

# **THE MECHANISM FOR ENSURING GENDER EQUALITY IN THE FIELD OF FORENSIC EXPERTISE: A BALANCED GENDER POLICY**

**Nataliia MARTYNYENKO<sup>1</sup>**

Associate Professor of the Department of Political Sciences and Law, Kyiv  
National University of Construction and Architecture, Ukraine  
E-mail: natalmartynenko@gmail.com

## **Abstract**

The article is devoted to the scientific problems of the theory and practice of public administration of forensic expert activity, related to ensuring the principle of gender equality in forensic activity and delineating the area of scientific research in this field of knowledge. At present there is a lack of comprehensive studies of the mechanism for ensuring the principle of gender equality in the field of forensic expert activity, which renders this research topical. The present paper aims to study the mechanism of ensuring the principle of gender equality in the field of forensic expert activity. To achieve this aim, the author used a range of scientific research methods: comparative analysis, generalization, formal-legal, systemic and structural, semantic analysis, dialectical, and legal forecasting. They were used to analyse legislation, scientific sources and formulate the author's conclusions and proposals. The article proposes a definition of the concept of the 'mechanism for ensuring the principle of gender equality in the field of forensic expert activity', as well as directions for making effective management decisions and conducting a reasonable gender policy in the field of forensic science. It is imperative to implement document management in the field of forensic science with due regard for the principles of non-discrimination of speech/language by implementing strategies of feminisation, neutralisation, avoidance of androcentrism and sexism. The author emphasises the need to ensure the use of gender-sensitive, non-discriminatory speech and feminine forms, which are permissible under the modern standards of the Ukrainian language, along with masculine equivalents in order to refer to persons of different genders.

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<sup>1</sup> ORCID: <https://orcid.org/0000-0002-3234-0689>

Attention is drawn to the expediency of introducing gender audits of specialised state forensic institutions, their territorial branches, expert institutions of communal ownership, as well as forensic experts who are not employees of these institutions, and developing methodological recommendations as to their conduct at certain intervals. The article summarises that the gender dimension should become an integral component of the process of developing, implementing, monitoring and evaluating policies and activities in the field of forensic science so that women and men receive equal benefits and their rights to equality and non-discrimination be protected. On this basis, the conclusion is made that it is necessary to develop a gender equality strategy in the field of forensic science, which will define the goals, priorities, expected gender-specific results, ways, mechanisms and activities that will ensure their achievement.

**Keywords:** *gender equality, forensic expert activity, expert support of justice, gender policy, specialized state forensic institutions*

## 1. Introduction

Ensuring equal rights and opportunities for women and men is recognized throughout the world as an important factor in achieving sustainable development, as well as a prerequisite for building a legal and democratic state in which human rights and freedoms are guaranteed and ensured.

The problem of gender equality has become part of the world agenda since the founding of the United Nations (UN). Since then, various measures have been taken by the member states to establish legal, political, economic, and social equality between the sexes *de jure* and *de facto*. The UN Security Council Resolution 1325 “Women, Peace, Security” became a landmark document for dealing with the issues of women, peace, and security (UN Security Council, 2000).

By Order No. 1544-p of the Cabinet of Ministers of Ukraine dated October 28, 2020, the National Action Plan for the Implementation of UN Security Council Resolution 1325 “Women, Peace, Security” for the period up to 2025 was approved (Cabinet of Ministers of Ukraine, 2020). In connection with the introduction of martial law and the temporary occupation of the territories of Ukraine by the Russian Federation, the existing challenges have been updated and new problems have arisen, which also lays the basis for introducing changes to the current Order (Cabinet of Ministers of Ukraine, 2022).

The National Action Plan for the Implementation of UN Security Council Resolution 1325 “Women, Peace, Security” (hereinafter referred to as the

National Plan) is aimed at ensuring women's participation in decision-making; resistance to security challenges; post-conflict recovery and transitional justice; attendance to gender-based violence and conflict-related sexual violence; strengthening of the institutional capacity of the implementers of the National Plan.

Those responsible for the implementation of the National Plan include the Ministry of Justice of Ukraine, the Ministry of Health of Ukraine, the Ministry of Internal Affairs of Ukraine, the Ministry of Defence of Ukraine, the Security Service of Ukraine, and the State Border Service of Ukraine, which comprise the system of public administration entities in the field of forensic activity and manage the specialized state institutions that carry out forensic expert activity (Martynenko, 2023).

