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ARTIFICIAL INTELLIGENCE IN THE UKRAINIAN PUBLIC ADMINISTRATION SYSTEM: LEGAL DEVELOPMENT AND IMPLEMENTATION RISKS

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Abstract: *The study explores the integration of AI into the Ukrainian public administration system in the context of global regulatory developments. It identifies the main development vectors, legal challenges, and governance risks associated with AI implementation. The research combines comparative legal analysis, systemic interpretation, and predictive modelling to assess the current state and future trajectories of AI regulation. Based on international and Ukrainian experience, the paper proposes key directions for developing a coherent legal and institutional framework to ensure transparency, accountability, and human-rights protection in AI governance, as well as the capabilities of the "state in a smartphone" and the use of AI in local self-government.*

Key words: *Artificial Intelligence in Public Administration; Smart City; Digital Transformation; Urban Digitalisation; Legal Regulation; AI-based Decision-Making; Innovative Governance Technologies*

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1. INTRODUCTION

AI has become one of the defining technologies of the 21st century, influencing nearly every sphere of public life. In Ukraine, despite significant progress in digitalisation, the integration of AI into public administration remains fragmented and uncoordinated. The lack of a comprehensive legal and ethical framework creates both institutional uncertainty and practical risks for governance quality.

The growing importance of AI technologies in decision-making processes requires the development of a coherent strategy that ensures transparency, accountability, and protection of human rights in the public sector. Therefore, the present research aims to identify the main development vectors and legal implementation risks of AI in the system of Ukrainian public administration, with comparative reference to European and American experience.

While global debates emphasise both efficiency and legitimacy of AI governance, Ukrainian scholarship often limits itself to descriptive overviews, lacking a unified legal or methodological approach. This paper attempts to fill this gap by addressing the following research question: *How can Ukraine develop a coherent legal framework for integrating AI into its public administration system while ensuring transparency, accountability, and protection of human rights?*

To achieve this goal, the following tasks are expected to be implemented:

1) to analyse the peculiarities of legal regulation of digitalisation of state bodies, including local self-government bodies;

2) identify the main theoretical and practical problems related to the practice of applying such legislation, taking into account foreign experience;
3) to develop a step-by-step strategy for implementing legal regulation of AI in Ukraine.

1.1 Methodology

The methodological framework of this paper combines comparative legal analysis, systemic interpretation, and elements of predictive legal modelling. This approach allows identifying not only the current state of AI regulation in public administration but also potential trajectories of its development in Ukraine.

The comparative component involves examining the regulatory approaches of the European Union, selected EU member states (France, Denmark, Estonia and Poland), and the United States. The goal is to determine which elements of these models can be adapted to Ukraine´s legal and institutional environment. The systemic interpretation method was applied to assess the coherence of Ukrainian legal norms governing digital governance, administrative procedures, and data protection. Predictive legal modelling was used to identify potential risks and institutional challenges arising from the implementation of AI technologies in administrative decision-making.

The methodology thus combines descriptive, analytical, and prognostic elements, ensuring both conceptual and practical relevance of the study.

2. THEORETICAL APPROACHES TO DIGITALISATION AND INTEGRATION OF AI INTO PUBLIC ADMINISTRATION

The digitalisation of government agencies in Ukraine opens new opportunities to enhance the transparency, accessibility, and efficiency of public services. This process contributes to engaging local communities in municipal governance, improving the quality of life, and strengthening democratic standards at both local and regional levels. However, successful digital transformation requires not only technological innovation but also adequate legal regulation to fully unlock the potential of digital technologies in municipal governance and public service delivery at the national level.

Several Ukrainian scholars have studied specific aspects of the legal regulation of digitalisation in public administration and governance, particularly T. Chernadchuk and I. Kozachok, as well as A. Klyan (2024), K. Savon (2021), A. Mykoliuk (2022), M. Baimuratov and B. Kofman (2022), O. Batanov (2023), V. Kravchenko (2003), I. Diorditsa and J. Zhuravel (2023a; 2023b). In particular, the authors T. Chernadchuk and I. Kozachok (2022, p. 194) note that the Ukrainian government has argued that, in Ukraine's public sector, digital technologies are a key area of public administration reform and a concrete example for the whole country of how to leverage the digital world. However, given the ongoing dynamics of this phenomenon, I consider it necessary to outline the novelties in the legal regulation of digitalisation of local self-government within the context of modern municipal reform.

In foreign studies, the issue of digital transformation in public administration is often associated with the introduction of AI and the technological tools it uses in public administration processes. Most researchers advocate greater implementation of AI technologies by public authorities, including municipal governments. For example, Desouza (2018) advocates intensifying this process within the framework of public-private partnerships. This involves engaging the academic community, addressing issues in the planning, development, and deployment of AI in a step-by-step manner, and

developing an AI maturity model to assess progress in state and municipal institutions. W. Wang and K. Siau (2018), recognising the technological advantages of AI, warn the state and business about the likely increase in unemployment and further social instability associated with the displacement of many professions in the public service and corporate sector by virtual assistants and assistants, as well as the need to develop a legal framework for regulating the AI sphere, which requires a broad social discussion on the degree of freedom of AI and the limits of its implementation at the current stage of society´s development.

D. West D. and J. Allen (2018), recognising the diversity and effectiveness of AI-based public administration tools, emphasise the need to protect ethical values and ensure an appropriate degree of openness and control over AI, which should ensure the necessary level of legal responsibility for decisions made using AI. S. Mikhaylov, M. Esteve, A. Campion (2018) touch upon such an equally important area of AI application as the development and transformation of public policy in the context of high uncertainty in the modern world, when AI helps to process large amounts of information and choose the optimal vector for implementing state policy, ranging from the practice of providing public services to the strategy of industrial development.

