

PROSPECTS OF DIGITALIZATION OF TRANSITIONAL JUSTICE IN UKRAINE AND IMPLEMENTATION OF EU STANDARDS: OPPORTUNITIES, RISKS, AND ECONOMIC IMPLICATIONS

ПЕРСПЕКТИВИ ЦИФРОВІЗАЦІЇ ПЕРЕХІДНОГО ПРАВОСУДДЯ УКРАЇНИ ТА ВПРОВАДЖЕННЯ СТАНДАРТІВ ЄС: МОЖЛИВОСТІ, РИЗИКИ ТА ЕКОНОМІЧНІ НАСЛІДКИ

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Abstract. *The article examines the prospects of digitalization of transitional justice in Ukraine and the implementation of EU standards as key factors for enhancing the efficiency of the legal system and stimulating economic development. It explores the transformation of Ukrainian institutions' approaches to digitalizing judicial processes, the use of electronic platforms, automation of case management, and the integration of European standards into transitional justice practices. It is noted that initial experiments and local initiatives have gradually been replaced by systematic digitalization and harmonization with EU norms, aimed at increasing transparency, accelerating case proceedings, reducing corruption risks, and improving the investment climate.*

Based on the analysis of legislative acts, digitalization strategies, official EU documents, and statistical data, the study demonstrates that the implementation of digital solutions in transitional justice creates conditions for the effective functioning of institutions, enhancing the trust of international partners and attracting investments. The significant role of compliance with EU standards is emphasized, as it facilitates Ukraine's integration into the European legal and economic space and strengthens the legitimacy of state reforms.

The study demonstrates that interaction among state authorities, international institutions, and the business community forms a new model of legal and economic development, in which digitalization and European standards act as mechanisms for ensuring stability and transparency. Modern digitalization of transitional justice combines tools for electronic document management, analytics, monitoring of judicial processes, and harmonization with European norms, creating conditions for long-term positive economic and institutional outcomes. The results of the study have scientific and practical significance for developing recommendations to improve the justice system in Ukraine, enhance the effectiveness of the investment environment, and promote the integration of the Ukrainian legal system into the European space.

Keywords: digitalization of justice, transitional justice, EU standards, economic implications, risks, investment climate, legal efficiency

Анотація. У статті досліджено перспективи цифровізації перехідного правосуддя України та впровадження стандартів ЄС як ключові чинники підвищення ефективності правової системи та стимулювання економічного розвитку. Розкрито трансформацію підходів українських інституцій до цифровізації судових процесів, застосування електронних платформ, автоматизації розгляду справ та інтеграції європейських стандартів у практику перехідного правосуддя. Зазначено, що початкові експерименти і локальні ініціативи поступово трансформувалися у системну цифровізацію та гармонізацію з нормами ЄС, спрямовану на підвищення прозорості, прискорення розгляду справ, зменшення корупційних ризиків та покращення інвестиційного клімату. На основі аналізу законодавчих актів, стратегій цифровізації, офіційних документів ЄС та статистичних даних показано, що впровадження цифрових рішень у перехідне правосуддя створює передумови для ефективної роботи інституцій, підвищення довіри міжнародних партнерів і залучення інвестицій. Підкреслено значну роль відповідності стандартам ЄС, що сприяє інтеграції України у європейський правовий та економічний простір і підвищує легітимність державних реформ. Доведено, що взаємодія між державними органами, міжнародними інституціями та бізнес-спільнотою формує нову модель правового та економічного розвитку, у якій цифровізація та європейські стандарти виступають механізмом забезпечення стабільності та прозорості. Визначено, що сучасна цифровізація перехідного правосуддя поєднує інструменти електронного документообігу, аналітики, моніторингу судових процесів та гармонізації з європейськими нормами, що створює передумови для довгострокових позитивних економічних і інституційних наслідків. Результати дослідження мають науково-практичне значення для розроблення рекомендацій щодо вдосконалення системи правосуддя в Україні, підвищення ефективності інвестиційного середовища та сприяння інтеграції української правової системи у європейський простір.

