideration in a truncated set of manifestations is the subject of research that is determined by practice and expert tasks.

Taking into account specifics of the object and topic of multidisciplinary psychological and linguistic research, experts should be guided by the basic principles of cognitive activity, namely: system approach, structural approach, activity approach, level analysis, principle of contextuality.

Common tasks of MFPLE in criminal proceedings for causing damage to the information security of the state are to establish the linguistic and psychological features of information, the specifics of the communicative actions of the communication participants and the potential impact of the information material on the target audience in a situation that has legal significance depending on the disposition of the article of the Criminal Code of Ukraine¹⁶.

15 Щербаківський М. Г. Предмет судової експертизи. *Форум права*. 2016. № 5. С. 199–203. URL: http://nbuv.gov.ua/j-pdf/FP_index.htm_2016_5_34.pdf (date accessed: 25.08.2025).

16 Єгорова Т. М., Браїлко Ю. І., Кисла Н. В. Актуальні проблеми постановки завдань у судових лінгвістичних і комплексних психолого-лінгвістичних експертизах, призначених у кримінальних провадженнях щодо інформаційної безпеки держави. *Судова експертиза в контексті відновлення України* : мат-ли III всеукр. наук.-практ. конф. (Львів, 09.06.2023). Київ, 2023. С. 94–98. URL: <https://intelekt.org.ua/wp-content/uploads/2023/08/sudova-ekspertyza-2023-druk.pdf> (date accessed: 25.08.2025).

Conducting multidisciplinary psychological and linguistic study of information material has the following main stages: 1) research of forensic linguist; 2) research of expert psychologist; 3) integrated research.

Differentiation of specific expertise at the first and second stages occurs due to the specifics of the object and subjects of research of the expert linguist and expert psychologist and, accordingly, the tasks performed by them. At the third stage of the research (due to specific expertise synthesis), experts perform a joint task.

Typical tasks of an expert linguist in MFPLE are:

- a) establishing the objective content of the texts provided for research;
- b) detection of inducement illocutionary act (direct / indirect) and grammatical form of its expression;
- c) definition of linguistic signs of propaganda, denial, justification, glorification, support, etc.

If research object of is a polycode text, the forensic linguist analyzes its speech aspect. Undoubtedly, the analysis of the communicative goal, situation, tactics and strategies, etc. cannot be ignored. Assessing the non-verbal context, the expert, in accordance with the General Methodology of Forensic Linguistic Semantic and Textual Examination¹⁷, can take into account only well-known information or refer to the information specified in the document that is the basis for the examination, but not use data that require the application of knowledge from another

field of science and are not reflected in the written text / transcript of oral speech.

Typical tasks of forensic psychologist are:

- a) determining the method(s) of broadcasting and the structure of information in terms of its perception (visual, auditory, audiovisual);
- b) clarification of the specifics of communicative situation (its structural organization, the approximate circle of participants and their communicative roles (if possible), peculiarities of the communicative interaction between the addressee and the addressee or, in the case of public information, between the publisher and the recipients);
- c) determination of communicative intentions of the addressee / publisher, which are directly or implicitly reflected in content under research (intentions, guidelines, appeals, etc.);
- d) establishing focus of information on formation of certain social guidelines, stereotypes, emotional reactions, motives, social relationships, etc. in the recipient(s)/ target audience (based on the results of the research of forensic linguist);
- e) characteristics of the means and methods of communication used by the addressee/ publisher (in terms of the potential of their influence on the emotional, cognitive, motivational areas of the psyche; social stereotypes of recipients / target audience, etc.)¹⁸.

17 Будко Т. В. Загальна методика судово-лінгвістичної семантико-текстуальної експертизи. Київ, 2020. 55 с.

18 Єгорова Т. Актуальні питання експертного психологічного дослідження у кримінальних провадженнях щодо злочинів проти інформаційної безпеки України. *Актуальні питання судової експертизи та криміналістики* : зб. мат-лів Міжнар. наук.-практ. конф. з нагоди ювіл. видат. учен. 95-річ. від дня народж. Л. Ю. Ароцкера («Ароцкерівські читання») і 105-річ. від дня народж. М. В. Салтєвського (Харків, 19.05.2023). Харків, 2023. С. 122–124. URL: <https://drive.google.com/file/d/1WnOCsPaFLjSy4TdY0hSUCiAVWz4ANH17/view> (date accessed: 25.08.2025).

General methods of multidisciplinary psychological and linguistic analysis of information material are methods of communicative analysis, content analysis, intention analysis, discursive analysis, hermeneutic analysis and other specialized methods inherent in linguistic and psychological research. Features of the use of general methods depend on the competence of the expert psychologist and expert linguist, on specific tasks and special methods of linguistic and psychological research.

Conclusions

The methodological approach covered in Methodological Recommendations developed by the NSC «Hon. Prof. M. S. Bokarius FSI» defines the principles and general procedure for conducting multidisciplinary psychological and linguistic examinations / expert studies related to the national (information) security of the State. Indicative list of tasks and issues posed to the complex forensic psychological and linguistic examination, a detailed description of the algorithms of such a study defined in the Methodological Recommendations will significantly increase effectiveness of the work of experts and degree of evidence of their conclusions while of pre-trial investigation and judicial consideration of criminal offenses to harm the information security of the State.

Методологічні аспекти комплексної судової психолого-лінгвістичної експертизи в реаліях збройної агресії РФ проти України

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Мета статті — обґрунтувати систему критеріїв оцінювання висновків почер-

кознавчих експертиз для застосування її в суді; проаналізувати наявні підходи до розуміння доказового значення висновків експертів у контексті судової практики. Для досягнення поставленої мети застосовано сукупність загальнонаукових і спеціальних методів. Проаналізовано чинне законодавство, яким урегульовано порядок призначення, проведення й оцінювання судових експертиз (зокрема, процесуальні кодекси України та спеціальні нормативні акти, що регламентують судово-експертну діяльність). Увагу акцентовано на судовій практиці застосування висновків почеркознавчих експертиз і основних проблемах, пов'язаних з їх оцінюванням: суперечливості результатів експертних досліджень, недостатньому аргументуванню висновків, формальному підході до їх сприйняття судами. Особливий акцент зроблено на вільному оцінюванні доказів судом і межах його реалізації в разі потреби у застосуванні спеціальних знань. Запропоновано систематизовані критерії (зокрема, відповідність застосованих методик сучасним науковим вимогам, повнота опису об'єктів дослідження, логічна послідовність викладення міркувань експерта, чіткість формулювання висновків, наявність альтернативних гіпотез, а також узгодженість висновку з іншими доказами у справі), які стануть у нагоді суддям, адвокатам, прокурорам та іншим учасникам процесу для оцінювання якості висновків за почеркознавчими дослідженнями. Правники, які стикаються з необхідністю критичного аналізу висновків експертів у процесі доказування, можуть скористатися викладеними тут напрацюваннями як методичним орієнтиром. Порушено питання нагальної потреби в підвищенні кваліфікації суддів у частині оцінювання спеціальних знань і у виробленні єдиних підходів у судовій практиці до застосування висновків експертів як доказів.

Ключові слова: *судова експертиза; почеркознавство; експерт; висновок експерта;*

оцінка доказів; судова практика; доказове значення; критерії науковості.

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Declaration

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