

Tactical Framework for Cooperation Between the Investigator and the Victim During Investigations Into War Crimes

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The primary concerns of this paper are to reveal peculiarities of tactical and forensic support for the investigation of war crimes in terms of cooperation between the investigator and the victim during investigative (search) and other procedural actions. The author aims to identify principal constituents of such interaction and their significance for enhancing a proof procedure, taking into account victim-centered approach principles. In pursuit of this goal, a range of general scientific (analysis and synthesis, induction and deduction) and special (dialectical, systemic-structural, formal-legal, comparative, generalisation) methods of scientific cognition were employed. It has been substantiated that a collaborative partnership between the investigator and the victim in criminal proceedings involving war crimes is not only a mandatory requirement of criminal procedural activity, but also a crucial element of tactical and forensic support for investigation, which affects the extent to which case circumstances are revealed, evidence credibility, and determines the level of trust in criminal justice authorities. It has been proven that the specific nature of war crimes requires us to dig deeper into physical, psychological and social vulnerability of victims, the complexity of the global scope of investigation and the duration of criminal proceedings. Principal components of tactical and forensic support for cooperation between the investigator and the victim were singled out: tactical planning of procedural actions while considering objective constraints; adequate scientific and technical support with the utilization of digital technologies and video recording; accounting for the psychological component

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of interaction with the involvement of psychologists; use of tactical techniques based on individualisation and situational nature; ensuring that victims are aware of their procedural rights, further prospects of proceedings and possible risks. It has been stressed that the use of individualised tactical techniques and modern technical means helps lower the likelihood of re-traumatisation in victims, boosts communication and evidence collection. Particular emphasis is placed on the role of psychological support and information transparency as factors contributing to the establishment of stable cooperation between the victim and the prosecution. Obtained findings provide deeper insights into the tactical and forensic principles of investigating war crimes and lay the groundwork for developing practical recommendations to optimise cooperation between investigators and victims, improve investigation methodology, and enhance victim-centered approaches in criminal proceedings.

Keywords: war crime; military aggression; prosecution; cooperation; investigator; victim; protection of rights and interests; investigative (search) action; tactical technique.

Research Problem Formulation

One of the distinct signs of the Russian Federation's full-scale armed aggression against Ukraine is the scale and systematic nature of war crimes that inflict harm on both individual citizens and the State as a whole. The Office of the Prosecutor General claims that between 24 February 2022 and 30 September 2025, Ukrainian law enforcement agencies registered 185,231 criminal proceedings for war crimes as set out in Art. 438 of the Crimi-

nal Code of Ukraine ¹ (hereinafter referred to as the CC of Ukraine): around 140 new episodes every day. These primarily involve shelling of civilian and critical infrastructure, forced displacement of the population from occupied territories, deportation of children, enforced disappearances, torture of civilians and prisoners of war, extrajudicial executions, sexual abuse and other gross violations of international humanitarian law. Pursuant to official statements, more than 253,000 people have been recognised as victims of war crimes ².

1 Про зареєстровані кримінальні правопорушення та результати їх досудового розслідування (2013—2025 рр.) / Офіс Генерального прокурора : офіц. вебсайт. URL: <https://gp.gov.ua/ua/posts/pro-zareystrovanii-kriminalni-pravoporushennya-ta-rezultati-yih-dosudovogo-rozsliduvannya-2> (date accessed: 12.02.2026) ; Філіпішина А., Падун В., Павліченко О. Воєнні злочини Російської Федерації проти України: шляхи до справедливого покарання винних (розслідування за статтею 438 КК України) / Українська Гельсінська спілка з прав людини. Київ, 2025. С. 5. URL: <https://www.helsinki.org.ua/publications/voenni-zlochyny-rosiyskoi-federatsii-proti-ukrainy-shliakhy-do-spravedlyvoho-pokarannia-vynnykh-doslidzhennia/> (date accessed: 12.02.2026) ; 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: 12.02.2026).

2 Там само.

These figures indicate that Ukraine's law enforcement system is operating under considerable procedural strain, as criminal justice authorities are tasked with promptly documenting events, collecting evidence, and supporting effective investigation of war crimes.

