

Draft Resolution on the Implementation of an Experimental Project on the Use of Artificial Intelligence Technologies in the Technical Processing of Materials in Certain Categories of Administrative-Offence Cases

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Draft

RESOLUTION

On the Implementation of an Experimental Project on the Use of Artificial Intelligence Technologies during the Technical Processing of Materials in Certain Categories of Administrative-Offence Cases

1. To endorse the proposal of the Ministry of Digital Transformation, agreed with the State Judicial Administration of Ukraine and the High Council of Justice, concerning the implementation of an experimental project on the use of artificial intelligence technologies as an auxiliary informational and analytical tool during the technical processing of materials in certain categories of cases concerning administrative offences.

To approve the Procedure for the implementation of the experimental project attached hereto.

2. To establish that the experimental project shall be implemented from 1 October 2026 to 30 September 2027.

3. Technical processing of case materials within the experimental project shall be carried out in local general courts, the list of which shall be determined by the State Judicial Administration of Ukraine in agreement with the High Council of Justice, taking into account the technical readiness of the relevant courts and the availability of conditions for information protection.

4. Financing of measures for the implementation of the experimental project shall be provided from the State Budget within the budgetary allocations envisaged for the State Judicial Administration of Ukraine and the Ministry of Digital Transformation, as well as from other sources not prohibited by law, including funds of international technical assistance attracted in accordance with the procedure established by law.

APPROVED

by Resolution of the Cabinet of Ministers of Ukraine

of ____ 2026 No. ____

PROCEDURE

for the Implementation of an Experimental Project on the Use of Artificial Intelligence Technologies as an Auxiliary Informational and Analytical Tool during the Technical Processing of Materials in Certain Categories of Cases concerning Administrative Offences

Section I. General Provisions

1. This Procedure determines the mechanism for implementing the experimental project on the use of artificial intelligence technologies of the Unified Judicial Information and Communication System (hereinafter - UJICS artificial intelligence technologies) as an auxiliary informational and analytical tool during the technical processing of materials in certain categories of cases concerning administrative offences.

UJICS artificial intelligence technologies shall be used as an auxiliary tool for the judge and shall not restrict the judge's powers to independently examine the case materials, assess evidence, ascertain the circumstances of the case and adopt a court decision in accordance with the law.

The use of UJICS artificial intelligence technologies within the experimental project shall be exclusively auxiliary, informational and analytical, and technical in nature. Such technologies shall not administer justice, shall not assess evidence instead of the judge, shall not establish a person's guilt, shall not determine the type or amount of an administrative penalty, shall not formulate any conclusion binding on the judge and shall not create independent procedural consequences for participants in the proceedings.

The implementation of the experimental project shall not alter the procedure for considering cases concerning administrative offences established by the Code of Ukraine on Administrative Offences and other laws of Ukraine.

The implementation of the experimental project, insofar as it concerns the functioning of UJICS artificial intelligence technologies, shall be carried out within the framework of the regulations on UJICS and/or its individual subsystems (modules), approved in accordance with the law, and shall not alter the powers of the High Council of Justice and the State Judicial Administration of Ukraine with respect to UJICS.

2. The purpose of the experimental project is to verify the technical feasibility, accuracy, safety, reliability and usefulness of using artificial intelligence technologies as an auxiliary tool for structuring case materials, checking the completeness of mandatory details, monitoring time limits, searching for relevant case-law, preparing an informational and analytical note for the judge, and enabling electronic notification of participants in the proceedings of their rights and the submission by them of documents in electronic form, without altering the procedure for considering cases established by the Code of Ukraine on Administrative Offences.

3. In this Procedure, the term "artificial intelligence" shall be used to mean an organised set of information technologies, the application of which makes it possible to perform complex integrated tasks by using a system of research methods and algorithms for processing information obtained or generated during operation, as well as to create and use knowledge bases, models for working with information and methods for achieving specified tasks.

