

## Russia's violations of the law of armed conflict

**Resume.** These materials are not intended for such specially trained personnel. They are instead intended to enhance the ability of other elements and personnel to recognize the potential evidentiary value of information encountered in the normal course of operations, demonstrate actions that can be taken to secure, collect and/or preserve potential evidence of LOAC violations pending action by officially designated investigative or prosecutorial authorities.

**Keywords:** international humanitarian law (IHL); operational activities; criminal responsibility; national and international tribunals; investigative bodies.

### Attacks on civilian objects and critical infrastructure.

Since February 2022, there has been a grave loss of life and injuries among Ukrainian civilians due to the hostilities carried out by the Russian Federation. Russian armed forces have been unlawfully targeting civilians in various ways, including deliberate killings, attacks on civilian facilities, and subjecting them to torture and other inhumane treatment.

According to the State Emergency Service of Ukraine, on July 6, a devastating air attack was

carried out by Russian troops in the Lviv region. During this attack, a Russian missile struck a multi-story building in Lviv, resulting in the destruction of approximately 35 residential buildings, 50 cars, and critical infrastructure. Tragically, the attack claimed the lives of 10 people, and 45 others were injured, including 3 children. The incident caused immense damage to both property and human lives in the area.

Ukraine war: Bodies lay in the streets for weeks in Bucha. (Picture 1).



Picture 1

These images appear to disprove Russian claims that the killings occurred after their forces left the Ukrainian town.

Strikes on Ukraine's critical infrastructure during the Russian-Ukrainian war are a war crime committed by the Russian military during its full-scale military invasion of Ukraine to force the top Ukrainian political leadership to negotiate with the Kremlin government. After defeat in the battles for Kyiv and Kharkiv, the Russian Federation conducted massive and methodical

missile strikes against Ukraine's critical infrastructure in systematic waves.

One of the recent and infamous violent attacks was orchestrated by Russia in Kramatorsk. On the fateful evening of June 27, Russian troops launched an assault on the city center of Kramatorsk in the Donetsk region, employing two Iskander missiles. The devastating attack resulted in the complete destruction of a local cafe named Rio, which bore the brunt of an enemy missile strike. Explosions caused severe damage to nearby multi-story buildings,

commercial establishments, vehicles, a post office, and other facilities, with shattered windows, glass, and doors scattered everywhere.

Tragically, the incident claimed the lives of 13 innocent victims, including three children. Among the deceased was Ukrainian writer Viktoriia Amelina, whose life was cut short by this senseless act of violence. Additionally, 60 people were left injured, including one child, further adding to the human toll and the suffering inflicted on the community. This ruthless attack in Kramatorsk reflects the devastating impact of the ongoing hostilities on civilians and underscores the urgent need for peace and stability in the region.

The ruthless and systematic targeting of civilian objects by the Russian Federation has resulted in the complete devastation of numerous cities, towns, and villages in Ukraine. The wanton destruction has left a trail of devastation, with almost every civilian object in these areas suffering damages.

Tragically, several Ukrainian cities and towns have been reduced to phantom-like landscapes, bearing the scars of relentless attacks. Among those obliterated locations are Bakhmut, Mariupol, Volnovakha, Vuhledar, Maryinka, Popasna, Soledar, Shchastya, and Rubizhne. These cities and towns, most of which are situated in the Donetsk region, have borne the brunt of the chaotic and merciless onslaught on civilian infrastructure.

Considering a full year of war, as of February 24, 2023, direct damage in Ukraine has reached over US\$135 billion, with housing, transport, and the energy industry as the most affected sectors.