Furthermore, numerous cases of acts that potentially fall under the remit of the Rome Statute of the International Criminal Court ³ (hereinafter referred to as the *Rome Statute*) are systematically recorded in reports by national and international human rights organisations, which reinforces the requirements for the quality of criminal prosecution and for the adherence to international standards of proof. As documented by the Media Initiative for Human Rights (2022), law enforcement agencies have recorded 60,387 war crimes. Notices of suspicion have been served in 125 cases, and 94 criminal proceedings have been forwarded to court. In 2023, 57,880 war crimes were recorded, and suspicions were announced in 193 cases, of which 173 cases were referred to court. During 2024, 28,788 war crimes were registered, 315 suspicions were reported, and 236 indictments were submitted to court. In 2025, 56,071 war crimes were documented, 367 notices of suspicion were served, and 206 criminal proceedings were referred to court. Overall, 187 individuals have been convicted in absentia for war crimes over four years. This is a small number compared to the total number of registered incidents, which exceeds 200,000. As noted by forensic ex-

perts in international humanitarian law A. Rassamakhina and O. Rasulova, these figures do not reflect the full scope of the situation, since some of the notices of suspicion are not subject to public disclosure, and certain proceedings are held in closed court sessions ⁴.

Investigating war crimes committed during the armed aggression against Ukraine is one of the most demanding tasks for criminal justice authorities. The large number of criminal proceedings, the complexity of the mechanisms by which the crimes were committed, the scale of their consequences, and the specific conditions for collecting evidence significantly hinder the organisation of pre-trial investigations. Under such circumstances, it is of paramount importance to ensure an adequate level of cooperation between investigators and victims, who are often the main bearers of information about the circumstances of a crime and, therefore, require enhanced procedural safeguards.

Consequently, it is clear why some victims are dissatisfied with the performance of law enforcement agencies, the duration of investigations, or the level of procedural interaction. At the same time, implementation of a victim-centered approach in criminal proceedings involves not only safeguarding the rights of victims, but also developing tactical models of cooperation that combine effective proof and increased trust in law enforcement authorities, while taking into account the psychological state of victims and reducing the risk of re-traumatisation.

3 Римський статут Міжнародного кримінального суду : прийнят. 17.07.1998 р. (зі змін. та допов.) ; ратифік. Законом України від 21.08.2024 р. № 3909-IX. URL: https://zakon.rada.gov.ua/laws/show/995_588#Text (date accessed: 12.02.2026).

4 Рассамакхіна А., Расулова О. За чотири роки великої війни до суду дійшло лише 709 справ щодо воєнних злочинів — інфографіка МІПЛ / Медійна ініціатива за права людини : вебсайт. 12.02.2026. URL: <https://mipl.org.ua/za-chotyry-roky-velykoyi-vijny-do-sudu-dijshlo-lyshe-709-sprav-shhodo-voynnyh-zlochyniv-infografika-mipl/> (date accessed: 12.02.2026).

When investigating war crimes, it is crucial to note that bringing perpetrators to justice often goes beyond national jurisdiction and may be carried out within the framework of international criminal justice mechanisms, particularly in the context of the Rome Statute⁵. This specific nature objectively leads to lengthy proceedings, complex proof procedures and delays in the adoption of court decisions. Victims often find themselves in a state of suspension awaiting justice, accompanied by psychological stress, feelings of uncertainty and vulnerability. In light of the foregoing, it is essential to prevent victims from being left alone to deal with their problems and with the consequences of a crime they have experienced. Implementing a victim-centered approach in criminal proceedings involves more than just formally recognizing victims' procedural rights; it also requires pre-trial investigation authorities to play an active role in ensuring that those rights are actually exercised. The extent to which victims feel secure and trust law enforcement agencies and the justice system as a whole depends entirely on the professional interest of investigators in protecting victims' rights, ensuring access to information, communicating appropriately and addressing victims' needs.

Therefore, effective cooperation between the investigator and the victim is crucial both procedurally and socio-psychologically, as it maintains victims' sense of security during the long wait for justice and fosters their willingness to participate in criminal proceedings, thereby contributing to the integrity and quality of a proof procedure in war crimes cases. That is why the study of tactical and forensic principles of cooperation between the investigator and the victim during investigative (search)

and other procedural actions in criminal proceedings concerning war crimes is especially pertinent, since the efficiency of such cooperation largely determines the full scope of case circumstances, the quality of evidentiary basis and overall effectiveness of criminal proceedings.

Article Purpose

Delineate peculiarities of tactical and forensic support for war crimes investigation from the perspective of cooperation between the investigator and the victim during investigative (search) and other procedural actions.

Research Methods

The purpose of this article is realised through a multifaceted application of general scientific and special legal methods of cognition. Dialectical method was of use in clarifying the transformation patterns of tactical and forensic support for war crimes investigations in conditions of armed aggression and in revealing contradictions between high standards of proof and objective constraints of martial law (widespread nature of episodes, forced migration /displacement of victims, security risks).

Analysis and synthesis enabled the processing of scientific sources and action-oriented approaches to victim-centered investigations, the organization of tactical cooperation between the investigator and the victim, as well as the differentiation of key components of tactical and forensic support (planning, technical means, psychological component, tactical techniques).

