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European  
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## Final Recommendations of the Workshops for Practitioners<sup>1</sup>

### 1. Workshop: Innovations in European Regulation - Digital Platforms, Artificial Intelligence, and Online Dispute Resolution (ODR)

#### Key Recommendations:

#### 1.1. *Implementation of the Digital Services Act (DSA) and Digital Markets Act (DMA):*

Ukraine should adopt comprehensive rules governing intermediaries and online platforms to ensure safety, transparency, and accountability in the digital ecosystem.

#### 1.2. *AI Regulation Alignment:*

Integrate principles of the EU Artificial Intelligence Act, including risk-based classification, human oversight, and explainability of algorithms, into Ukrainian regulatory frameworks.

#### 1.3. *Promotion of ODR Mechanisms:*

Expand access to justice through online dispute resolution tools, ensuring interoperability with EU ODR systems and promoting user-friendly platforms for consumer and commercial disputes.

#### 1.4. *Platform Liability:*

Clarify liability of intermediaries and online service providers to reflect EU standards, particularly regarding illegal content and consumer protection.

#### 1.5. *Capacity Building:*

Establish training programmes for legal practitioners and judges on AI ethics, digital platform regulation, and ODR.

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## **2. Workshop: Innovations in European Legislation in the Field of Data Transfers and Circulation**

### **Key Recommendations:**

#### *2.1. Harmonization with the GDPR and Data Governance Act:*

Ukraine should align its data protection laws with Regulation (EU) 2016/679 (GDPR) and the Data Governance Act (EU) 2022/868, ensuring interoperability of personal data protection standards and mechanisms for cross-border data flows.

#### *2.2. Enhancement of Transparency Obligations:*

National legislation should introduce explicit rights for individuals to know how their data are processed by digital service providers and public authorities. This includes expanding the “right to know” and data access rights.

#### *2.3. Development of Judicial Practice:*

Ukrainian courts should receive guidance and training based on CJEU and ECHR jurisprudence to ensure consistent application of data circulation and protection principles.

#### *2.4. Blockchain Integration:*

Adoption of blockchain-based systems (similar to the EU’s European Blockchain Services Infrastructure - EBSI) should be explored to enhance trust, accountability, and transparency in public digital services.

#### *2.5. Artificial Intelligence and Data Circulation:*

Legal frameworks must regulate the circulation of data for AI development, ensuring compliance with the upcoming AI Act and data ethics standards.

## **3. Workshop: Intellectual Property Law in the Context of Adaptation to European Regulations**

### **Key Recommendations:**

#### *3.1. Modernization of IP Legislation:*

Align Ukrainian IP law with the latest EU directives and regulations, including Directive (EU) 2019/790 on copyright in the digital single market and Regulation (EU) 2017/1001 on the EU trade mark.

#### *3.2. AI and IP Rights:*

Introduce clear provisions on authorship and ownership of AI-generated works, reflecting emerging European approaches to human oversight and creative accountability.

#### *3.3. Patent Reform:*

Adopt EU best practices in patenting pharmaceutical and biotechnological inventions to enhance innovation and competitiveness.

#### **3.4. Licensing and Technology Transfer:**

Facilitate cross-border licensing by incorporating EU licensing models and ensuring fair remuneration principles.

#### **3.5. Digital Contracts:**

Promote the adoption of EU-style IP agreements within the IT sector to harmonize commercial practices and ensure legal certainty.

### **4. Workshop: Digital Goods and Virtual Assets - Ukrainian and European Practices**

#### **Key Recommendations:**

##### **4.1. Legal Definition of Digital Goods:**

Introduce a unified definition consistent with Directive (EU) 2019/770 on digital content and services, differentiating between digital goods, services, and virtual assets.

##### **4.2. Virtual Assets Regulation:**

Implement standards inspired by the Markets in Crypto-Assets Regulation (MiCA) (EU 2023/1114), including rules for asset classification, issuance, and service providers.

##### **4.3. Consumer Protection:**

Strengthen protection of users in digital markets by introducing clear liability for defective digital goods and unfair digital practices.

##### **4.4. NFTs and Emerging Technologies:**

Develop a legal framework for NFTs that recognizes their dual nature as both digital content and investment instruments, ensuring compliance with financial and IP regulations.

##### **4.5. Civil Law Reform:**

Integrate digital property rights into the Civil Code of Ukraine, harmonizing with EU notions of digital ownership and smart contracts.

### **5. Workshop: Access to Justice in the Digital Era - ODR, Artificial Intelligence, and the Digitization of Judicial Proceedings**

#### **Key Recommendations:**

##### **5.1. Digital Transformation of Justice:**

Introduce secure digital case management and e-court systems following the eIDAS Regulation (EU) 910/2014 and the European e-Justice strategy.

##### **5.2. Algorithmic Fairness:**

Adopt principles ensuring that AI in judicial contexts is transparent, explainable, and free from bias, aligning with the EU AI Act and Council of Europe guidelines.

### *5.3. Electronic Evidence Standards:*

Develop procedural standards for electronic evidence admissibility, authenticity, and integrity, inspired by EU best practices.

### *5.4. Ethical Use of AI Tools:*

Define the ethical boundaries for using generative AI (including ChatGPT-like systems) in legal drafting and court submissions, based on the principles of good faith and professional responsibility.

### *5.5. Judicial Training:*

Create specialized judicial training modules on digital tools, AI bias, and online arbitration practices.

## **6. Workshop: The Right to Be Forgotten and Other Emerging Rights in the Practice of European Judicial Institutions**

### **Key Recommendations:**

#### *6.1. Implementation of the Right to Be Forgotten:*

Align Ukrainian data protection law with Article 17 of the GDPR and CJEU case law (Google Spain, GC and Others) ensuring mechanisms for data erasure while balancing freedom of expression.

#### *6.2. Protection Against Automated Decision-Making:*

Incorporate safeguards against fully automated processing in line with Article 22 GDPR and CJEU jurisprudence.

#### *6.3. Balancing Privacy and Public Interest:*

Introduce a national framework for proportionality assessments reflecting the ECHR and CJEU standards.

#### *6.4. Digital Trace Management:*

Establish procedures for managing “digital residues” post-erasure, ensuring technical compliance with data deletion requests.

#### *6.5. Comprehensive Reform Roadmap:*

Develop an action plan for harmonizing Ukrainian legislation with the EU Charter of Fundamental Rights, ensuring human dignity, privacy, and non-discrimination in the digital age.

### **Conclusion:**

The workshops highlighted the urgent need for Ukraine to modernize its legal framework in line with the evolving EU acquis on digital regulation and human rights. A holistic approach is required - one that integrates technological innovation, fundamental rights protection, and rule of law principles in the digital environment.