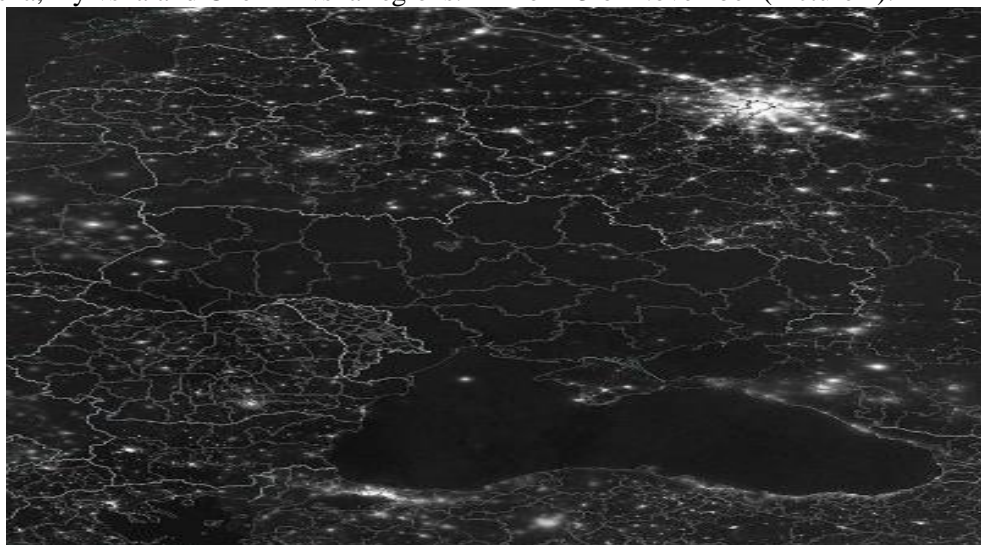
Damage is concentrated in Donetska, Kharkivska, Luhanska, Zaporizka, Khersonska, Mykolaivska, Kyivska and Chernihivska regions.

Reconstruction and recovery needs, as of February 24, 2023, are estimated at about US\$411 billion.

The second Ukraine Rapid Damage and Needs Assessment, February 24, 2022 – February 24, 2023 (RDNA2), was jointly prepared by the World Bank Group, the Government of Ukraine, the European Union services, and the United Nations in coordination with humanitarian and development partners, academia, civil society organizations, and the private sector [1].

Since October 2022, Russian armed forces have repeatedly targeted energy and other infrastructure across Ukraine with missiles and drones, leaving millions of people without heating, electricity, water and other vital resources before the cold winter months. It appears that the shelling was primarily intended to create panic among the local population and make their lives intolerable.

By 23 November 2022, half of the country's energy systems had been destroyed and 50% of Ukrainian civilians were without electricity or heating systems. By mid-December, Russia had launched more than 1,000 missiles or drones at Ukraine's energy system. According to the World Health Organization (WHO), the impact for Ukrainians during the winter temperatures created the greatest health risk since the second World War. Attacks on civilian power stations imposed large economic and practical costs on Ukraine. The strikes were assumed to be part of Russia's 'Strategic Operation for the Destruction of Critically Important Targets' (SODCIT) military doctrine, designed to foster chaos and force the Ukrainian leadership into negotiations. Satellites recorded Ukrainian cities plunged into darkness after massive rocket attacks on 23 of November (Picture 2).



Picture 2

The Russian military strikes, including the use of cluster munitions, damaged medical facilities in several regions. Since February 24, 2022, the WHO has recorded more than 1000 attacks on healthcare facilities, personnel, and vehicles. The 1004 WHO-verified attacks over the past 15 months of full-scale war have claimed at least 101 lives, including of health workers and patients, and injured many more. They have affected health providers, supplies, facilities and transport, including ambulances.

WHO defines an attack on health care as “any act of verbal or physical violence, obstruction or threat of violence that interferes with the availability, access and delivery of curative and/or preventive health services during emergencies.” This can range from violence with heavy weapons to psychosocial threats and intimidation that affect access to health care for those in need.

“These attacks threaten the safety and well-being of health workers and undermine care for people living close to conflict areas,” said Dr Jarno Habicht, WHO Representative in Ukraine. “Attacks on health care are a violation of international humanitarian law. They deprive people of the care they need and have wide-ranging, long-term consequences” [2].

The war has caused at least US\$4.4 billion in damage to education institutions across Ukraine. As of February 24, 2023, at least 2,772 education institutions have been partially damaged and 454 have been destroyed. The most affected facilities are in the eastern part of Ukraine; 64 percent of all education institutions in Donetsk region and 38 percent in Kharkiv region have been damaged or destroyed. These estimates do not include the destruction of educational equipment, so the true cost of damage is likely higher.