The National Plan defines strategic and operational goals and the main tasks for ensuring the achievement of strategic goals. Significant obstacles to the implementation of UN Security Council Resolution 1325 "Women, Peace, Security" include lack of knowledge and skills, limited human and material resources, and insufficient technical support.

At present there is no comprehensive study of the mechanism for ensuring the principle of gender equality in the field of forensic expert activity, which renders this research topical.

The aim of the present paper is to study the mechanism of ensuring the principle of gender equality in the field of forensic expert activity.

## 2. Material and Methods

The identified problem relates to the scientific problems of the theory and practice of public administration of forensic expert activity, associated with the issues of ensuring the principle of gender equality in the field of forensic activity and delineating the boundaries of scientific research in this field of knowledge.

The method of comparative analysis, aimed at developing recommendations and identifying ways to improve current legislation, was used to study the best practices proposed by legislators and scientists for regulating legal relations in the implementation of gender equality into public life. With the help of the generalization method, the main aspects and approaches set by international regulations on human rights and gender equality were formed.

The formal-legal and systemic-structural methods, as well as the method of semantic analysis, were applied for the study and development of the terminology of the present work, specifically to clarify the meaning of the concept of a mechanism for ensuring the principle of gender equality in the field of forensic expert activity. The general dialectic method was used to study

scientific literature and regulatory material, which made it possible to investigate, in a comprehensive manner, the essence of human rights and gender equality. This method has also allowed for analyzing challenges to protecting rights at the present stage of social development and formulating proposals that can contribute to the creation of the most effective system of ensuring the principle of gender equality in forensic expert activity. The method of legal forecasting provided an opportunity to outline the main directions for the implementation of a comprehensive gender approach.

The regulatory framework for this study consists of international instruments in the field of human rights and gender equality, legislative and regulatory acts of Ukraine on forensic expert activity and issues of ensuring equal rights and opportunities for women and men. The theoretical basis of the research is mainly scientific works and conclusions of leading foreign and domestic experts working on gender equality problems.

The multifaceted category of ‘gender equality’ is a subject of study for various social sciences. However, it is the science of public administration that develops the fundamental principles of introducing gender equality into public life, thereby creating conditions for its implementation in public administration, politics, economics, and social relations.

### 3. Results

#### 3.1. Human capacity development and gender policy

One of the seventeen Sustainable Development Goals, which were approved by UN General Assembly Resolution of September 25, 2015 No. 70/1 “Transforming our world: the 2030 Agenda for Sustainable Development” (hereinafter – the Resolution), namely Goal 5, sets “to achieve gender equality and empower all women and girls” (United Nations, 2015). Ensuring gender equality is pivotal to achieving other sustainable development goals. This is stated in paragraph 20 of the Resolution: “Realizing gender equality and the empowerment of women and girls will make a crucial contribution to progress across all the Goals and targets. The achievement of full human potential and of sustainable development is not possible if one half of humanity continues to be denied its full human rights and opportunities” (United Nations, 2015). The principle of gender equality, listed among the key principles, at the same time is a prerequisite for development. The transition from the paradigm of ‘women in development’ to a new paradigm of ‘gender and development’ is an epochal shift in the world’s philosophical consciousness. It is extremely important for understanding modern reality in the context of the gender equality Goal.

Each of the Resolution Goals involves a series of targets. According to Goal 5, it is necessary “to end all forms of discrimination against all women and girls everywhere; ensure women’s full and effective participation and equal

opportunities for leadership at all levels of decision-making in political, economic and public life; enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women; enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women, etc.” (United Nations, 2015).

The process of forming a democratic state and civil society in Ukraine and their social orientation, the formation of an appropriate regulatory environment, and fulfillment of the assumed international obligations stipulating the entry of the country as an equal into the world and European community require a conceptual definition, formulation and implementation of gender policy as a basis for gender culture, the development of gender activity of women and men, adaptation to the world conditions for creation of gender democracy - a component of social democracy.