In this Procedure, the term "technical processing of case materials" means automated recognition, structuring, systematisation, verification of formal mandatory details, monitoring of time limits, search for relevant case-law and the preparation of an informational and analytical note without any conclusion as to a person's guilt, without determining the type or amount of an administrative penalty and without predicting the outcome of the case.

In this Procedure, the term "informational and analytical note" means an internal auxiliary material for the judge prepared as a result of the technical processing of case materials. Such a note shall not constitute evidence, a procedural document, a court decision or a draft court decision.

Other terms shall be used in the meanings given in the Code of Ukraine on Administrative Offences, the Laws of Ukraine "On Personal Data Protection", "On Information Protection in Information and Communication Systems", "On Electronic Identification and Electronic Trust Services", "On Electronic Documents and Electronic Document Management", "On the Judiciary and the Status of Judges" and other legislative acts.

4. Pursuant to this Procedure, with the use of UJICS artificial intelligence technologies, materials in cases concerning administrative offences provided for in Articles 122-4 and 124, parts three and five of Article 126, and Article 130 of the Code of Ukraine on Administrative Offences may be technically processed solely for the purpose of preparing an informational and analytical note for the judge and ensuring electronic information interaction in the manner determined by this Procedure.

5. Within the experimental project, UJICS artificial intelligence technologies may provide for

the search for and generalisation of anonymised relevant case-law in cases concerning administrative offences, without predicting the outcome of a specific case and without determining the type or amount of an administrative penalty;

the analysis of anonymised archival data on administrative offences provided for in Articles 122-4 and 124, parts three and five of Article 126, and Article 130 of the Code of Ukraine on Administrative Offences for the years 2022-2024, taking into account the requirements of personal data protection legislation, solely for the purpose of verifying the technical accuracy, stability and safety of the operation of UJICS artificial intelligence technologies;

the technical processing of materials in cases concerning administrative offences registered in UJICS;

the conversion of decisions in cases concerning administrative offences, other case materials and related data into a structured format suitable for automated processing;

the technical identification of case materials suitable for auxiliary informational and analytical processing in accordance with the technical criteria determined by this Procedure;

the preparation of an informational and analytical note for the judge, which may contain a concise description of the case materials, a list of the documents identified, a technical check of mandatory details, information on the time limits provided for by the Code of Ukraine on Administrative Offences, references to relevant case-law, and warnings of possible technical inconsistencies;

the logging of actions related to the technical processing of case materials, with the recording of the date, time, data sources, version of the technical solution, result of the technical processing, and the fact of user access to such result;

the generation of aggregated anonymised indicators concerning the accuracy of text recognition, completeness of data structuring, number of technical errors, operational stability, compliance with requirements for information protection and personal data protection, as well as the usefulness of informational and analytical notes for judges.

6. Technical processing of case materials with the use of UJICS artificial intelligence technologies shall be carried out in accordance with technical requirements that determine exclusively the technical, informational, security-related and organisational parameters for the operation of such technologies.

The technical requirements concerning electronic information interaction, information protection and the use of the Diia Portal shall be approved by the Ministry of Digital Transformation in agreement with the State Judicial Administration of Ukraine and the High Council of Justice. Insofar as UJICS functions are concerned, such requirements shall apply only within the framework of the regulations on UJICS and/or its individual subsystems (modules), approved in accordance with the law.

The technical requirements may not establish or alter the procedure for considering cases concerning administrative offences, the rights or obligations of participants in the proceedings, procedural time limits, the procedure for notifying persons of the time and place of the hearing, the grounds for adopting a court decision, or any other procedural consequences.

7. Electronic information interaction pursuant to this Procedure shall be carried out by means of the system of electronic interaction of state electronic information resources "Trembita" in accordance with the requirements of the Procedure for Electronic (Technical and Information) Interaction, approved by Resolution of the Cabinet of Ministers

of Ukraine of 8 September 2016 No. 606 "Certain Issues of Electronic Interaction of Electronic Information Resources" (Official Bulletin of Ukraine, 2016, No. 73, Art. 2455; 2023, No. 11, Art. 721).