System-structural method was employed to analyse cooperation between the investigator and the victim from a holistic perspective, taking into account

5 Римський статут... URL: https://zakon.rada.gov.ua/laws/show/995_588#Text (date accessed: 12.02.2026).

organisational, technical, psychological, and information-communication constituents, and to determine their place in the overall model for the pre-trial investigation of war crimes.

Formal-legal method facilitated the analysis of criminal procedural regulation of the victim's participation in criminal proceedings, of procedural safeguards of his/her rights, as well as of permissible forms of recording and using information obtained during investigative (search) actions, including video recording and processing of digital data.

Logical-dogmatic (logical-semantic) method made it possible to both clarify the meaning of the categories *cooperation between the investigator and the victim*, *victim-centered approach*, *tactical techniques for actualising (restoring) forgotten material* and draw conclusions and practical recommendations.

Comparative-legal method helped to compare scientific approaches to tactical support for cooperation with victims in proceedings concerning serious and international crimes. We also took into account international standards for treatment of victims and protection of their rights in the context of potential mechanisms of international criminal justice.

Modelling method contributed to the identification of typical tactical situations of cooperation with victims (physical unavailability to participate, staying abroad, severe traumatization, need for recognition/identification via digital materials) and helped to highlight optimal tactical solutions and response algorithms.

Generalisation was employed to systematise findings from doctrinal sources and practical data and to formulate the author's conclusions regarding key components of tactical and forensic support for cooperation between investigators and victims in war crimes proceedings.

Analysis of Essential Researches and Publications

The issues of providing tactical support for criminal investigations, carrying out individual investigative (search) actions and holding trials are always at the forefront of research for Ukrainian and foreign scholars. Over the past few years, various aspects of this subject area have been a recurring theme in scientific papers by H. Bidniak et al.⁶, Yu. Myroshnychenko⁷, M. Pohoretskyi and D. Serhieieva⁸, V. Shevchuk et al.⁹, V. Shepitko¹⁰, and others.

- 6 Бідняк Г. С., Кривопуск О. Г., Пиріг І. В. та ін. Криміналістична тактика : підручник. Дніпро, 2025. 252 с. URL: <https://er.dduvs.edu.ua/handle/123456789/16796> (date accessed: 12.02.2026).
- 7 Мирошніченко Ю. М. Криміналістична тактика в період становлення науки криміналістики. *Юридичний бюлетень*. 2020. Вип. 13. С. 201–207. DOI: [10.32850/LB2414-4207.2020.13.26](https://doi.org/10.32850/LB2414-4207.2020.13.26) (date accessed: 12.02.2026).
- 8 Погорєцький М. А., Сергєєва Д. Б. Тактика захисника: поняття, зміст та місце в системі криміналістичної тактики. *Вісник кримінального судочинства*. 2016. № 2. С. 113–123. URL: https://vkslaw.knu.ua/images/verstka/2_2016_Sergeeva.pdf (date accessed: 12.02.2026).
- 9 Shevchuk V., Kostenko M., Myshkov Ya., Papusha I., Hryshko I. Functional Purpose of Tactical Operations in the Development of Criminalistic Methodics of Crime Investigation. *Pakistan Journal of Criminology*. 2023. Vol. 15. No. 2. Pp. 61–78. URL: https://www.pjcriminology.com/wp-content/uploads/2023/08/05_Shevchuk-et-al.pdf (date accessed: 12.02.2026).
- 10 Шепітько В. Ю. Предмет криміналістичної тактики: історія формування, зміст та тенденції. *Теорія та практика судової експертизи і криміналістики*. 2019. Вип. 19. С. 8–20. DOI: [10.32353/khrife.1.2019.01](https://doi.org/10.32353/khrife.1.2019.01) (date accessed: 12.02.2026).

A number of aspects of tactical and forensic support have been studied by foreign scientists C. Butură¹¹, S. Nikoloska¹², R. Reyes¹³, R. J. Girod¹⁴, et al.

In recent years, Ukrainian criminalistics has significantly intensified its research into the investigation of war crimes, focusing primarily on organisational and tactical decisions, the specific nature of individual investigative (search) actions, and psychological aspects of communication with participants in proceedings. It is worth mentioning the comprehensive nature of K. Shevchyshena's dissertation, in which theoretical provisions and practical recommendations are formulated regarding the organisation of war crimes investigations, including cooperation between pre-trial investigation authorities and participants in proceedings. The author also elaborated on tactical and forensic principles for conducting procedural actions¹⁵.