The Decree of the President of Ukraine “On Sustainable Development Goals of Ukraine for the period till 2030” aimed at ensuring the national interests of Ukraine in sustainable development of the economy, civil society and the state in order to improve the level and quality of life of the population, observance of the constitutional human and civil rights and freedoms declares a list of goals , approved by the Resolution of the General Assembly of the United Nations (President of Ukraine, 2019).

Ensuring human rights and, in particular, the equal rights and opportunities for women and men in all spheres of social life is an indispensable component of a democratic society and thus an obligation of Ukraine in the light of European integration development. In order to support the provision of gender equality in the wartime conditions, on August 12, 2022, the Cabinet of Ministers of Ukraine approved the State Strategy for Ensuring Equal Rights and Opportunities for Women and Men for the period until 2030 and the operational plan for the implementation of the State Strategy for Ensuring Equal Rights and Opportunities for Women and Men for the period up to 2030 (2022).

Achievement of gender equality is a key element in the implementation of the mission of the Council of Europe, the essence of which is to protect human rights, support democracy and ensure the rule of law (Council of Europe, 2018).

Ukraine ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence with a number of statements and a reservation (Verkhovna Rada of Ukraine, 2022). Among other things, Ukraine declares that it will apply the Convention in accordance with the values, principles and norms set by the Constitution of Ukraine, in particular regarding the protection of human rights and fundamental freedoms, equal rights and opportunities for women and men.

The Association Agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their member

states, on the other hand, which Ukraine signed and ratified, provides not only for commitment to democratic European values, but also for the responsibility to respect the equality of women and men in making and implementing of laws, resolutions, administrative regulations, policies and measures (2014).

The Law of Ukraine “On Ensuring Equal Rights and Opportunities for Women and Men” dated September 8, 2005 focuses the state policy on securing equal rights and opportunities for women and men; prohibits gender-based discrimination; defines a system of entities empowered to guarantee equal rights and opportunities for women and men; provides the principles of ensuring gender equality in specific areas; introduces a mandatory gender-related legal examination; determines responsibility for violation of legislation on equal rights and opportunities for women and men (2005).

To date, Ukraine has created the regulatory framework to ensure the equal rights and opportunities for women and men. However, some of the adopted documents by the executive authorities at different levels have a declarative nature lacking directly applicable standards, which creates a certain legal gap, making it possible to avoid addressing the issues of equal rights and opportunities for women and men when new regulatory legal acts are adopted. In addition, despite the accession to international treaties and the adoption of national laws on equal rights and opportunities for women and men, there is still a lack of political will to implement gender transformations at the level of individual agencies. To ensure the principle of gender equality, it is necessary to have an effective mechanism, aimed at implementing the best world and European practices in this area.

There are two important factors that determine the urgency of the question: Why is it imperative to prevent gender inequality in the development process? First of all, gender equality is vital in itself. On the other hand, greater gender equality means unleashing the human potential of women, which affects labor productivity, and this, in turn, contributes to the improvement of economic efficiency and achievement of other key development goals. Besides that, gender inequality affects the human capacity of men, loading them with gender stereotypes and superstitions. Therefore, the link between development and gender equality becomes evident. Gender equality is a goal of development aimed at improving people’s quality of life and a tool of the development process, as it provides a reasonable approach to economic policy. Due to the fact that development is associated with the expansion of freedoms for all - women and men, which is objectively beneficial for any society, gender inequalities in the development process are unacceptable. All this necessitates the requirement for a balanced gender policy.

The promotion of gender equality in Ukraine is characterized by the following features:

- transition from the policy of dealing with individual social problems of women to ensuring the implementation of a unified state policy aimed at achieving equal rights and equal opportunities for women and men in all spheres of society's life;
- transition from making of legislative and regulatory acts regulating gender equality in the priority areas of social concern to an increase in the level, expansion of scope, and improvement of quality of gender expertise of national legislation with a view of its further development;
- a dynamic shift from educational campaigns to genuine gender education of both heads of departments, organizations of various organizational and legal forms, and managers of all levels of the public administration system.

The promotion of gender equality has undergone a significant evolution from individual decisions to measures and actions intended for advancement of women to the level of a gender factor of state policy as a national mechanism for a comprehensive development of human potential of all the socio-demographic groups.