Where there is no technical possibility to transmit data using the system of electronic interaction of state electronic information resources "Trembita", electronic information interaction among the subjects of electronic interaction may be carried out using other information and communication systems, subject to compliance with the requirements for information protection under the Law of Ukraine "On Information Protection in Information and Communication Systems".

The scope and structure of the data exchanged by the subjects of electronic interaction through the software interfaces of electronic information resources shall be determined by agreements on information interaction concluded in accordance with the Procedure for Electronic (Technical and Information) Interaction, approved by Resolution of the Cabinet of Ministers of Ukraine of 8 September 2016 No. 606 "Certain Issues of Electronic Interaction of Electronic Information Resources", and the relevant information-exchange protocols.

8. The processing of personal data pursuant to this Procedure shall be carried out in compliance with the requirements of personal data protection legislation, the principles of lawfulness, purpose limitation, proportionality, data minimisation, access restriction, logging of the actions of users and artificial intelligence technologies, as well as the prohibition on using personal data from materials of specific court cases for the training or further training of any artificial intelligence models and other information systems.

Within the experimental project, the processing of personal data in a scope greater than necessary for the technical processing of case materials, preparation of an informational and analytical note for the judge and ensuring electronic information interaction in accordance with the law shall not be permitted.

Access to personal data shall be granted only to authorised users within the limits of their powers and with such access being recorded in an electronic log.

Temporary technical copies and derivative structured data sets created during the technical processing of case materials solely for the purposes of the experimental project shall be stored no longer than is necessary for the implementation of the experimental project and the preparation of the aggregated report, after which they shall be deleted or anonymised. Anonymised aggregated indicators and electronic logs shall be stored within the time limits determined by law and the technical requirements.

Section II. Technical Processing of Materials in Defined Categories of Cases concerning Administrative Offences

9. After the registration of case materials in UJICS, UJICS artificial intelligence technologies may be used to carry out the technical identification of case materials suitable for auxiliary informational and analytical processing.

Such technical identification shall not constitute a procedural decision, shall not affect the determination of the composition of the court, shall not alter the procedure for considering the case and shall not restrict the rights of participants in the proceedings.

10. The technical identification of case materials suitable for auxiliary informational and analytical processing shall be carried out by means of text recognition and verification of the case materials against the following technical criteria:

the case materials concern an administrative offence provided for in Articles 122-4 or 124, parts three or five of Article 126, or Article 130 of the Code of Ukraine on Administrative Offences;

the case materials are registered in UJICS and contain documents in electronic form or electronic copies of documents suitable for technical recognition;

the case materials contain sufficient identification data for the technical matching of documents within UJICS without excessive processing of personal data;

the level of quality of machine-readable text recognition of the documents available in the case materials is sufficient to prepare an informational and analytical note in accordance with the technical requirements;

at the time of technical identification of the case materials, the time limit for imposing an administrative penalty provided for in Article 38 of the Code of Ukraine on Administrative Offences has not expired; technical processing of case materials may not constitute a ground for postponing consideration of the case or extending any time limit;

the technical processing of materials is limited to recognition, structuring, verification of formal mandatory details, monitoring of time limits and selection of case-law, and does not entail establishing the circumstances of the case, assessing evidence, deciding motions or preparing a conclusion as to the presence or absence of the elements of an administrative offence.

11. Case materials that do not meet the technical criteria determined in paragraph 10 of this Procedure shall not be subject to auxiliary informational and analytical processing with the use of UJICS artificial intelligence technologies.

The non-compliance of case materials with the technical criteria shall not affect the procedure for consideration of the case by the judge in accordance with the Code of Ukraine on Administrative Offences.

12. If systemic technical deviations, an information-security incident or a breach of personal data protection legislation requirements are detected, and such circumstances create a risk to the rights of participants in the proceedings, the State Judicial Administration of Ukraine shall suspend the technical processing of case materials with the use of UJICS artificial intelligence technologies until the relevant shortcomings are eliminated and shall immediately notify the Ministry of Digital Transformation and the High Council of Justice thereof.