A number of papers focus exclusively on interrogation as a primary source of information as per Art. 438 of the CC

of Ukraine. Thus, O. Zhovtiuk delves into certain tactical and psychological features of interrogating witnesses and victims during the investigation of breaches of the laws and customs of war, emphasising the need to account for both case circumstances and individual traits of those being interrogated (in particular, the traumatised person), as these directly affect the quality and fullness of testimony¹⁶. Simultaneously, another field is developing that concerns procedurally specific forms of obtaining testimony: e.g., S. Hrechana studies tactical interrogation techniques during pre-trial investigations in court sessions conducted by investigating judges (Art. 225 of the Criminal Procedure Code of Ukraine), emphasising communicative nature of this action, psychological mechanisms of implementing tactical techniques, and the special status of a witness/victim as the subject of procedural and tactical influence¹⁷.

The section on interagency and international coordination is also of para-

- 11 Butură C. Tactical Framework for Organizing a Criminal Investigation. *Proceedings of the 26th International RAIS Conference on Social Sciences and Humanities*. 2022. Pp. 73–78. URL: <https://www.ceeol.com/search/chapter-detail?id=1037104> (date accessed: 12.02.2026).
- 12 Nikoloska S. Tactics of application of measures and actions in the criminal investigation of economic-financial crime. *International scientific conference "45 years higher education in the area of security – educational challenges and security perspectives"* (26–28 Sept 2022; Struga). 2022. Vol. III. No. 7. Pp. 25–36. DOI: 10.20544/ICP.3.7.22.P02 (date accessed: 12.02.2026).
- 13 Reyes R. Tactical Criminal Investigations: Understanding the Dynamics to Obtain the Best Results without Compromising the Investigation. *Journal of Forensic Sciences & Criminal Investigation*. 2017. Vol. 2. Is. 2. Pp. 001–004. URL: <https://surl.li/tztghm> (date accessed: 12.02.2026).
- 14 Girod R. J. Advanced Criminal Investigations and Intelligence Operations: Tradecraft Methods, Practices, Tactics, and Techniques. Boca Raton ; London ; NY, 2014. 543 p. URL: <https://surl.li/nxktor> (date accessed: 12.02.2026).
- 15 Шевчишена К. П. Розслідування воєнних злочинів в Україні : автореф. дис. ... канд. юрид. наук. Київ, 2024. С. 18. URL: https://www.navs.edu.ua/files/spec-vchena-rada/srd_26_007_03/2024/avtoref_shevchyshena.pdf (date accessed: 12.02.2026).
- 16 Жовтук О. Особливості проведення допиту свідків і потерпілих під час розслідування порушення законів та звичаїв війни. *Юридична психологія*. 2024. № 1 (34). С. 101–109. DOI: 10.33270/03243401.101 (date accessed: 12.02.2026).
- 17 Гречана С. Тактичні прийоми допиту під час досудового розслідування в судовому засіданні слідчим суддею: криміналістична та психологічна характеристики. *Там само*. 2023. № 2 (33). С. 71–78. DOI: 10.33270/03233302.71 (date accessed: 12.02.2026).

mount importance for military proceedings. Yu. Chornous and Yu. Vasiuta single out psychological and organisational-tactical features associated with the activities of joint investigative teams, and also explore a range of issues of forensic support for investigations and prosecution of war crimes by the International Criminal Court, etc.¹⁸.

At the same time, notwithstanding the availability of these studies, a majority of scientific papers focus either on general issues of organising war crimes investigations or on tactics for conducting specific investigative (search) actions (predominately interrogations). On the other hand, tactical and forensic principles of cooperation between the investigator and the victim as a systematic process within war crimes proceedings are almost entirely overlooked. This necessitates the need for further research into this aspect, with a focus on identifying typical situations of such cooperation, on defining tactical tasks of the investigator, and on formulating practice-oriented recommendations relevant to military conditions, the number of victims, and their requests.

Main Content Presentation

Utilizing a victim-centered approach in the investigation of war crimes plays a pivotal role in studying this category of criminal offenses. The significance of this approach is primarily due to the specific nature of criminal offenses themselves, which are

committed in the context of armed conflict and are manifested in a set of complex, systemic, and often long-lasting consequences. Victims in such proceedings are often not only victims of specific criminal acts, but also persons who simultaneously endure a range of social, material and psychological hardships. These encompass the loss of housing and/or property, the death and/or disappearance of beloved ones, forced displacement, experiences of occupation, torture and/or sexual abuse, significantly affecting their psychological and emotional state and ability to cooperate with criminal justice authorities. For this reason, victims of war crimes should be regarded as a particularly vulnerable category of participants in criminal proceedings, requiring increased attention from investigators and other participants in investigation.