### 3.2. The mechanism for ensuring the principle of gender equality in the field of forensic expert activity

Grytsai believes that the mechanism for ensuring the principle of gender equality has a specific structure, to which he proposes to attribute the regulatory and organizational-legal subsystems (Grytsai, 2018).

The researcher defines the regulatory component of the mechanism for ensuring the principle of gender equality as a set of legal means by which society and the state influence the provision of gender equality principle (Grytsai, 2018).

Lazar refers to the system of regulatory support of implementation of gender policy in Ukraine the includes constitutional regulation of gender-based legal relations, legitimization of the most important gender-parity principles and rights of citizens; gender-based legal regulation, based on the provisions of general and special laws, codes, government resolutions, decrees and orders of the President of Ukraine and other legal acts; and international legal regulation, cooperation of the convention type, interparliamentary cooperation, interaction of executive structures, information and scientific cooperation, interaction of non-governmental organizations (Lazar, 2007).

The regulatory component of the mechanism for ensuring the principle of gender equality is objectively reflected in the system of current legislation of Ukraine, which consists of: laws of Ukraine; bylaws; international instruments and treaties to which the Verkhovna Rada of Ukraine has given its consent. In the course of forming its domestic regulatory component of the mechanism for

ensuring the principle of gender equality, Ukraine should focus on the leading international practices in this area.

According to Art. 2 of the Law of Ukraine “On Ensuring Equal Rights and Opportunities for Women and Men”, the legislation on ensuring equal rights and opportunities for women and men comprises the Constitution of Ukraine, the above-mentioned Law, and other regulatory acts. When an international treaty of Ukraine, the binding consent of which is granted by the Verkhovna Rada of Ukraine, establishes rules other than those provided for by this Law, the rules of the international treaty are applied (2005).

The regulatory component of the mechanism for ensuring the principle of gender equality, as a whole structure, is represented by a system of interconnected material and procedural provisions of the law.

Grytsai notes that the institutional component is provided by the activities of subjects which influence the ensuring of the principle of gender equality in society (Grytsai, 2018). Melnyk defines the institutional mechanism as the creation of agencies, state institutions, the appointment of officials in legislative and executive authorities and in local self-government bodies who form and implement the state gender policy; encouragement of the creation of activities by gender-oriented non-governmental organizations; interaction of authorities and civil society (Melnyk, 2010). Bezborodova believes that the organizational and legal mechanism of gender policy is a set of public administration and local self-government bodies that operate in strict subordination within the public administration system using cross-sectoral cooperation with civil society institutions based on gender-sensitive legislation, to address gender contradictions, prevent gender discrimination, overcome gender inequality, and introduce gender democracy in society (Bezborodova, 2020).

Art. 7 of the Law of Ukraine “On Ensuring Equal Rights and Opportunities for Women and Men” stipulates that the institutional component of the mechanism comprises the following bodies, institutions and organizations empowered to ensure equal rights and opportunities for women and men: the Verkhovna Rada of Ukraine; Human Rights Commissioner of the Verkhovna Rada of Ukraine; Cabinet of Ministers of Ukraine; a specialized central executive authority in matters of ensuring equal rights and opportunities for women and men; bodies of executive power and local self-government bodies, their authorized persons vested with power to ensure equal rights and opportunities for women and men; and public associations (2005).

Later, the Law of Ukraine “On Ensuring Equal Rights and Opportunities for Women and Men” was supplemented by Art. 7<sup>1</sup>, which lists the subjects implementing measures for prevention and countering gender-based violence to be a dedicated central executive authority specialized in matters of ensuring equal rights and opportunities for women and men; bodies of executive power, in particular, the authorized units of the National Police of Ukraine, local public



administrations (including their structural units for family matters, services for children, education management bodies, and healthcare bodies); local self-government bodies (including executive bodies of village, settlement, city, and city/district councils and their structural units for family matters, services for children, education management bodies, healthcare bodies; centers for providing free legal aid; courts; prosecutor's offices; general and specialized victim support services; citizens of Ukraine, aliens and stateless persons lawfully staying in Ukraine (2005). An important place in the organizational and legal component of the mechanism for ensuring the principle of gender equality is given to civil society institutions.