Ключові слова: цифровізація правосуддя, перехідне правосуддя, стандарти ЄС, економічні наслідки, ризики, інвестиційний клімат, правова ефективність

Introduction. The digitalization of transitional justice in Ukraine and the implementation of EU standards represent a promising direction for reforming the legal system, producing significant economic and institutional effects for the state. Currently, the issue of transitional justice in Ukraine is primarily strategic in nature, although certain elements are already being implemented amid the ongoing armed aggression. At the initial stage, the digitalization of the legal system was limited to isolated initiatives and experimental platforms for handling court cases and monitoring legal processes. Such a gradual approach was обусловлено необхідністю оцінки технічних, організаційних і правових ризиків, а також адаптації українського законодавства до стандартів ЄС.

In recent years, there has been increasing attention to the systemic digitalization of justice and the integration of European standards, aimed at enhancing transparency, improving the efficiency of judicial procedures, reducing corruption risks, and creating a favorable investment climate. The use of digital tools and the implementation of European practices can provide the necessary conditions for the development of institutional stability and economic efficiency after the end of the full-scale

war and the restoration of control over the entire territory of the country.

The analysis of opportunities for digitalization and the harmonization of Ukrainian justice with EU standards makes it possible to assess potential economic, investment, and legal consequences, as well as to identify strategies for integration into the European legal and economic space. The relevance of this topic is driven by the need for scientifically grounded planning of reforms and the development of recommendations for public institutions, international partners, and civil society regarding the implementation of digital solutions and EU standards in Ukraine's transitional justice system after de-occupation.

Thus, the study of the prospects for digitalization and the integration of European standards into transitional justice is of significant importance for the formation of an effective, transparent, and economically stable legal system in the future. In this context, the digitalization of the judicial system is considered not only as a technological modernization, but primarily as a tool for ensuring access to justice, especially under conditions of martial law and limited physical access to courts.

The purpose of the study. The purpose of this research is to provide a comprehensive analysis of the prospects for the digitalization of transitional justice in Ukraine and the implementation of EU standards, as well as to assess their potential economic, institutional, and investment impacts following the de-occupation of temporarily occupied territories. The study is aimed at identifying the role of digital tools and European standards in enhancing transparency, efficiency, and stability of the legal system, as well as in creating a favorable environment for business development and international partnership.

The methods. A combination of theoretical and empirical methods was applied in the study. The research analyzes scholarly and regulatory literature on the digitalization of justice, EU standards, and transitional justice in order to generalize contemporary approaches to legal system reform. A comparative method was used to examine European standards and digitalization practices of judicial processes across different countries.

A systemic approach was employed to comprehensively assess the potential impact of digitalization and the implementation of EU standards on institutional efficiency, transparency, and economic performance in Ukraine. The method of expert evaluation was used to assess possible economic and investment outcomes. In addition, a content analysis of official documents, justice digitalization strategies, and recommendations of the European Union, international organizations, and academic publications was conducted.

An interdisciplinary approach was also applied, enabling the integration of legal, economic, and political aspects in the study of the digitalization of transitional justice.

Main results of the research. This study is based on an interdisciplinary theoretical framework that combines the institutional approach, the theory of the rule of law, concepts of transitional justice, as well as approaches to digital governance (e-governance). Such a theoretical framework makes it possible to comprehensively analyze the transformation of legal institutions under the influence of digitalization and European integration processes (Bushchenko, A. & Hnatovsko, M. (Eds.). 2017; Bohatchuk D., 2015; Brunova-Kalishetska I., Kyselova T. & Martynenko O., 2020).