Employing a victim-centered approach involves providing such persons with all-encompassing aid and taking extensive measures to assess their needs. This entails more than just ensuring procedural safeguards and restoring violated rights, including the right to safety, life, and health; it also involves taking into account a broader range of needs, including psychological, informational, social, and other ones. This approach helps foster public trust in law enforcement agencies, reduce the risk of re-traumatising victims, and improve a proof procedure, as victims are frequently the main sources of evidence when it comes to circumstances of war crimes.

18 Чорноус Ю. М. Актуальні питання криміналістичного забезпечення розслідування та судового розгляду Міжнародним Кримінальним Судом справ про воєнні злочини. *Актуальні питання криміналістики та судової експертизи* : мат-ли міжвідом. наук.-практ. конф. (Київ, 30.11.2023). Київ, 2023. С. 45—49. URI: <https://elar.navs.edu.ua/handle/123456789/27081> (date accessed: 12.02.2026) ; Чорноус Ю. М., Васюта Ю. В. Психологічна й організаційно-тактична характеристика діяльності спільних слідчих груп під час розслідування кримінальних правопорушень. *Юридична психологія*. 2022. № 2 (31). С. 113—121. DOI: [10.33270/03223102.113](https://doi.org/10.33270/03223102.113) (date accessed: 12.02.2026).

We believe that any communication with victims during war crimes investigations should not be viewed as a one-sided process of obtaining information. Such communication should be interactive, involving active participation by both sides, mutual agreement and a focus on achieving a legal outcome.

By using the *cooperation* term, it is important to emphasize that the investigator and the victim not only fulfil formal procedural roles as *subject of investigation* and *source of evidence*, but are participants in a joint process of ascertaining objective truth and restoring justice. The prosecution has an interest in a complete, comprehensive and objective investigation of war crime circumstances, in the collection of relevant and admissible evidence, and in bringing those responsible to justice. Similarly, it is in the victim's interest to restore violated rights, foster a sense of security, secure recognition and compensation for the harm caused to him/her, and reach a fair decision.

In cases involving war crimes, these shared interests are fundamental, as such crimes are inextricably linked to gross violations of both Ukrainian national legislation and international humanitarian law. Investigators, who represent state authorities and, therefore, the State itself, must prioritize their efforts towards restoring national security and maintaining public safety and order. That is why their cooperation with victims must stem from the principles of trust, respect, transparency, and awareness. The investigator must do more than just initiate procedural actions; they are expected to ensure that the victim's rights, the procedure for exercising those rights, and prospects for criminal proceedings are properly explained. Investigators must be mindful of the victim's psychological and emotional state

and potential risks of re-traumatisation. Communication between the prosecution and the victim and his/her representatives during investigations of war crimes is transformed into a tactically structured engagement that is strategically important for achieving objectives of criminal proceedings. We deem it expedient to outline essential aspects of tactical and forensic support for cooperation between investigators and victims of war crimes. They are listed below.

1. *Planning investigation and individual procedural measures.* Of fundamental importance is the fact that cooperation with victims during war crimes investigations is often hampered by objective circumstances directly affecting the possibility of interaction (cooperation) during investigations. Such obstacles are primarily due to the specific nature of consequences resulting from armed aggression, in which victims experience physical, psychological, or social vulnerability.

One of the reasons for this complicated interaction is the physical condition of a victim. Injuries, long-term treatment, limited mobility, or other consequences of military action may hinder a person's timely participation in investigative (search) actions or seriously affect his/her ability to fully perceive and reproduce information. In these circumstances, the investigator has to tailor investigative tactics to the needs of the individual. This might include taking into account the victim's medical condition, endurance, and the individual's need for medical or psychological support.

Another important factor is the location of victims outside Ukraine. This has become a widespread phenomenon following the forced migration of civilians. Consequently, additional organisational and tactical difficulties arise, including limited opportunities for direct contact,

challenges in safeguarding procedural guarantees, and the need for international legal assistance or remote forms of cooperation. In this regard, tactical support must ensure that time, technical and legal constraints are taken into account, as well as facilitate communication, directly affecting the completeness and credibility of obtained testimonies.

At the same time, these circumstances highlight the importance of tactical planning. The investigator must not only choose the optimal method for conducting procedural actions, but also anticipate possible obstacles linked to the condition of a victim or his/her location, and determine alternative models of cooperation in advance. Such planning minimises the risk of re-traumatising the victim and supports a proof procedure even when it is impossible to have full access to participants in proceedings.

Therefore, the complexity of cooperating with victims in war crimes cases is due to a number of physical, territorial and procedural factors requiring flexible application of tactical techniques and an individualised approach to each situation. This applies primarily to the combination of procedural mechanisms with forensic recommendations aimed at ensuring the safety, dignity and procedural rights of the victim.