Children are unable to study because of constant rocket attacks. As soon as the alert sounds, they leave school and head for bomb shelters. Sometimes they have only a few minutes to reach a safe place and run to the terrifying sounds of explosions. Parents panic when they realize their children may not reach shelters in time.

The war has taken away the main holiday from many Ukrainian schoolchildren - the prom. Air raids instead of the last bell, school ruins instead of an event hall.

Children who came face to face with war on February 24, 2022, suddenly became adults.

Since the beginning of the full-scale military aggression of the Russian Federation, Ukraine has identified 208 victims of sexual

violence by Russian troops. The press service of the Ukrainian Prosecutor General's office said on June 19, 2023.

*Forced displacement of civilians.*

Russia's full-scale invasion of Ukraine has forced people to flee their homes in search of safety, protection, and assistance. Millions of refugees from Ukraine have crossed borders into neighboring countries, and many have been forced to move within the country. They need protection and support.

The Regional Refugee Response Plan brings together UN, NGO, and other relevant partners and focuses on supporting host country governments for safe access for refugees fleeing from Ukraine in accordance with international standards. It also prioritizes the provision of critical protection services and humanitarian assistance. According to Poland, 1.5 million refugees from Ukraine have registered for temporary protection [3]. Statistics provided by authorities.

People forced to flee:

Refugees from Ukraine recorded in Europe (Last updated 04 July 2023) – total number 5,967,100.

Refugees from Ukraine recorded beyond Europe (Last updated 24 June 2023) - 364,000

Refugees from Ukraine recorded globally (Last updated 04 July 2023) - 6,331,100

Estimated number of internally displaced people (IDPs) in Ukraine (As of 23 May 2023) - total number 5.1 million. More details: UNHCR Operational Data Portal Ukraine Refugee Situation [4]. Statistics provided by authorities.

\*This figure reflects cross-border movements (and not individuals).

\*\*This figure reflects cross-border movements (and not individuals). Movements back to Ukraine can be pendular and does not necessarily indicate sustainable returns as the situation across Ukraine remains highly volatile and unpredictable.

Russia's federal government has systematically relocated children from Ukraine to a network of re-education and adoption facilities in Russia and Russian-occupied Crimea. The Yale School of Public Health's Humanitarian Research Lab (HRL) identified 43 facilities involved in holding children from Ukraine since Russia's invasion of Ukraine. Most of them are recovery camps where children are taken for so-called vacations, while others are institutions used to hold children for foster care or adoption in Russia. These findings indicate most camps have engaged in pro-Russian re-education efforts and some camps have provided military training to

children or suspended the children's return to their parents in Ukraine.

The numbers of these camps can be much higher.

In this system, there are four categories of children:

- children who have parents or clear family custody;

- children recognized by Russia as orphans;

- children who were under the care of Ukrainian state institutions before the invasion in February 2022 (often due to severe physical or mental disabilities);

- children whose custody is unclear or uncertain due to wartime circumstances caused by russia's invasion of Ukraine.

On March 17, 2023, the International Criminal Court in The Hague issued an arrest warrant for russian president Putin and russian presidential commissioner for children's rights Maria Lvova-Belova.

On April 27, 2023, the Parliamentary Assembly of the Council of Europe adopted a resolution stating that the deportation of Ukrainian children by Russia is genocidal.

“The deportation of Ukrainian children is one of the elements of russia's attempt to erase the identity of our people, to destroy the very essence of Ukrainians. This is a deliberate crime of genocide committed by russian officials - this is how it should be qualified both politically and legally” - address by the President of Ukraine [4].

“Children of War” is the only platform that provides up-to-date and consolidated information about children affected by the war of the Russian Federation against Ukraine (killed, wounded, missing deported) and those who have been found and rescued. This platform was created by the Ministry of Reintegration together with the National Information Bureau on behalf of the Office of the President of Ukraine. Quantitative indicators are updated daily by law enforcement agencies. [5].