The study of existing practices of transitional justice in Ukraine shows that certain elements are currently being implemented; however, a unified political and regulatory framework governing these processes is still lacking (V Ukraini vzhe realizuiut elementy perekhidnoho pravosuddia, 2026; Luzan T., 2021). Ukrainian scholars emphasize the importance of adapting international experience and a criminological approach to the de-occupation of temporarily occupied territories, which involves integrating elements of transitional justice into national legislation (Lutsenko B., 2023; Chervyakova O., 2023). Of particular importance in this context is the concept of the digital state, which envisions the integration of information technologies into all areas of public administration, including the judicial system, thereby promoting greater transparency, accountability, and efficiency in justice (Zhama A., 2024; Manko D., 2024; Sinehubov O., Bortnik O. & Chernenko O., 2024). Electronic justice, the automation of case proceedings, and digital platforms for communication between judicial bodies and citizens contribute to the optimization of processes and the reduction of corruption risks (Bohatchuk D., 2015; Haidu S., Martyniuk O., 2025; Tkachenko E., Radchenko Ya. & Kyrychenko V., 2024).

At the same time, the digitalization of justice is accompanied by potential risks related to cybersecurity, unequal access to digital services, and the need for personnel training (ShI u pravosuddi, 2026). The implementation of EU standards, particularly in the context of Regulation Règlement (UE) 2024/792, creates opportunities for harmonizing the national justice system with European practices and stimulates economic development by enhancing investment attractiveness and the efficiency of the legal environment (Règlement (UE), 2024).

Thus, a comprehensive analysis of the literature demonstrates that the prospects for the digitalization of transitional justice in Ukraine are shaped by both the potential benefits in terms of transparency and efficiency, as well as by risks that require careful regulation and the integration of European standards into national legislation (Bushchenko, A., & Hnatovsko, M., 2017).

Despite a large number of studies covering the theoretical and practical aspects of transitional justice and the digitalization of judicial processes, insufficient attention has been paid to a comprehensive analysis of the integration of digital tools into the national legal system in accordance with European standards, as well as to the assessment of the economic and social impacts of such reforms. This creates opportunities for further interdisciplinary research combining legal, technological, and economic approaches.

It is important to distinguish key concepts that are frequently used in the context of digital reforms. Digitalization (or digitization) refers to the change in the quality of information, manifested in its transition from analog to digital format or in the initial creation of data in a digital environment. Digitalization of processes (digitalization in a broader sense) encompasses actions and processes aimed at implementing digital solutions into specific tools or services, enriching the digital environment with the capabilities of technological devices, and digitizing necessary information. Digital transformation is a global process whose main goal is to achieve full digitalization through qualitative changes in tools and methods of data transmission, including the creation of digital content and the integration of technologies into all processes of the functioning of state institutions (Manko, D., 2024).

Such distinctions allow for a clearer understanding of the role of digital tools in transitional justice, their impact on the transparency, efficiency, and accessibility of judicial processes, as well as on the integration of EU standards into the national legal system. Contemporary studies emphasize that the digitalization of legal processes serves not only as a tool for optimizing court proceedings but also as an element of forming a new model of public administration focused on openness, accountability, and integration into international legal structures.

Despite significant scholarly developments, the digitalization of transitional justice in Ukraine remains extremely relevant, particularly in the context of the full-scale invasion. It gains special importance during the de-occupation of territories and the restoration of state institutions, requiring strategic planning and phased preparation. Modern digital solutions ensure the continuity of the judicial system even under conditions of military threats, contributing to the preservation of the rule of law and state stability.