Grytsyak emphasizes that civil society plays an important role in ensuring gender equality, creating and guaranteeing an environment where human rights are regarded as key and are implemented practically, which becomes a reality only under the conditions of forming a gender culture of social relations built on gender democracy principles (Grytsyak, 2005).

An effective and comprehensive functioning of the institutional component of the mechanism for ensuring the principle of gender equality can be facilitated by constant and coordinated cooperation with international human rights institutions. Grytsai believes that the development of the mechanism for ensuring the principle of gender equality consists in consolidation and harmonization of its regulatory and organizational and legal components (Grytsai, 2018).

The system of public administration subjects in the field of forensic expert activity consists of: 1) ministries and other state bodies, the sphere of management of which includes specialized state forensic institutions; 2) subjects of forensic expert activity (Martynenko, 2023). It is these subjects which should be classified as those ensuring gender equality at the departmental level in the field of forensic expert activity.

Grytsai defines the mechanism for ensuring the principle of gender equality as a complex, structured, dynamic, and comprehensive system which, through regulatory and institutional components, purposefully ensures and implements the principle of gender equality in all spheres of social life (Grytsai, 2018).

Galitsyna suggests that the term 'mechanism for ensuring gender equality in the bodies of the National Police of Ukraine' should be understood as a complex, structured, dynamic, and comprehensive system, through the regulatory, institutional, and procedural components of which the principle of gender equality is purposefully implemented and ensured in the activities of Ukraine's National Police with the help of certain legal instruments (Galitsyna, 2020). This would include forensic expert activity as the activity of public authorities, legal entities and individuals which aim to provide the justice of Ukraine with independent, qualified and objective forensic expertise, focused

on the maximum use of the achievements of science, technology, art and craft (Martynenko, 2023).

Based on the results of the conducted analysis, we suggest that the concept of ‘mechanism for ensuring the principle of gender equality in the field of forensic expert activity’ should be interpreted as follows: a set of legal provisions, postulates, standards, principles, methods, tools and levers of influence, with the help of which conditions are created for the implementation of gender policy in the field of forensic expert activity in accordance with the tasks of strategic governance set before the society and the state.

#### 4. Discussion. A balanced gender policy in the professional environment of forensic experts

In general, the Ukrainian legislation has sufficient resources for the implementation of forensic expert activities with consideration to the principle of equal rights and opportunities for women and men. Ukraine ratified the main international legal enactments on gender equality and human rights, as a result of which they became part of the national legislation accordant with the Constitution of Ukraine (Verkhovna Rada of Ukraine, 1996). However, the domestic field of forensic expert activity as a social institution remains insufficiently sensitive to the problems of gender equality, inclusiveness, prevention of and countering any sort of discrimination.

The existing in society gender disparity, inequality, segregation and stereotyping are reflected in the internal organizational practices of specialized state forensic institutions, their territorial branches, expert institutions of communal ownership, as well as forensic experts who are not employees of these institutions.

Only one of the six forensic scientific research institutions of the Ministry of Justice of Ukraine has a woman as its director (Research institutions of forensic examinations of the Ministry of Justice of Ukraine, 2024). The Lviv Research Institute of Forensic Expertise of the Ministry of Justice of Ukraine is headed by Maria Zelinska. The director and five deputy directors of the State Research Expert Forensic Center of the Ministry of Internal Affairs of Ukraine are men (State Research Expert Forensic Center of the Ministry of Internal Affairs of Ukraine, 2024). The work of the Ukrainian Research Institute of Special Equipment and Forensic Examinations of the Security Service of Ukraine is directed by the director and two deputy directors who are men (Ukrainian Research Institute of Special Equipment and Forensic Examinations of the Security Service of Ukraine, 2024).

Cultural overlays that are applied by society and that we allow to be applied to ourselves can make it difficult for women to succeed and can downplay their achievements (Wilson-Wilde, 2021).

The problem of gender equality attracts increasing attention of both the Ukrainian society and researchers working in various fields. Therefore, it is essential that the staff of specialized state forensic institutions and expert institutions of communal ownership engaged in forensic activities, as well as forensic experts who are not employees of these institutions, understand the notions of 'gender', 'gender policy' and the concepts associated with them. This problem is new for the field of forensic expert activity and thus requires thorough research.