Ukraine's prosecutor general, Andriy Kostin, said that his teams have documented more than 19,000 Ukrainian children being forced into adoption in Russia, and described it as a crime of genocide.

According to the Office of the Prosecutor General, 494 children died.

According to the Office of the Prosecutor General, 1052 children have been wounded.

According to the National Police of Ukraine, 831 children have disappeared.

According to the National Police of Ukraine, 14,671 children have been found.

According to the National Information Bureau 19,474 children were deported.

According to the National Information Bureau, 383 children have been returned.

Victims of sexual violence: 13. (Updated 12 of July, 2023)

In April 2023, we welcomed home 31 Ukrainian children who were abducted by russians from occupied territories. This was the most challenging of all previous rescue missions due to russia's large-scale information campaign.

When heroic Ukrainian mothers arrived in Russia to receive their children, they had a 13-hour interrogation by the FSB. russian ombudsman for children's rights, Maria Lvova-Belova, held a press conference, trying to impose her own version of events on the world. In Crimea, russian authorities invited journalists from the “Russia 1” TV channel for a staged report.

This is information collected by the Office of the High Commissioner for Human Rights [5]. Reports are based on data the UN Human Rights Monitoring Mission in Ukraine (HRMMU) collected through interviews with victims and their relatives; witnesses; analysis of material confidentially shared with them (HRMMU). (Picture 3).



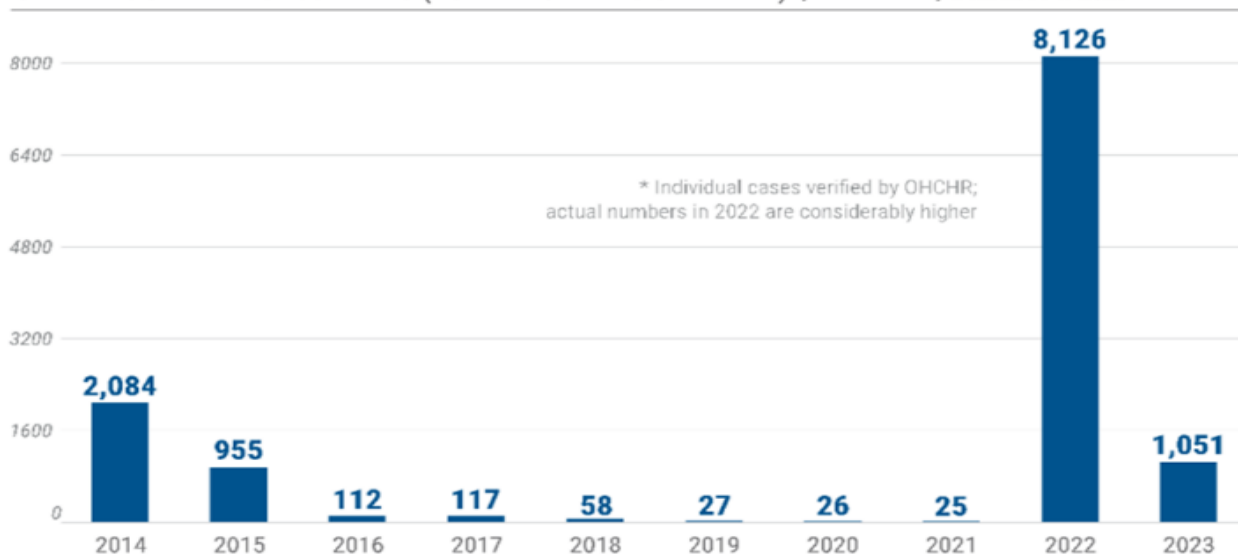
Picture 3

Let's compare the figures. (Individual cases verified by OHCHR). The highest monthly numbers of civilian casualties occurred in March and April 2022. The numbers then decreased gradually, reaching their lowest level in February 2023. In the first four months of 2023, the

average number of civilian casualties per month was 696 casualties; however, in May-June 2023, the average number of civilian casualties increased to 836. The total number of civilian casualties has gradually decreased.

Civilian casualties per year (Picture 4).