The Ministry of Digital Transformation, within the limits of its powers, may suspend electronic information interaction with the Diia Portal or other information and communication systems if the risk is related to their functioning.

The suspension of technical processing shall not affect the consideration of cases by judges in accordance with the Code of Ukraine on Administrative Offences.

13. After the technical identification of case materials suitable for auxiliary informational and analytical processing, UJICS artificial intelligence technologies may structure such materials, verify formal mandatory details, monitor time limits, search for relevant case-law and prepare an informational and analytical note for the judge.

14. The informational and analytical note shall be prepared without any conclusion as to a person's guilt, without determining the type or amount of an administrative penalty, without predicting the outcome of the case, and without formulating the operative part of a court decision.

The informational and analytical note shall not constitute evidence, a procedural document, a court decision or a draft court decision, shall not be binding on the judge and shall be used by the judge solely after the judge has independently verified its content against the case materials.

In an informational and analytical note in cases provided for in Article 130 of the Code of Ukraine on Administrative Offences, only technical information may be indicated concerning the presence in the case materials of documents related to the examination of a person for intoxication, the time of their preparation, mandatory details and possible formal inconsistencies, without assessing the admissibility, reliability or sufficiency of evidence, the presence of a person's guilt or grounds for closing the proceedings.

15. A person brought to administrative liability may be informed by means of the Unified State Web Portal of Electronic Services (hereinafter - the Diia Portal), including through the mobile application of the Diia Portal (Diia), of the registration of case materials and the possibility of submitting explanations, evidence, objections, applications and motions in electronic form.

Where technically possible, the relevant informational notification may also be sent to the victim, their legal representative or advocate, provided that information about such persons is contained in the case materials and their electronic identification is possible in accordance with the law.

16. The sending of an informational notification by means of the Diia Portal shall not constitute a court summons, shall not replace the notification of the person brought to administrative liability, the victim and other persons participating in the proceedings of the time and place of the case hearing in the manner established by the Code of Ukraine on Administrative Offences, and shall not constitute a ground for considering the case in the absence of the person except in cases provided for by law.

The informational notification shall be received by the person by means of the Diia Portal, including through the mobile application of the Diia Portal (Diia), provided that the recipient has installed the mobile application of the Diia Portal (Diia) and has undergone electronic identification and authentication.

17. The informational notification may not contain any assertion of a person's guilt, a prediction of the outcome of the case, the type or amount of a possible administrative penalty, or the operative part of a draft court decision.

The informational notification may contain:

the court case number;

the name of the court before which the case is pending;

the article of the Code of Ukraine on Administrative Offences under which the materials have been drawn up;

information on the person's right to acquaint themselves with the case materials;

information on the right to submit explanations, evidence, objections, applications and motions;

information on the right to receive legal assistance;

information on the right to participate in the consideration of the case;

information on the right to file a motion to postpone consideration of the case;

information on the right to appeal against the decision in the case;

information on the possible use of UJICS artificial intelligence technologies as an auxiliary tool that does not establish a person's guilt, does not determine the type or amount of an administrative penalty, does not predict the outcome of the case and is not binding on the judge;

an explanation that the use or non-use of the Diia Portal or the mobile application of the Diia Portal (Diia) shall not constitute an admission of guilt, a waiver of the right of defence, consent to the consideration of the case in the person's absence, or consent to any outcome of the case.

18. A person brought to administrative liability, their legal representative or defence counsel whose powers have been confirmed in accordance with the procedure established by law may, in the manner and within the time limits determined by the Code of Ukraine on Administrative Offences, submit explanations, evidence, objections, applications and motions by means of UJICS, the Electronic Court subsystem or the Diia Portal as a technical channel for transmission to UJICS. The fact and time of receipt of such documents by UJICS shall be recorded automatically.

The victim, their legal representative or advocate may, where technically possible, submit applications, motions, explanations and other documents by means of UJICS, the Electronic Court or the Diia Portal in accordance with the Code of Ukraine on Administrative Offences.