For a deeper understanding of current transformations, it is useful to consider the evolution of the concept of transitional justice in global practice. The notion of transitional justice emerged against the backdrop of the collapse of authoritarian regimes and armed conflicts in Latin America, Africa, and Eastern Europe in the 1990s, providing practical experience in addressing the consequences of severe human rights violations (Tkachenko, E., Radchenko, Ya. & Kyrychenko, V., 2024). To date, more than one hundred countries have undergone transitions from authoritarianism to democracy or from war to peace, which has provided valuable experience in addressing the consequences of serious violations of human rights and international humanitarian law (Brunova-Kalishetska, I., Kyselova, T. & Martynenko, O., 2020). The concept of transitional justice was first proposed by N. Kratz from the United States Institute of Peace (USIP) in 1995, while a significant contribution to its development was made by the French diplomat L. Jouannet, who in 1997 presented to the UN Commission on Human Rights 42 principles aimed at preventing impunity for violations of civil and political rights and the laws of armed conflict (Chervyakova, O., 2023). These principles encompass the right to justice, the right to know the truth, the right to guarantees of non-repetition of violations, and the right to reparation (Bushchenko, A. & Hnatovsko, M., 2017).

Thus, the modern concept of "transitional justice" is reflected in numerous UN and EU documents and encompasses a set of judicial and non-judicial mechanisms aimed at ensuring accountability, delivering justice, restoring victims, and implementing institutional reforms to achieve justice and reconciliation in society (Perekhidne pravosuddia, 2025).

The issue of implementing transitional justice in Ukraine has a long history – its first elements emerged after the beginning of Russian aggression in 2014, and following the full-scale invasion in 2022, their number has increased significantly (Luzan, T., 2021). Although certain elements of transitional justice are already being implemented in Ukraine, there is still a lack of a comprehensive state policy in this area, creating the need for a systemic approach (V Ukraini vzhe realizuiut elementy perekhidnoho pravosuddia, 2026).

Under such circumstances, the implementation of modern tools capable of ensuring the effectiveness, transparency, and systemic application of transitional justice mechanisms becomes particularly important, with digitalization occupying a key role. In the context of the full-scale invasion, digital technologies have become an essential instrument for implementing the principles of transitional justice, as confirmed by European standards and the Ukraine Facility initiative (Règlement (UE), 2024). This reform involves the modernization of the Unified Judicial Information and Telecommunication System, improving the efficiency of IT infrastructure management, and ensuring compatibility with state registries. Such measures align with EU recommendations for enhancing the functioning of the judiciary and provide a foundation for the further development of electronic justice in Ukraine. In particular, these steps are consistent with the principles of digital transformation of justice outlined in EU strategic documents, which include the development of e-Justice, ensuring system interoperability, and protecting personal data. The implementation of digital solutions in the justice system is also directly linked to the process of adapting to EU standards and integrating into the European legal space, which is identified as one of the key directions for reforming Ukraine's judicial system (Sinehubov, O., Bortnik, O. & Chernenko, O., 2024).

The digitalization of the judicial system takes on strategic importance, as it enhances the transparency, efficiency, and accessibility of justice, particularly under conditions of martial law. At the same time, it is viewed as a mechanism for increasing public trust in the judiciary, as it ensures procedural transparency, predictability of decisions, and openness of judicial activities. Digital tools improve process oversight and enable rapid responses to emerging challenges, which is especially relevant during military threats.

The use of modern digital technologies, such as video conferencing, electronic document management, and digital registries, ensures the continuity of court proceedings even under difficult conditions. This not only optimizes budgetary expenditures and increases procedural efficiency but also facilitates the future documentation of human rights violations, which is crucial for restoring justice (see Table 1). Moreover, the digitalization of justice has a systemic economic impact on the business environment. It contributes to reducing transaction costs for economic actors, shortening the duration of commercial dispute resolution, and increasing the predictability of judicial decisions, which collectively support economic stability and the country's investment attractiveness. As a result, a more stable environment is formed, serving as a key factor for attracting foreign investment and developing small and medium-sized enterprises. For the business sector, this translates into shorter dispute resolution times, lower legal support costs, and enhanced protection of property rights, which are critically important for the effective functioning of a market economy.