**UKRAINE: CIVILIAN CASUALTIES (TOTAL NUMBERS OF KILLED)\*, PER YEAR, from 2014 to 2023**



Picture 4

The data may generate stress because in 2014, 2084 people were killed. The total in 2022 is four times that number.

Civilian casualties 30 of June 2023 (individual cases verified by OHCHR) (Picture 5).

## UKRAINE: TOTAL CIVILIAN CASUALTIES\*, PER TYPE OF WEAPON/INCIDENT, from 24 February 2022 to 30 June 2023



\* Individual cases verified by OHCHR, actual numbers are considerably higher

Picture 5

Per type of weapon/incident:

Explosive weapons with wide area effects;

Mines and explosive remnants of war;

Unfortunately, missiles are the deadliest weapons employed against civilians.

Russia organized the mass murder of Ukrainian prisoners of war to blame and discredit Ukrainian forces, in particular, to prevent the supply of effective weapons to Ukraine. According to preliminary data from international experts, Ukrainian prisoners of war in the prisoner of war camp in occupied Olenivka were killed with thermobaric weapons.

The russian occupiers do not care what they destroy - zoos, shelters, houses, cities, or peaceful Ukrainians.

However, not only civilians and their homes suffer at the hands of russian torturers, but also animals.

More than 300 animals were killed in Kharkiv's Eco Park during the shelling. Before the war, the park had about 5,000 animals of 300 species.

At the beginning of the war, russian troops shelled the park. Orangutans, chimpanzees, deer, a large tortoise, almost all pelicans and other animals were killed.

Many of the animals were injured, some of them blinded, many suffered exhaustion and dehydration.

Two people who were trying to feed hungry animals at least once every three days in a Kharkiv eco-park were killed by shelling.

### Investigations.

The described war crimes cover the general range of crimes committed by the russian federation in Ukraine. Almost every Ukrainian family has lost someone or something because of the illegal acts of russian soldiers. All of them are

seeking and deserve justice. Therefore, a lot of work on bringing perpetrators to individual criminal responsibility must be done.

A proper investigation into russia's use of prohibited methods of war - at national and international levels - can help ensure that members of the russian armed forces are held accountable for war crimes, as well as the country's top military and political leadership.

Ukraine as a State has internal mechanisms and systems to investigate war crimes and it also coordinates with international entities.

The investigation of war crimes committed by the russian military in Ukraine is a complex and coordinated effort involving various national authorities and agencies, as well as international organizations. Due to the gravity and international nature of war crimes, such investigations require cooperation and coordination between different entities to ensure a comprehensive and thorough process.

**National Authorities:** The Ukrainian government and its relevant law enforcement agencies play a crucial role in conducting investigations into war crimes committed within their territory. They collect evidence, interview witnesses, and gather information related to the crimes. The bulk of this work is done by civilian agencies and personnel, rather than elements of the Ukrainian armed forces.

**International Cooperation:** Cooperation between different countries and international bodies is often necessary in cases of war crimes involving foreign military forces. This collaboration helps in sharing information, accessing resources, and coordinating efforts to bring perpetrators to justice.

**Documentation and Evidence Gathering:** The systematic collection and preservation of

evidence are critical in war crimes investigations. This includes gathering eyewitness testimonies, forensic evidence, and documentation of the crimes committed.

**Prosecution and Accountability:** Once sufficient evidence is gathered, it is used in legal proceedings against those accused of war crimes. This may involve domestic prosecutions in the affected country or international tribunals if the crimes have international implications.

The investigation of war crimes is a challenging and time-consuming process, but it is crucial to hold those responsible for these atrocities accountable and to seek justice for the victims. The coordinated efforts of national and international authorities are vital in ensuring that war criminals are brought to justice and that such heinous acts are not left unpunished.

Every day the Prosecutor General's Office publishes updated information on the number of war crimes under the investigation.

More than 98, 000 war crimes are registered by law enforcement agencies. All of them are under investigation.

The experience of law enforcement agencies in investigating and prosecuting war crimes is quite unique for several reasons:

- active investigations during an ongoing international armed conflict;
- the scope of war crimes under investigation;
- the range of law enforcement agencies involved in war crimes investigations;
- war crimes reporting system established after February 2022.