2. *Adequate scientific and technical support for investigative (search) and other procedural actions involving victims.* Although technical and forensic support is usually defined as a separate area, we believe it is appropriate to consider it within the scope of the issue under study, as it has a significant impact on the effectiveness of investigative (search) actions, tactical operations and combinations.

The specific nature of investigating war crimes necessitates the active use of

digital technologies. This is because much of the information relevant to the subject of proof is available electronically or is obtained from open sources. During investigative (search) actions involving the victim—e.g., during inspection, examination of computer data or criminal analysis, specifically analysis of materials from open sources (*Open source intelligence, OSINT*)—it may be expedient to identify persons involved in commission of war crimes. In the aforementioned scenarios, the victim is engaged in reviewing photos and videos, data from social networks, messages in messaging apps, media archives or other digital resources, which requires specialised equipment and software.

Scientific and technical support in this regard primarily involves use of modern computer systems for processing large arrays of information, adoption of digital visualisation tools, frame-by-frame video analysis software, and image magnification and stabilisation systems. Secure digital platforms are becoming increasingly valuable, enabling victims to view materials without the risk of data loss or distortion and ensuring that identification results or other actions are properly recorded for procedural purposes.

Furthermore, technical means not just help to secure evidence, but also enable organisational and tactical functions to be implemented. Multimedia equipment, remote communication systems, and video conferencing help conduct investigative (search) actions with victims who are outside Ukraine or cannot physically appear before the pre-trial investigation authority. This is especially relevant for war crimes where victims are often internally displaced persons or forced migrants.

Utilization of scientific and technical means also contributes to the impartiality of the perception and reproduction of

information by victims. High-quality visualization, 3D modelling, or digital reconstruction of events help to more accurately reconstruct crime circumstances, facilitate the identification process, and reduce the cognitive load on victims.

Further evidence of the significance of scientific and technical support is the use of video recording during investigative (search) actions involving the victim. Video recording provides not only a complete and objective record of the procedural action, but also helps to create an additional source of evidence that may have independent evidentiary value in subsequent criminal proceedings.

High-quality audio and video recording of the victim's testimony contributes to preserving his/her first-hand perception of events, emotional state, specific responses to external stimuli, and the sequence of events, which is essential for assessing credibility of testimonies. In cases involving war crimes, where victims are frequently in a state of psychological trauma or reside outside Ukraine, video recording helps reduce the need for repeated contact with the criminal justice system and minimises the likelihood of re-traumatisation.

Additionally, an adequately recorded video testimony of the victim can be used during trials as additional or alternative evidence, thereby obviating the necessity for repeated interrogation of the victim in court under certain circumstances. Therefore, video recording shall be considered an important component of scientific and technical support for investigative (search) actions, enhancing a proof procedure, optimisation of procedural procedures, and implementation of a victim-centered approach during war crimes investigations.

3. *Psychological component of cooperation.* Since tactics is deeply rooted in

psychology, we propose that a separate component of tactical and forensic support for the investigation of war crimes should be the psychological component of cooperation between the investigator and the victim, with the involvement of a mediator who possesses specific expertise in the field of psychology. The specific nature of consequences of wartime crimes necessitates this approach, as a significant proportion of victims experience severe traumatic events related to the loss of beloved ones, captivity, torture, sexual abuse or prolonged exposure to life-threatening situations. In these instances, direct communication between the investigator and the victim may be impeded by psychological barriers, fear of reliving the traumatic experience, or symptoms of post-traumatic stress disorder (PTSD).

Involvement of a psychologist as a mediator allows cultivating a safe communication environment in which the victim enjoys support during participation in procedural actions, and the investigator is able to obtain exhaustive and accurate information without the risk of causing additional psychological harm to a person. The psychologist may perform a variety of key roles: preliminarily assess the emotional state of the victim, determine optimal format for communication, adapt the investigator's questions to a person's psycho-emotional state, and accompany him/her during interrogation or other investigative (search) actions.

Tactical importance of such cooperation is that the psychologist helps reduce the victim's stress and anxiety levels, helps avoid re-traumatisation, and enhances reliability of obtained testimonies. This bears particular relevance when working with children and individuals who have been sexually abused, or victims who display signs of psychological instability.

With the involvement of a specialist, the investigator can more accurately determine the limits of acceptable psychological stress, select the appropriate duration of procedural actions, and promptly identify signs of mental exhaustion in the individual.

Furthermore, involving a psychologist as a bearer of specific expertise aligns with current approaches to victim-centered justice, where the priority is both obtaining evidence and ensuring respect for human dignity and rights. This approach helps to foster the victim's trust in the criminal justice system, thereby cultivating the individual's willingness to cooperate with the investigation.