19. Failure to respond to an informational notification, non-use of the Diia Portal or of the mobile application of the Diia Portal (Diia) shall not be deemed an admission of guilt, a waiver of the right of defence, consent to the consideration of the case in the person's absence, or consent to any outcome of the case.

20. Electronic explanations, evidence, objections, applications and motions shall be formed by means of UJICS, the Electronic Court or the Diia Portal and may contain:

information about the person submitting the document;

the court case number;

the name of the court;

the content of the explanation, evidence, objection, application or motion;

attached documents or other materials, if submitted by the person;

an electronic signature or another means of electronic identification and authentication, where its use for submitting the relevant electronic document is permitted by law.

Electronic explanations, evidence, objections, applications and motions submitted by means of UJICS, the Electronic Court or the Diia Portal shall be joined to the case materials and considered by the judge in the manner established by the Code of Ukraine on Administrative Offences.

21. During the formation of electronic explanations, evidence, objections, applications and motions by means of the Diia Portal, data necessary for the electronic identification of the person and for the technical attachment of such documents and materials to the case materials may be obtained or confirmed, in particular from:

the Unified State Demographic Register through the unified information system of the Ministry of Internal Affairs - concerning the surname, first name, patronymic (if any), date of birth, information on the identity document and other identification data to the extent necessary for electronic identification;

the State Register of Individual Taxpayers - concerning confirmation of the registration number of the taxpayer's account card, where such data are necessary for the technical matching of documents within UJICS;

UJICS - concerning the court case number, the court before which the case is pending, and the article of the Code of Ukraine on Administrative Offences under which the materials have been drawn up.

The formation of electronic explanations, evidence, objections, applications and motions shall be terminated by means of the Diia Portal if the data necessary for their formation have not been provided in full or have not passed format and logical validation. In such a case, the person shall be informed of the technical reasons for termination of the document formation and of the right to submit the relevant materials to the court in the general manner provided for by law.

The electronic explanations, evidence, objections, applications and motions formed with the qualified electronic signature "Diia.Signature" or another means of electronic identification admissible under the law shall be transmitted by means of the Diia Portal to UJICS for attachment to the case materials.

22. The judge shall consider the case and adopt a decision in the manner established by the Code of Ukraine on Administrative Offences.

The informational and analytical note prepared with the use of UJICS artificial intelligence technologies may be used by the judge exclusively as auxiliary material and shall not relieve the judge of the obligation to independently examine the case materials, assess evidence, ascertain the circumstances provided for by the Code of Ukraine on Administrative Offences and adopt a decision in accordance with the law.

The judge shall not be obliged to use the informational and analytical note, to agree with its content or to state the reasons for not using it in the court decision.

23. After the judge issues a decision in the case, information about the court decision shall be entered into the Unified State Register of Court Decisions and may be sent to the Diia Portal, with subsequent notification of the person of the decision adopted, in a manner that does not replace the pronouncement, service or sending of the decision in accordance with the Code of Ukraine on Administrative Offences.

The notification of the adopted court decision sent by means of the Diia Portal shall necessarily contain information on the right to appeal against the judge's decision, and the time limit and procedure for such appeal in accordance with the Code of Ukraine on Administrative Offences.

Where a fine is applied in the court decision as a type of administrative penalty, the person may pay such fine by means of the Diia Portal, including through the mobile application of the Diia Portal (Diia), in the manner and within the time limits determined by the Code of Ukraine on Administrative Offences.

Payment of a fine by means of the Diia Portal shall be voluntary and shall not restrict the person's right to appeal against the decision in the case, except in cases and with consequences expressly established by law.

Information on the fine paid shall be sent by means of the Diia Portal to UJICS.

Section III. Technical Monitoring of the Results of the Experimental Project

24. To assess the technical, security-related and organisational results of the experimental project, the Ministry of Digital Transformation shall establish a working group on technical monitoring of the use of artificial intelligence technologies during the technical processing of materials in certain categories of cases concerning administrative offences (hereinafter - the working group).

