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INFORMATION AND LEGAL SUPPORT FOR BALANCING THE INTERESTS OF JUSTICE AND HUMAN RIGHTS PROTECTION

In a democratic state governed by the rule of law, the criminal justice system must serve two equal goals: the effective administration of justice and the protection of fundamental human rights and freedoms. Achieving a balance between these objectives is one of the key challenges for the justice system in Ukraine [1]. On one hand, justice requires the inevitable punishment of individuals who have committed criminal offenses. Society and victims expect fair conviction of the guilty, as well as the prevention of future crimes. This requires effective investigation, gathering sufficient evidence of guilt, proper trial, and the imposition of appropriate punishment. On the other hand, the protection of human rights is a fundamental value enshrined in the Constitution of Ukraine and international human rights instruments [2]. Criminal proceedings must not become a tool of arbitrariness and violation of a person's inalienable rights. The presumption of innocence, prohibition of torture, right to defense, fair trial, and other guarantees must be strictly observed. Finding a balance between these two imperatives is an ongoing challenge for judges, prosecutors, lawyers, and other participants in the process. An excessive tilt toward protecting the rights of the accused may lead to impunity and disregard for the interests of justice. At the same time, neglecting human rights in the name of efficiency can undermine the very legitimacy of the justice system and democratic values.

Modern IT can play an important role in ensuring a balance between the interests of justice and the protection of human rights in criminal proceedings in Ukraine. The introduction of electronic court document management systems, exchange of procedural documents, and audio/video recording of court hearings

help ensure transparency, accuracy, and accessibility of court materials for all participants in the process [3]. The creation of integrated information systems for collecting, storing, and analyzing data on criminal proceedings can help law enforcement agencies and courts quickly obtain the necessary information, track trends, and identify potential human rights violations. Conducting court hearings via videoconferencing ensures proper access of participants to justice, saves resources, and reduces security risks. The use of IT systems for the automatic and unbiased distribution of cases among judges increases the objectivity and transparency of the process. The creation of publicly accessible registers of court decisions, indictments, lawyers, etc. promotes openness of the justice system. The use of technologies for collecting, analyzing, and presenting digital evidence in court is important for solving crimes while respecting human rights. IT systems for monitoring compliance with procedural deadlines and quality standards can help identify delays, violations of deadlines, and deviations from quality standards of justice administration. Online legal services and IT can provide citizens with advice on their rights, how to appeal decisions, etc.

When deciding on sentencing for a committed crime, courts must consider the facts and circumstances in the criminal proceedings, the risk of recidivism, and the danger the defendant poses to society [4]. Currently, the analysis of this information is done manually and requires a lot of time and effort. The data needed to make effective court decisions is stored in large collections of unstructured text documents, content analysis of which is labor-intensive and inefficient. Its results are often influenced by the so-called "human factor." The authors propose to use multimodal language models like GPT-4 based on AI to generate relevant texts in criminal proceedings and apply an associative rules model to extract strong rules and significant relationships between the facts of the case [5, 6]. This approach will automate the routine activities of court staff and reduce the share of "human" errors when making effective court decisions on sentencing. The proposed method can be used to assess the risks of the defendant

committing a repeat offense, determine the danger they pose to society, and analyze court decisions in similar cases.

Modern IT can improve the efficiency of the justice system by enabling faster and more accurate judicial decision-making. They can facilitate access to justice by providing convenience for citizens and enabling effective functioning of judicial bodies. However, it is important to consider the potential risks and challenges that arise from the use of modern IT in the justice sector. For example, this may relate to issues of privacy and protection of citizens' personal data, the possibility of a digital divide emerging between those who have access to technologies and those who do not, as well as the possibility of using IT for systematic human rights violations and mass surveillance of citizens.

It is important to develop and implement legal mechanisms that guarantee a balanced approach to the use of modern IT in the justice sector. This may include legislative norms regulating data storage and processing, control mechanisms for the use of IT in judicial proceedings, as well as measures to ensure equal access to justice for all citizens, regardless of their level of technological literacy or social status. It is also important to provide citizens with appropriate mechanisms to protect their rights in cases of possible violations through the use of IT in the justice system.

The justice system must serve the higher goals of fairness, respect for human dignity, and upholding the rule of law in society. Only by properly balancing the interests of justice and protecting human rights will it be able to effectively fulfill these tasks. The effective implementation of IT solutions must be accompanied by proper regulatory control, cybersecurity measures, staff training, and resources to support the systems. When applied correctly, information technology will become a powerful tool for balancing justice and human rights.

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ДО ПИТАННЯ ПРО КРИМІНАЛЬНО-ПРАВОВУ ОХОРОНУ ПРАВА НА ОСОБИСТУ ТАЄМНИЦЮ ЛЮДИНИ

Правова система України сприйняла та закріпила в Конституції найбільш прогресивні ідеї світової спільноти щодо захисту прав людини, тому в умовах подальшого розвитку України як європейської, демократичної, соціальної та правової держави особливої уваги набувають питання правового регулювання відносин, пов'язаних із визначенням пріоритету людини як особистості та найвищої соціальної цінності, з удосконаленням механізму державного захисту її прав і свобод, у тому числі й найцінніших для сучасної людини прав на повагу особистого життя. У контексті реалізації цього права особливу значимість набуває кримінально-правове забезпечення конфіденційності різних видів інформації з обмеженим доступом (або ж таємниць), до яких, зокрема належить і особиста таємниця людини. Від того, наскільки забезпечена