Therefore, cooperation between the investigator and the victim, mediated by a psychologist, is an essential component of tactical and forensic support for war crimes investigations. It brings procedural tasks and specific expertise together, ensuring a balance between effective proving and the need to protect the mental well-being of victims in criminal proceedings.

4. *Utilization of tactical techniques while adhering to the principles of individualization and situational nature.* Tactical support is always viewed through the prism of appropriate means, and the victim's interaction depends on their application. We are of the opinion that implementation of tactical approaches during war crimes investigations should stem from the principles of individualisation and situational nature, as universal models of behaviour are not effective enough in cases of this category. Victims are often in different headspaces and physical conditions, and they are not all ready to work with the pre-trial investigation authorities. What is more, circumstances of their traumatic experiences can vary considerably.

In this respect, the investigator should think outside the box when choosing tactical approaches, taking into account the specific investigative situation, personal characteristics of a victim, and circumstances under which a specific procedural action is being conducted.

One of the main areas of adopting this approach is tactical techniques aimed at actualising and restoring forgotten or fragmentarily preserved material. Victims of war crimes typically experience psychological repression, fragmented memories, and have significant memory gaps regarding events. All of the above can be attributed to the traumatic impact of circumstances they have experienced. Under such conditions, direct questions may not yield complete testimony or may even cause additional emotional distress. That is why tactical techniques are designed to gently stimulate the process of recall using neutral associative questions, clarifying the context of events, recreating the sequence of actions, and focusing attention on a situation, details of the environment, and audio or visual elements that accompanied an event.

It is of particular importance to create a favourable communicative atmosphere in which the victim does not feel pressured or compelled to provide exhaustive information immediately. The investigator may use techniques to reconstruct the chronology of events, return to specific episodes after a pause, and use visual materials or digital reconstruction tools to help activate memory.

Individualization of tactical approaches also involves accounting for cultural, linguistic, and social traits of the victim, especially when it comes to persons residing abroad or who have experienced forced displacement. A situational approach also allows investigators to adapt

their tactics depending on the dynamics of proceedings, changes in the victim's emotional state, or the availability of new information.

5. *Interaction based on awareness of one's rights, prospects of a case, and existing procedural risk.* Another important component of tactical cooperation with victims of war crimes is comprehensive consideration of their needs and prompt assessment of procedural risks that may take place during the pre-trial investigation stage. In these types of cases, victims often face uncertainty and wait for a fair decision for quite a long time, so transparency of information and predictability of the prosecution's actions are especially important.

Tactical cooperation in this context entails more than just obtaining evidence; it also involves helping the victim develop a realistic understanding of the procedural prospects of proceedings. The victim should be mindful of possible outcomes of pre-trial investigation, approximate time frame, and potential challenges involving evidence collection, international legal procedures, or identification of persons responsible for a crime. Such awareness reduces anxiety, prevents excessive expectations, and minimizes the risk of losing trust in the criminal justice system.

At the same time, integrated assessment of the victim's needs involves defining the victim's procedural status as well as his/her individual social, psychological and safety requests. The investigator must bear in mind possible risks of re-traumatization, the threat of influence from third parties, the victim's vulnerability to information, or challenges associated with the place of residence/stay. In light of these circumstances, it is crucial to elaborate on protection mechanisms, procedural rights, and accessibility to psychological and/or legal assistance.

Identifying procedural risks also serves a preventive function. By explaining to the victim plausible scenarios for proceedings, the investigator fosters a more stable model of collaboration, thereby promoting stable communication throughout the investigation. This involves providing honest information about procedure timelines, complexities of international cooperation, a possibility of proceedings in absentia, or prospects of transferring materials to international forensic institutions.

Therefore, comprehensively taking into account the victim's needs and determining procedural risks are essential components of tactical cooperation, combining procedural efficiency with the humanitarian component of criminal proceedings. These contribute to building trust in the investigation, maintaining the victim's psychological stability, and ensuring more consistent and effective collaboration between participants in proceedings.

Conclusions

The full-scale Russian military aggression has determined the current vectors of activity of Ukraine's criminal justice authorities. First and foremost, this involves countering war crimes. This means that cooperation between the investigator and the victim not just has procedural value, but also a clear social and psychological dimension, since it affects victims' sense of safety, their trust in the State, and their willingness to cooperate with the investigation.

The tactics of cooperation between the investigator and the victim in war crimes cases should be viewed as interaction rather than unilateral information gathering. Its strategic value lies in balancing the

victim's interests (recognition of harm, restoration of rights, safety, justice) and those of the prosecution (exhaustiveness of testimonies, relevance and admissibility of evidence, bringing perpetrators to justice). When organized with tactical rigor, such cooperation enhances the quality of evidentiary basis and ensures the sustainability of procedural cooperation.