Unlike the Rome Statute of the ICC, the Criminal Code of Ukraine does not contain a list of war crimes. However, Article 438 defines violations of the rules and customs of warfare as criminal offenses. This article is used by law enforcement agencies to characterize war crimes committed by Russian troops.

Article 438 is open-ended: "and other violations of the rules and customs of war, as defined by international treaties ratified by Ukraine", so it provides wide scope for law enforcement agencies.

In the context of the ongoing international armed conflict, the Ministry of Defense and the Armed Forces of Ukraine play a significant role in facilitating the investigation and prosecution of war crimes. They are often direct victims or witnesses of these atrocities in the areas of hostilities. Their experience and unique knowledge can be vital in supporting war crimes investigations and providing valuable evidence needed to bring perpetrators to justice.

International organizations, specialized tribunals, and relevant law enforcement agencies, both in Ukraine and around the world, have a responsibility to conduct impartial and thorough investigations of war crimes. These institutions work to ensure justice for victims and compliance with international law.

It is important to recognize the challenges associated with investigating and prosecuting war crimes in an ongoing conflict. International cooperation and support are crucial to ensure accountability and justice for crimes committed in Ukraine and in other conflicts around the world.

The Ministry of Defense of Ukraine and the Armed Forces of Ukraine perform several functions, including:

- Reporting cases of potential war crimes for further investigation;
- Providing information in ongoing war crimes investigations;
- Act as experts in ongoing war crimes investigations;
- Members of the Interagency Working Group on Interaction between Law Enforcement and Other State Bodies.

One more effort of Ukraine to bring war perpetrators to responsibility is international cooperation and universal jurisdiction. All nations have jurisdiction to try persons accused of war crimes.

Several nations have initiated investigations including Germany, Lithuania, Spain and Sweden

As of July 11, 2022, Estonia, Germany, Latvia, Lithuania, Norway, Poland, Slovakia, Spain, Sweden, Switzerland, and Romania have all announced their intention to launch war crimes investigations into the Russian invasion of Ukraine in 2022 under the concept of universal jurisdiction.

Investigating war crimes and bringing perpetrators to justice is essential to the promotion of peace, justice and human rights. It is important that the international community support efforts to seek justice for victims and end the violence and suffering caused by such atrocities.

#### Forensic awareness.

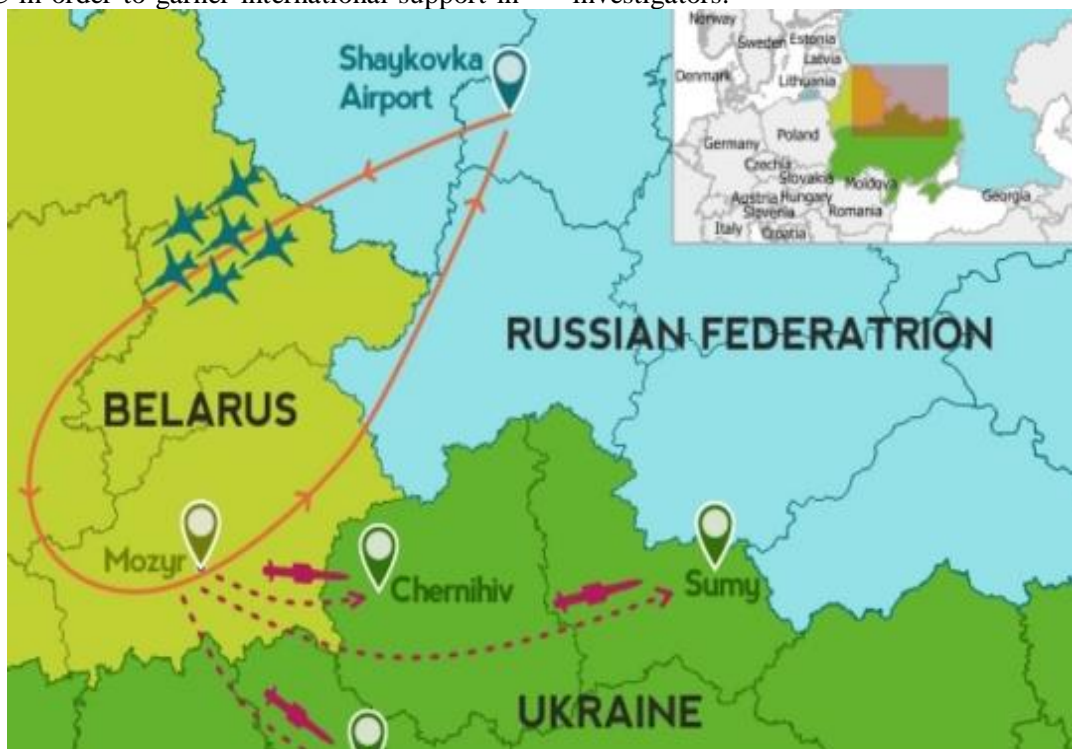
Let us get acquainted with the concept of "forensic awareness". It is related to "situational awareness" a common doctrinal term. NATO defines situational awareness as "the knowledge of the elements in the battlespace necessary to make well-informed decisions." We will define forensic awareness as an appreciation of the potential evidentiary value of information