25. The working group shall include representatives of the Ministry of Digital Transformation and the State Judicial Administration of Ukraine. The working group may also include, subject to the consent of the relevant bodies and persons, representatives of the Ministry of Justice, the High Council of Justice, the Council of Judges of Ukraine, the technical administrator of the Diia Portal, the technical administrator of UJICS, as well as judges proposed by the Council of Judges of Ukraine. Representatives of the National Police may be involved in the work of the working group without being included in its composition solely on issues of electronic information interaction and without access to case materials, informational and analytical notes or indicators concerning specific cases.

The personal composition of the working group shall be approved by an order of the Ministry of Digital Transformation.

Organisational support for the activities of the working group shall be provided by the Ministry of Digital Transformation.

26. The working group shall monitor exclusively aggregated and/or anonymised technical indicators of the functioning of UJICS artificial intelligence technologies, in particular:

text-recognition accuracy;

completeness of data structuring;

the number of technical errors;

operational stability;

compliance with cybersecurity and information-protection requirements;

compliance with the requirements of personal data protection legislation;

aggregated voluntary assessment by judges of the technical suitability of informational and analytical notes, without ascertaining the reasons for their use or non-use in specific cases;

the absence of systemic technical deviations or errors in structured data.

The working group shall not analyse the legality, well-foundedness or appropriateness of court decisions, shall not assess the actions of a judge, shall not analyse the reasons for a judge's use or non-use of an informational and analytical note, shall not give judges binding instructions and shall not have access to non-anonymised materials of specific cases, except in cases expressly provided for by law.

27. The form of work of the working group shall be meetings held as necessary, but not less than once a month during the implementation period of the experimental project.

A meeting of the working group may be held using technical means of electronic communications, including via the Internet.

A meeting of the working group shall be quorate if more than half of its members participate in it.

Decisions of the working group shall be adopted by a majority vote of its members participating in the meeting and shall be recorded in minutes.

The working group may approve rules of procedure for its work, determining procedural matters relating to its activities and the conduct of meetings.

28. For technical monitoring, anonymised results of the technical processing of case materials may be used, determined by random selection with the aid of a random-selection software tool, with the parameters of such selection recorded in an electronic log.

The selection of materials for technical monitoring may not affect the consideration of a specific case by a judge or the content of a court decision.

29. Based on the results of technical monitoring, the working group may prepare recommendations for improving the technical, security-related and organisational parameters for the use of UJICS artificial intelligence technologies.

Such recommendations shall be exclusively informational and recommendatory in nature and shall not be binding on a judge during the consideration of a specific case.

The recommendations of the working group may not concern the assessment of the lawfulness, well-foundedness or appropriateness of a judge's actions or of the court decision adopted.

30. Following the implementation of the experimental project, the Ministry of Digital Transformation, with the participation of the State Judicial Administration of Ukraine as well as other bodies and institutions whose representatives are members of the working group, shall prepare an aggregated report.

The aggregated report may contain:

the number of case materials in respect of which auxiliary informational and analytical processing was carried out;

indicators of the accuracy of technical text recognition;

indicators of the completeness of data structuring;

the number of detected technical errors;

a description of typical technical inconsistencies;

an aggregated assessment of the usefulness of informational and analytical notes for judges;

information on compliance with requirements for information protection and personal data protection;

proposals for further improvement of the technical processing of case materials.

The aggregated report shall be published on the official website of the Ministry of Digital Transformation in compliance with the requirements of legislation on information protection and personal data protection.

The aggregated report may not contain personal data, information from non-anonymised case materials, an assessment of judges' actions, an assessment of the legality, well-foundedness or appropriateness of court decisions, or information that may create a risk of interference with the administration of justice.

Decisions, conclusions, recommendations and the report prepared within the framework of technical monitoring shall not be binding on a judge during the consideration of a specific case and may not be used to evaluate a judge or to verify the lawfulness, well-foundedness or appropriateness of a court decision.

The working group shall terminate its activities after the expiry of the implementation period of the experimental project and the preparation of the aggregated report, unless otherwise established by an act of the Cabinet of Ministers of Ukraine.

Material files

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