Gender equality, diversity and inclusion are fundamental to operational effectiveness in the face of current and upcoming law enforcement challenges. Having access to a greater pool of talent and expertise will build organizational capability, adaptability and sustainability (Ward et al., 2019).

The invisibility of the problem is aggravated by the lack of adequate gender statistics on the expert support of justice. Despite the availability of information on the total number of forensic experts in the State Register of Certified Experts (Expert provision of justice, 2024), it has not yet been possible to obtain official statistical data on the gender composition of forensic experts. For comparison, data on the sex-age composition of deputies of the Verkhovna Rada of Ukraine; civil servants by categories; ambassadors of Ukraine in the countries of the world; police officers; staff of authorized probation bodies; judges of local courts, courts of appeal, and higher specialized courts have been processed and made public for years (Zhinky i choloviky v Ukraini, 2021).

Statistical data is a necessary component in analysis of any social problems, in particular, those requiring legislative regulation. The absence of statistical data can not be used as an argument in favor of the absence of a problem, as it is mere evidence of lack of research.

The lack of official statistical data on the composition of expert support of justice grouped by gender makes it impossible to monitor equal accessibility to forensic expert career, equal opportunities for personal development, professional self-determination and growth. It prevents a proper analysis aimed to provide more specific proposals for legislative regulation of ensuring equal rights and opportunities for women and men in the field of forensic expertise.

There is a need to generalize statistics on the representation of women and men in the dedicated state institutions, their territorial branches, expert institutions of communal ownership, as well as among forensic experts who are not employees of these institutions. Moreover, it is necessary to maintain gender statistics on the expert support of justice with regard to certain types of forensic examinations. This will provide an opportunity to find out which expert fields are preferred by women, and which areas of forensic expertise should be made more inclusive and acceptable for them. This will contribute to effective managerial decision-making and a reasonable gender policy in the field of forensic expertise.

At the departmental level of legal regulation of forensic expert activity, the Law of Ukraine “On Forensic Expertise” takes center stage (1994). According to this Law, persons eligible to become forensic experts are those who have the necessary knowledge to make conclusions on the issues under investigation. Forensic experts of specialized state institutions can be specialists who have an appropriate higher education not lower than a Specialist’s degree; have received the necessary training; and acquired the qualification of a forensic expert in a certain field (1994). Apart from experts of dedicated state institutions, forensic examinations can be conducted by forensic experts who are not employees of the said institutions, provided that they have an appropriate higher education and qualification level, have received the necessary training in specialized state institutions of the Ministry of Justice of Ukraine, have been certified and qualified as forensic experts in a certain field in accordance with the procedure provided for by this Law (1994).

Because of the complexity of forensic science and many disciplines involved, this field requires a great competency that may only be achieved by specific education and training, pluriannual experience, application of standardized scientific protocols, participation in proficiency testing and obviously stringent professional ethics (Barbaro, 2019). The results of a forensic analysis may contribute to establishing the guilt or innocence of a person (Barbaro, 2019).

Forensic experts must have the skills to identify discriminatory treatment. The ground for conducting a forensic examination is a relevant court decision or a decision of a pre-trial investigation body to appoint (engage) an expert, or an agreement with an expert or an expert institution if the examination is commissioned by other persons. An authorized person that appointed a forensic examination (got an expert involved) provides objects to be examined and has the right to be present during an expert examination. A party to a trial or their representatives may also be present during the conduct of certain investigations, in case an appropriate decision was made by an authorized person. Persons present during a forensic examination are indicated in a forensic expert’s statement.

The trial participants have no right to intervene into the course of examination, yet, they can provide an expert with explanations related to the forensic examination subject. If a trial participant interferes with the work of a forensic expert, the latter has the right to suspend the investigation. At the stage of drawing up a forensic expert opinion, as well as during the meeting of the commission of forensic experts regarding the formulation of conclusions, the presence of trial participants is not provided for by law.

Expert examination is a process aimed at establishing, on the basis of special knowledge, the factual data and circumstances of a case in order to solve the task set by an authorized person. A procedural document is drawn up by a forensic expert after the examination in accordance the procedural legislation of Ukraine.