Table 1

Comparative Characteristics of Digital Tools in the Transitional Justice System

Tool	Function	Benefits	Examples of Use in the EU	Potential Benefits for Ukraine
Video Conferencing	Conducting court hearings remotely	Ensures continuity of proceedings, saves time and resources	Germany, Estonia	Enables court sessions during wartime, allows participation of witnesses and suspects without risk

Electronic Document Management	Online exchange of court documents	Reduces paper usage, accelerates judicial processes	France, Spain	Provides quick access to case materials, optimizes court workflow
Digital Registries of Victims/Suspects	Tracking participants in proceedings	Ensures transparency and data accuracy	Lithuania, Poland	Forms a database for restoring victims' rights and documenting violations
Analytical Platforms	Assessing the effectiveness of judicial processes	Forecasting, statistical analysis	Sweden, Netherlands	Supports strategic planning and data-driven decision-making

Source: Compiled by the authors

A practical example of digitalization is the implementation of subsystems within the Unified Judicial Information and Telecommunication System, including the «Electronic Court», the electronic user portal, and the video conferencing system, which enable remote interaction between the court and participants in proceedings. Thus, it can be noted that the practical experience of European countries demonstrates the effectiveness of judicial digitalization (Shl u pravosuddi, 2026). In particular, the implementation of the e-Justice system in Estonia has significantly reduced the duration of case proceedings and ensured fully electronic document management. This experience is especially relevant for Ukraine, as it can be adapted to the conditions of war and the need for the rapid restoration of the legal system after de-occupation. (Lutsenko, B., 2023).

Digital tools significantly enhance the efficiency and transparency of transitional justice processes, ensure the continuity of court proceedings, and serve as a key element in ensuring access to justice under conditions of armed conflict (Haidu, S. & Martyniuk, O., 2025). These tools enable the prompt documentation of human rights violations, the restoration of victims' rights, and the maintenance of transparency in decision-making. At the same time, research shows that for the successful integration of EU standards, digitalization must be combined with a comprehensive approach that includes three key components: government decisions on judicial system reform, technical and financial support from international partners, and active engagement of civil society. (Martynenko, O. & Semiorkina, O., 2020). Effective management of these risks creates opportunities for establishing a resilient digital justice ecosystem, which can ensure not only the continuity of court proceedings but also long-term institutional stability. The experience of European countries demonstrates that the use of digital platforms in justice increases process transparency, reduces corruption risks, and provides an effective mechanism for monitoring the enforcement of decisions, which is crucial for the development of transitional justice institutions and the strengthening of public trust in state authorities.

For clarity, these key components of EU standards integration are presented in Table 2, showing the responsible actors and potential risks associated with each component.

Table 2

Components for the Successful Integration of EU Standards into the Digitalization of the Judicial System

Component	Description	Responsible Actors	Potential Risks
Government Decisions	Reforming legislation and the judicial system	Ministry of Justice, Supreme Court	Non-compliance with international standards, delays in implementation
Technical and Financial Support	Provision of equipment, software, and funding	EU, international donors	Insufficient coordination, dependence on external resources

Civil Society	Monitoring, participation implementation, training in	NGOs, expert centers	Low engagement or lack of qualifications
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Source: Compiled by the authors

Thus, the integration of EU standards requires a balanced combination of government decisions, international support, and active civil society participation, which ensures the coherence of reforms and minimizes the risks of their ineffective implementation. At the same time, the digitalization of transitional justice is accompanied by a number of risks, among which the key ones are cybersecurity threats, personal data leaks, unequal access to digital technologies across regions, and insufficient digital literacy among participants in judicial processes. Ignoring these challenges may reduce the effectiveness of reforms and affect public trust in the legal system (Zhama, A., 2024).

In the long term, the digitalization of transitional justice becomes not only a technical tool but also a strategic mechanism capable of strengthening Ukraine's institutional capacity, enhancing investment attractiveness, and facilitating effective integration into European security and legal frameworks. An important factor remains active public support for such changes, which reinforces the legitimacy of reforms and promotes transparency in the implementation of justice (Bohatchuk, D., 2015).

