

MEDICAL PROCEDURES IN THE EXAMINATION OF THE DEFENDANT

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Abstract: Particular medical procedures may facilitate the process of discovering the truth, but they can also jeopardize the human rights of the defendant during the proceedings. The lack of factual grounds for conviction may prompt the police and the judiciary to put various kinds of pressure on the accused, influencing his or her will. For this reason, clear legal provisions are needed to narrow down the room for the use of inhumane pressure on the accused during the interrogation. The fundamental principles of democratic and human conduct imply that a clear normative framework should be given for taking the genomic imprint in the criminal proceedings and pre-criminal investigation. Likewise, a legislative step forward is needed to clarify disputed issues, such as the physical examination, hypnosis, narcoanalysis, and narcodiagnosis during the interrogation of the accused.

Keywords: medical procedures, genomic imprint, physical examination, hypnosis, narcoanalysis, narcodiagnosis