Expert opinion refers to a detailed description of the examination conducted by an expert, as well as the findings of such an examination and grounded responses to the questions posed by the person who invited the expert, or the investigating judge or court requesting his/her opinion (2012). The opinion shall be based on the knowledge the expert developed during the examination of the materials produced for expert examination. An expert shall provide opinion on his/her own behalf and is personally liable for its reliability (2012). Expert opinion shall be provided in writing, but either party shall have the right to request, through the court, that the expert be present during court proceedings to give explanations or to supplement his/her findings (2012). Expert opinion shall not be binding for a person or body conducting proceedings, but any disagreement with expert findings shall be reasoned in the respective decision, ruling or judgment (2012).

It is recommended that forensic experts master the skills of identifying discriminatory situations, in particular, those based on sex and gender i.e. socially constructed identities, attributes and roles of women and men and the cultural meaning imposed by society on biological differences. Since they are constantly reproduced in the field of forensic expertise, it is important that such reproduction is not carried out on the basis of myths, prejudices and stereotypes. In order to eliminate gender stereotypes in the professional environment of forensic experts, it is worthwhile to use educational and informational tools.

The principle of ensuring equal rights and opportunities for women and men in the field of forensic expertise should be implemented in compliance with the concepts, programs, plans developed by ministries and other government bodies, the sphere of management of which includes specialized state forensic institutions, with participation of leading scientists and independent experts and a due regard for international practices.

The principle of ensuring equal rights and opportunities for women and men should be observed when developing regulatory acts on forensic expert activity. In particular, this principle should be put on the list of priority areas of activity and development of specialized state forensic institutions, their territorial branches, expert institutions of communal ownership, as well as other forensic experts who are not employees of the specified institutions.

A plan should be implemented for the development of programs and measures aimed at reducing gender gaps and eliminating discrimination within the forensic institutions, with deadlines and persons responsible for their implementation. During monitoring, the current state of affairs is compared with the planned results in order to duly detect deviations. Assessment is carried out at key stages of development of programs implementation, making it possible to determine the causes of problems, possible ways to solve them, and the reasons for not achieving the planned results. A gender-sensitive assessment involves determining the impact, effectiveness and long-term consequences of development programs implementation for different groups of women and men.

The assessment results make it possible to find out whether the implemented measures identified by the development of programs have the planned impact on specific groups of women and men, and whether they will be used to develop new development programs to be implemented in the next period.

The official websites of ministries and other government bodies managing specialized state institutions for forensic expert activities should have a separate section of gender statistics, where summarized data on the gender composition of specialized state forensic institutions, their territorial branches, expert institutions of communal ownership, as well as judicial experts who are not employees of the said institutions should be published every 3 months. This section should emphasize the significance of collecting gender-disaggregated statistics in the context of Ukraine's international obligations defined in national strategies and programs, research data, reports, and informational and educational materials on gender equality issues.

Systematic training of the staff of specialized state forensic institutions, their territorial branches, expert institutions of communal ownership, as well as forensic experts who are not employees of these institutions, should be carried out in the field of ensuring equal rights and opportunities for women and men, prevention and countering discrimination, domestic and gender-based violence.

It is imperative to implement document management in the field of forensic expert activity with account of the principles of non-discrimination of speech/language, implementing the strategies of feminization, neutralization, avoidance of androcentrism and sexism. It is necessary to ensure the use of gender-sensitive, non-discriminatory speech and feminine forms permitted by modern standards of the Ukrainian language along with their male counterparts in order to denote persons of different sexes.

It is advisable to introduce with a certain periodicity a gender audit of specialized state forensic institutions, their territorial branches, expert institutions of communal ownership, as well as forensic experts who are not employees of these institutions, and to develop methodological recommendations for auditing.

Ministries and other government agencies with competence to manage specialized state institutions for forensic expert activities are obliged to:

- 1) work towards the creation of organizations with an appropriate capacity and transparent obligations to integrate a gender approach, formulate standards and codes of conduct that will ensure gender sensitivity of institutional policies, organizational culture and activities;
- 2) strengthen their own organizational capacity by implementing programs and measures to improve the level of knowledge, competencies, and practical skills necessary for the integration of gender dimension;

3) actively support legislative and institutional mechanisms for ensuring gender equality through the implementation of regulatory acts in the field of state gender policy implementation and compliance with international standards;

4) focus on the establishment of strategic partnerships with national and international institutions and the public in order to promote a gender approach in the field of forensic expertise.