Therefore, we recommend highlighting the following foundational pillars of tactical and forensic support for cooperation between investigators and victims in proceedings concerning war crimes: 1) tactical planning of investigations and procedural measures, taking into account the victim's physical condition, location (particularly if abroad), safety and time constraints; 2) adequate scientific and technical support for investigative (search) and other procedural actions (work with digital sources and OSINT, visualizations, remote participation, video recording), increasing the accuracy of the reconstruction of events, ensuring high-quality recording of evidence, and minimizing repeated contact with the victim; 3) the psychological component of cooperation that presupposes the use of specific expertise (a psychologist as a mediator), fostering a safe communicatory environment, reducing the risk of re-traumatisation, and increasing the credibility of information obtained; 4) application of tactical techniques in line with the principles of individualization and situational nature (in particular, techniques designed to refresh and elicit fragmented or repressed memories: contextualization of events, associative cues, step-by-step restatement of chronology, visual stimuli and digital reconstructions); all these methods are critically important in situations of traumatic experience; 5) ensuring that the victim is aware of his/her rights, approximate time-

lines, possible outcomes, and procedural risks, which plays a preventive role, stabilizes expectations, and maintains trust in the investigation.

Practical significance of the obtained findings is the potential to use the formulated provisions as a starting point for developing a typology of tactical situations for cooperation with victims in war crimes cases, as well as the foundation for creating communication algorithms and involving specialists (psychologists) in procedural actions, for improving departmental standards concerning war crimes investigations, for working with digital materials and preparing training modules for investigators on tactics for working with victims' traumatic memories and minimising their re-traumatisation.

Prospects for further research lie in the meticulous study of tactical techniques in conducting investigative (search) actions, in which victims, witnesses, and suspects are invited to participate.

**Тактичні засади взаємодії
слідчого та потерпілого
під час розслідування воєнних злочинів**

Анастасія Вуйма

Мета статті — розкрити особливості тактико-криміналістичного забезпечення розслідування воєнних злочинів в аспекті взаємодії слідчого й потерпілого під час проведення слідчих (розшукових) та інших процесуальних дій, визначити основні складники такої взаємодії і їхнє значення для підвищення ефективності доказування з урахуванням принципів потерпіло орієнтованого підходу. Для досягнення поставленої мети застосовано комплекс загальнонаукових (аналіз і синтез, індукція і дедукція) та спеціальних (діалектичний, системно-структурний, формально-юридичний, порівняльний, узагальнення) методів наукового пізнання. Обґрунтова-

но, що ефективна взаємодія слідчого з потерпілим у кримінальних провадженнях щодо воєнних злочинів є не лише обов'язковою вимогою провадження кримінальної процесуальної діяльності, а й важливим елементом тактико-криміналістичного забезпечення розслідування, який впливає на повноту встановлення обставин події, достовірність доказів і визначає рівень довіри до органів кримінальної юстиції. Доведено, що специфіка воєнних злочинів зумовлює необхідність урахування фізичної, психологічної та соціальної вразливості потерпілих, складності міжнародного компонента розслідування і тривалості кримінального провадження. Визначено основні складники тактико-криміналістичного забезпечення взаємодії слідчого з потерпілим: тактичне планування процесуальних дій з урахуванням об'єктивних обмежень; належне науково-технічне забезпечення, включно із застосуванням цифрових технологій і відеофіксації; психологічний компонент взаємодії із залученням спеціаліста-психолога; застосування тактичних прийомів на засадах індивідуалізації та ситуативності; забезпечення поінформованості потерпілих про процесуальні права, перспективи провадження й можливі ризики. Доведено, що застосування індивідуалізованих тактичних прийомів і сучасних технічних засобів сприяє мінімізації ризику повторної травматизації потерпілих, підвищує якість комунікації та ефективність отримання доказової інформації. Особливу увагу приділено ролі психологічної підтримки й інформаційної прозорості як чинників формування стабільної співпраці між потерпілим і стороною обвинувачення. Здобуті результати поглиблюють наукові уявлення про тактико-криміналістичні засади розслідування воєнних злочинів та створюють підґрунтя для розроблення практичних рекомендацій з оптимізації взаємодії

слідчого й потерпілого, удосконалення методики розслідування та підвищення ефективності реалізації потерпіло орієнтованого підходу в кримінальному провадженні.

Ключові слова: воєнний злочин; військова агресія; сторона обвинувачення; взаємодія; слідчий; потерпілий; захист прав і інтересів; слідча (розшукова) дія; тактичний прийом.

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