To practically demonstrate the role of digitalization in ensuring the effective functioning of transitional justice, Table 3 presents how traditional mechanisms can be transformed through digital technologies and the resulting impact on the accessibility and transparency of processes.

Table 3

Transitional Justice Mechanisms and the Role of Digitalization

Mechanism	Traditional Implementation	Digital Implementation	Expected Effect on Accessibility and Transparency
Judicial Prosecution	Physical hearings, paper case files	Video conferencing, electronic case files	Increased access to courts and enhanced security stability
Compensation and Reparations	Paper registries, lengthy procedures	Digital registries of victims, automated applications	Faster payments and improved accountability
Documentation of Violations	Physical records and archives	Digital databases, analytical platforms	Preservation of evidence, reliability, and transparency
Institutional Reforms	Manual legislative changes	Digital data management, electronic reform planning	Increased efficiency and monitoring of reform implementation

Source: Compiled by the authors

For example, in the process of documenting human rights violations in de-occupied territories, digital platforms can be used to collect testimonies, verify them, and store them in secure databases, significantly simplifying subsequent judicial prosecution and ensuring a proper evidentiary base. In this way, digital mechanisms of transitional justice provide rapid, transparent, and efficient functioning of all key processes, while also enabling systematic assessment of their economic and social impacts. In practical terms, this involves the implementation of specific tools, such as a unified digital platform for recording victims, integrated registries of court decisions, automated case allocation systems, and the use of artificial intelligence for analyzing judicial practice and predicting outcomes.

The research results demonstrate that comprehensive digitalization of transitional justice, combined with EU standards and active citizen participation, can become a key factor in restoring law and order, stabilizing state institutions, and integrating Ukraine into the European legal space

after de-occupation. In this context, Ukraine can be seen as a unique case of combining post-conflict transformation with the digital modernization of the legal system (Brunova-Kalisetska et al., 2020). This process will contribute to the formation of a new legal reality, where technologies, standards, and public participation act as interconnected elements in ensuring effective and transparent justice. From a practical standpoint, the implementation of digitalization in transitional justice in Ukraine can be carried out in phased stages (Brunova-Kalisetska, I., Kyselova, T. & Martynenko, O., 2020). At the first stage, it is advisable to ensure the modernization of technical infrastructure and the integration of existing state registries. At the second stage, it is important to implement unified digital standards for judicial proceedings in accordance with EU requirements. At the third stage, training personnel and increasing the digital literacy of participants in judicial processes should be ensured.

Conclusions. The digitalization of transitional justice in Ukraine is a strategic direction for reforming the legal system, combining technological innovation with the implementation of EU standards. The study has shown that the use of digital tools contributes to increased transparency, efficiency, and accessibility of justice, while also creating the conditions for improving the investment climate. The integration of European standards ensures the harmonization of Ukraine's legal system with EU norms and enhances the trust of international partners. At the same time, the success of digitalization depends on the state's ability to minimize cyber risks, provide adequate technical infrastructure, and improve the digital competencies of process participants. In the long term, the digitalization of transitional justice may become a key factor in Ukraine's post-war recovery and sustainable development.

Regarding further research, attention should be focused on studying the effectiveness of digital tools in different regions of Ukraine, assessing the impact of digitalization on the accountability and transparency of judicial processes, and developing methodologies for integrating international standards into the national transitional justice system. Particular emphasis should be placed on analyzing the economic and social consequences of digitalization, enhancing the qualifications of judges, court staff, and civil society actors for working with digital platforms, as well as creating integrated databases for restoring victims' rights and documenting violations. The results obtained can be used in shaping state policy in the field of judicial digitalization and adapting European standards in the context of post-war recovery.

It should also be noted that the digitalization of justice is an integral element in strengthening the rule of law, as it contributes to improving the efficiency of judicial procedures, the transparency of court operations, and the accessibility of justice for citizens.

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