Integration into the European community calls for a significant restructuring of all social institutions and processes on the basis of democratic principles, free from any form of discrimination, particularly gender-based. In the light of the European direction of Ukrainian society's development, the implementation of the principle of ensuring equal rights and opportunities for women and men in the field of forensic expert activity acquires a particular importance.

## 5. Conclusions

The proposed formula of the development of human capital, human rights, gender equality, life provides an understanding of the importance of gender equality in the development process, which is regarded as a process of expanding freedoms equally for every person, women and men.

Today there is an urgent need to implement a mechanism ensuring equal rights and opportunities for women and men in the field of forensic expertise and to identify an authorized person for guaranteeing these rights, preventing and countering gender-based violence.

When implementing the policy of ensuring equal rights and opportunities for women and men in the field of forensic expertise, the following should be taken into account:

1) results of gender analysis of the composition of specialized state forensic institutions, their territorial branches, expert institutions of communal ownership, as well as forensic experts who are not employees of the specified institutions, promotion and remuneration of women and men in order to identify gender gaps;

2) results of monitoring of approaches to personnel recruitment, introduction of gender competence in personnel recruitment requirements, knowledge in the field of ensuring equal rights and opportunities for women and men; the abilities of men and women to detect situations of gender inequality, to resist sexist, discriminatory behavior, and to avoid creating gender inequality situations;

3) development of a system for prevention and response to facts of discrimination, violence and sexual harassment at work;

- 4) development of internal rules, procedures and personnel policy with account of the principles of ensuring equal rights and opportunities for women and men and non-discrimination;
- 5) use of gender-sensitive speech at work and in documentation;
- 6) creation of a system of incentives for the implementation of the principles of ensuring equal rights and opportunities for women and men, including a system of incentives for managers who implement a policy of ensuring equality in employment relationships;
- 7) inclusion into collective and other agreements of provisions aimed at ensuring equal rights and opportunities for women and men in employment relationships;
- 8) assessment of the level of knowledge of employees on issues of ensuring equal rights and opportunities for women and men and regular training in accordance with identified needs.

For systematic implementation of gender-based and human rights-based approaches, it is recommended that gender-sensitive and non-discriminatory communication be ensured through:

- 1) practice of regular publication of information on the implementation of state policy in the field of ensuring equal rights and opportunities for women and men, combating discrimination, domestic violence and gender-based violence; the key concepts of ensuring equal rights and opportunities for women and men; mechanisms for rights protection; benefits for different groups of women and men from gender policy implementation;
- 2) the use of data with distribution by gender and other characteristics in informational messages, analytical and reference materials;
- 3) the use of gender-sensitive and non-discriminatory vocabulary, feminisms, in particular, during addresses and greetings on the occasion of public holidays and anniversaries;
- 4) avoidance of gender stereotypes in images, informational messages, recruitment announcements, ethical depiction of women;
- 5) encouraging women to participate in political and public life in the field of forensic expert activity, in decision-making processes, in particular, by forming a positive attitude towards female leaders, and preventing sexism;
- 6) popularization of the participation of women and men in the areas of expert support of justice in certain types of forensic examinations, where they are less represented, in particular, by means of informational support for the self-sufficiency of a person's choice.



It is high time to develop a strategy for gender equality in the field of forensic expert activities, which would determine goals, priority tasks, expected gender-specific results, means, mechanisms and types of activities that would ensure their achievement. Gender dimension, the needs, interests, experience of women and men, should become an integral component of the process of development, implementation, monitoring and evaluation of policies and activities in the field of forensic expertise, so that women and men can receive equal benefits, and their rights to equality and non-discrimination be protected. The overarching nature of gender equality issues determines the obviousness of the gender perspective in all policies of ministries and other government agencies with competences to manage specialized state institutions for forensic expert activities, in programs and procedures, and this will contribute to achievement of a strategic goal – a comprehensive implementation of gender approach.

Obviously, the above provisions do not claim to be the final truth, but are an invitation to a discussion, for which there are good reasons, e.g., the structure of gender audit; development of internal rules, procedures and personnel policies with due regard to the principles of ensuring equal rights and opportunities for women and men and non-discrimination, etc. It seems that this is an issue that requires further separate studies.

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