

PROBLEMS OF APPLICATION OF CRIMINAL AND CRIMINAL PROCEDURAL LEGISLATION IN MOLECULAR AND GENETIC EXAMINATIONS DURING THE DURATION OF MARITAL STATE IN UKRAINE

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The general complexity of the situation during martial law can complicate the application of criminal and criminal procedural legislation in molecular genetic examinations. Russian-Ukrainian war is, perhaps, the biggest problem facing modern DNA tests. It turns out that the number unrecognizable bodies and relatives the dead is growing every day that gets bigger and bigger a burden on institutions which carry out forensic medicine activity Trace note that in professional practice in everything the world principles of molecular genetics identification of the person in part receiving primary laboratory data are universal and are described in detail in many authoritative of the world forensic textbooks DNA analysis (Butler , 2010, 2012; Goodwin et al .)

It is important to coordinate actions between the relevant structures and ensure safety and access to the necessary resources for experts who carry out such examinations.

During the military aggression in Ukraine, the need for forensic molecular genetic examinations may arise in connection with various situations, such as the identification of the dead, the determination of family ties, or the identification of a suspect in a crime. However, in the conditions war they can arise certain challenges and limitations for conducting such examinations:

1. Access to materials - in language military actions they can to complicate access to materials for conducting molecular and genetic tests tests, such as DNA samples the dead or suspects. No access to the zone conflict or limited possibility collection samples may complicate the work of experts.

2. Conditions military conflict they can create a threat safety of personnel and equipment, which carry out molecular and genetic analyses. It may require additional measures security and protection.

3. Limited access to experts and resources - in the military conflict may lead to resettlement population and destruction infrastructure that may affect availability qualified experts and necessary resources for carrying out molecular genetic studies examination

4. The political context of the military conflict may to influence the conduct and interpretation of molecular genetic tests examination, in particular in cases where the results examinations they can have political consequences or influence public opinion.

Despite these challenges, holding forensic molecular genetics examination can be important to ensure justice and law and order during the war conflict It is important that such examinations were held objectively, independently and in accordance with established standards, despite the complex ones conditions.

Application of molecular genetics methods in forensic medicine examinations may cause a number of problems related to criminal and criminal procedure legislation. Here are some of them:

Complexity proof base Molecular and genetic examinations they can require specialized equipment and skills for proper collection and analysis DNA samples. If it's not done properly, maybe arise doubt of credibility results examinations.

The complexity of the evidence base in molecular genetic examinations really arises due to several factors, namely:

Specialized equipment: Molecular genetic analyzes require specialized equipment, such as PCR machines, gel electrophoresis systems, automated sequencing machines, and others. This

equipment is not only expensive to purchase, but also requires regular maintenance and skilled personnel to operate it.

Staff skills and experience: Conducting molecular genetic examinations requires staff with a high level of skills and experience in working with genetic material. Incorrect collection, processing or analysis procedures can lead to false results, which can undermine the validity of the examination.

Standardization and quality control: It is important that laboratories performing molecular genetic testing adhere to standards and protocols to ensure the quality of results. This includes quality control systems, internal and external audits, and participation in international preventive control programs.

Expert assessment: After obtaining the results of the examination, they must be analyzed and interpreted according to the specific criminal case. This requires not only scientific knowledge, but also experience in litigation and legal aspects.

Consequently, shortcomings in the collection and analysis of genetic data can lead to doubts about the reliability of the results of molecular genetic examinations. Therefore, it is important that such examinations are carried out properly, using standardized methods and quality control.

Molecular and genetic examinations can be costly and time - consuming that makes it difficult their use in legal proceedings, especially in countries with limited budgetary resources.

The high cost and duration of molecular genetic examinations can be a serious limitation for their use in court procedures, especially in countries with limited budgetary resources.

In this regard, it is important to ensure the availability of molecular genetic examinations for all who need them in court proceedings. This may require the development of effective resource management strategies, the stimulation of innovation in the field of research and development of new technologies, as well as cooperation with international organizations to ensure the availability and standardization of molecular genetic analysis methods.

Interpretation of molecular and genetic data can be difficult due to the presence genetic variability and others factors that they can influence the results examinations. It may to create opportunity for disputes of correctness and reliability results.

Privacy and Ethics: Collection and Storage genetic data may violate personal privacy. It may require strict compliance laws and ethical standards to provide privacy and security data.

Software privacy and ethical using genetic data is important a condition for the introduction of molecular genetics examination in court procedures. It helps save trust public to these technologies and prevent possible negative consequences.

To provide quality and reliability molecular genetic results examination necessary standardization of procedures and accreditation laboratories. Insufficient standardization may lead to different results in different laboratories and raise question of authenticity data.

Insufficient standardization and accreditation they can lead to a difference in results between different laboratories that may blow up confidence in molecular genetics examination and raise question of credibility data. That's why it's important ensure that laboratories which carry out such examinations were observed tall standards quality and competence.

In general, molecular and genetic examinations may be useful a tool for investigation criminal cases, but them use should take into account not only scientific, but also legal and ethical aspects.

ПРОБЛЕМНЫЕ ВОПРОСЫ ПРОЦЕССУАЛЬНОЙ САМОСТОЯТЕЛЬНОСТИ И НЕЗАВИСИМОСТИ СЛЕДОВАТЕЛЯ

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