available across operating systems at the tactical, operational, and strategic levels. Units and personnel who are forensically aware will recognize the evidentiary potential of operational information. If so aware, they will be better equipped to preserve such information for eventual use by investigators, prosecutors, and tribunals seeking to account those who violate the Law of Armed Conflict (LOAC). Lessons can be learned about the application of the principle of forensic awareness from the Ukrainian forces in the ongoing war with Russia.

A principle focus of forensic awareness at the strategic level is the opportunity to utilize data to influence others. This is largely a national matter, yet information provided by military sources can be vital to the success of such initiatives – including basic forensic information documenting the nature of the objects subjected to enemy attacks. Ukraine has taken deliberate action to publicize ongoing violations of the LOAC in order to garner international support in

opposition of Russia's aggression. For example, investigators from International Criminal Court are now in Ukraine acting as expert consultants to Ukrainian authorities. Ukrainian advocacy has also helped motivate the countries of Estonia, Latvia, Lithuania, Sweden, Norway, Germany, Poland, Slovakia, Romania, Switzerland, and Spain - all of which have all announced that they are willing to exercise universal jurisdiction to bring LOAC violators to justice.

Sensor data (Picture 6) depicts notional tracks of aircraft missiles Russian forces have launched against Ukraine. Of necessity, air defense radars and related sensors generate precise data during the engagement process. The data can yield detailed information about the origin, type, trajectory, and point of impact of enemy missiles and other ordnance. Forensically aware operators will recognize the potential evidentiary value of such data and can take action to preserve it in order for it to be provided to investigators.



Picture 6

Site Exploitation (Picture 7) depicts the result of a missile strike on a Ukrainian residential apartment block. Military intelligence, ordnance personnel, or other elements who conduct impact site exploitation will strive to identify the enemy ordnance, which was employed. If they are forensically aware, they can better recognize the evidentiary potential of the

information they develop. For instance, if their analysis determines that the ordnance was a precision guided munition, that fact may help demonstrate that the strike was a deliberate attack upon a civilian object rather than collateral damage inflicted by less accurate weapon systems.





**Picture 7**

The image (Picture 8) here shows a hospital struck by a Russian missile. Russian forces routinely assert that civilian objects such as this were being used for military purposes when they were struck. To counter such assertions, forensically aware units will preserve, orders

logs, situational reports, and similar data help account for the location and activities of friendly forces and demonstrate that they were not at or near civilian objects, which were targeted and struck.



**Picture 8**

Here (Picture 9) we see commercial satellite imagery, which shows the bodies of murdered civilians lying in the streets of Bucha, a suburb of the Ukrainian capital of Kiev.



**Picture 9**

After Ukrainian forces drove the russians from this location, Russia asserted that the bodies had been planted by Ukrainian forces.

Exercising forensic awareness, Ukrainian forces rapidly exploited open-source intelligence - the satellite imagery - which helped document that the bodies were present during the russian occupation of Bucha and hence that the murders were likely committed by russian forces.

This image (Picture 10) is from a video made by a Ukrainian soldier as his unit entered Bucha. Note that it depicts the same area documented through commercial satellite imagery. Forensically aware small units take can action on the ground such as this to help gather

and preserve potential evidence. As the tactical situation permits, and without disturbing the scene, small units should take immediate action to secure scenes, photograph the general situation, identify and record the identities of potential witnesses and preserve this data for transmission to trained investigators. Tactical units are typically not trained nor expected to conduct investigations, yet a hasty effort to capture basic data can be essential to preserve essential evidence for future use of those who will conduct subsequent formal investigations. All actions taken should be reported to the next higher headquarters to facilitate engagement by forensically trained personnel.



**Picture 10**

We can now summarize lessons learned at the strategic, operational, and tactical levels.

Strategic:  
 Broadly publicize violations.  
 Actively counter enemy disinformation.  
 Seek international assistance and involvement in investigations and prosecutions.

Operational:  
 Capture and preserve operational data such as sensors, orders, logs, situational reports which have potential evidentiary value.  
 Conduct site exploitation with an awareness of the potential forensic value of information.  
 Exploit open-source intelligence for forensic information.

Tactical:  
 As the tactical situation permits, secure, photograph, and document scenes/witnesses for use by trained investigators.  
 Report all actions to higher headquarters.

1. <https://ukraine.un.org/en/224376-ukraine-rapid-damage-and-needs-assessment>
2. World Health Organization. [electronic resource]. Access mode <https://www.who.int/europe/news/item/30-05-2023-who-records-1-000th-attack-on-health-care-in-ukraine-over-the-past-15-months-of-full-scale-war>
3. Ukraine Situation Regional Refugee Response Plan. [electronic resource]. Access mode <https://reliefweb.int/report/poland/ukraine-situation-regional-refugee-response-plan-january-december-2023>
4. Official website President of Ukraine. [electronic resource]. Access mode <https://www.president.gov.ua/en/news/prodovzhimopracyuvati-dlya-povernennya-vsih-deportovanih-uk-82525>
5. “Children of War” platform. [electronic resource]. Access mode <https://childrenofwar.gov.ua/en/about-us/>
6. Ukraine: civilian casualty update. [electronic resource]. Access mode <https://www.ohchr.org/en/news/2023/01/ukraine-civilian-casualty-update-30-january-2023>

#### LIST OF SOURCES

1. Ukraine: Rapid Damage and Needs Assessment. [electronic resource]. Access mode

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### Порушення РФ міжнародного гуманітарного права

#### Анотація

Російське вторгнення ініціювало агресивну війну, що саме по собі є кричущим порушенням міжнародного гуманітарного права (МГП). Важливим уроком є те, що можна зробити у відповідь на такі порушення з боку сил, які опинилися втягнутими у війну такого характеру і масштабу, як та, що зараз відбувається в Україні.

Наведені матеріали не призначені для спеціально підготовленого персоналу. Натомість вони призначені для того, щоб підвищити здатність персоналу визнавати потенційну доказову цінність інформації, яка зустрічається в ході звичайної оперативної діяльності, продемонструвати дії та вжити для забезпечення, збору і збереження потенційних доказів порушень МГП в очікуванні дій офіційно призначених слідчих або прокурорських органів. Пропонується алгоритм, який військовослужбовці, командири та підрозділи можуть використати для забезпечення збереження такої інформації для подальшого застосування слідчими, прокурорами та трибуналами, що прагнуть притягнути осіб до кримінальної відповідальності в національних або міжнародних трибуналах за порушення МГП.

Якщо підрозділи стануть досвідченими в цьому питанні, вони зможуть краще зберігати таку інформацію для того, щоб її могли використовувати ті, кому доручено розслідувати і переслідувати порушення МГП.

**Ключові слова:** міжнародне гуманітарне право (МГП); оперативна діяльність; кримінальна відповідальність; національні та міжнародні трибунали; слідчі органи.