Thus, modern public administration, increasingly shaped by AI technologies, has become a widespread and systematic practice rather than an art or privilege reserved for a limited elite. Scholars worldwide continue to study the legal frameworks governing AI in the public sector and the potential risks associated with its implementation. Moreover, the growing integration of AI demands new professional competencies from public managers, including digital literacy and technological proficiency. Over time, this transformation may lead to a partial substitution of managerial roles with AI systems, fundamentally reshaping the nature of governance.

3. DEVELOPMENT VECTORS OF AI ON THE PUBLIC ADMINISTRATION OF UKRAINE

Significant progress in Ukraine´s digitalisation process began in the autumn of 2019, when **digital transformation was officially recognised as a key priority of state policy**. Following this, the **Ministry of Digital Transformation of Ukraine** and several other institutions responsible for digital development were established.

In Ukraine, the **concept of AI** is defined by the **Cabinet of Ministers of Ukraine** as "*an organised set of information technologies that can be used to perform complex tasks by applying a system of scientific methods and algorithms for processing information received or independently generated during operation, as well as to create and use knowledge bases, decision-making models, and algorithms for achieving set objectives*" (Obolenskyi, Kosytska and Rvach, 2023, pp. 126-127).

Despite the ongoing war, the **introduction of AI-based technological solutions in public administration and the wider public sector has intensified**. Significantly, these developments are not limited to the security and defence domain.

For instance, the Ministry of Digital Transformation is developing a comprehensive policy to integrate AI into public authorities' operations. Among its flagship projects is the creation of a virtual assistant within the Diia mobile application,

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which will help users locate the nearest Administrative Service Centre (ASC) and access information on available public services.[1]

In 2021, the Kyiv City State Administration planned to introduce an **AI-powered intelligent transport management system** designed to reduce congestion, prevent accidents, and optimise traffic flow. Although the project was postponed in 2022, it has since been **reinstated as part of Kyiv´s Smart City strategy.**[2]

Additionally, the Ministry of Digital Transformation, in cooperation with the **State Statistics Service of Ukraine**, has launched the **Government BI analytical platform**, enabling public authorities to collect, analyse, and use data more effectively when making decisions.[3]

In 2024, the **Ministry of Agrarian Policy and Food of Ukraine**, together with private companies, launched an **AI-driven agricultural monitoring system**. Using neural networks and satellite imagery, it analyses crop conditions in real time, forecasts yields, and enhances agrarian resource management.[4]

In April 2024, the **Ministry of Foreign Affairs of Ukraine** introduced an **AI avatar named Victoria**, which began issuing statements on consular issues for Ukrainians abroad.[5] This product is one of the first cases, and the Ministry does not plan to stop there. In particular, the Ministry intends to develop an **AI simulator to train young Ukrainian diplomats** and improve the skills of experienced employees in preparation for international negotiations. In addition, the Ministry is considering delegating the preparation of inquiries about relations with the country where the embassy is opening to the AI system.

At the beginning of 2025, the Ministry of Digital Transformation also launched the **WINWIN AI Centre of Excellence**, a centre for the development and integration of AI solutions in the public sector, defence, medicine, education, and business. Currently, the key tasks of the newly created hub include laying the technical foundation for the country´s AI sovereignty with its own LLM model.[6]

"From the very beginning of the creation of the Ministry of Digital Transformation to the present day, our goal has remained unchanged - to build the most convenient digital state in the world. We believe that the future of Ukraine lies in the development of the digital economy and innovations. AI is an important part of this path. Today, AI is already being used in Ukraine in various areas, from military technologies to govtech. We also see a strong

[1] Tips for the responsible use of artificial intelligence by public servants. (2025, March). *Ministry of Digital Transformation of Ukraine [E-book].* https://nads.gov.ua/news/prezentovano-posibnyk-pro-vidpovidalne-vykorystannia-shtuchnoho-intelektu-publichnymy-sluzhbovtsiamy (accessed on 23.05.2025).

[2] Traffic jams in Kyiv will be fought with the help of artificial intelligence. (2021, February 16). *Glavcom.* https://glavcom.ua/kyiv/news/stolichna-vlada-zayavila-pro-plani-za-pyat-rokiv-likviduvati-zatori-na-dorogah-737009.html (accessed on 23.05.2025).

[3] The Ministry of Digital Transformation and the State Statistics Service are creating a Government BI analytical platform for high-quality management decisions. (2023, April 13). *Ministry of Digital Transformation of Ukraine.* https://thedigital.gov.ua/news/mintsifra-razom-z-derzhstatom-stvoryuyut-analitichnu-platformu-government-bi-dlya-yakisnikh-upravlinskikh-rishen (accessed on 23.05.2025).

[4] White paper on AI regulation in Ukraine: The vision of the Ministry of Digital Transformation. (2024, June). *Ministry of Digital Transformation of Ukraine [E-book].* https://storage.thedigital.gov.ua/files/c/fc/36c4cae89deedfbf3781ec6bceddffcc.pdf (accessed on 23.05.2025).

[5] The Ministry of Foreign Affairs of Ukraine has introduced Victoria, an AI avatar that will now comment on consular information. (2025, May 1). *The Village Ukraine.* https://www.village.com.ua/village/city/city-news/350289-mzs-ukrayini-predstavilo-shi-avatara-viktoriyu-yaka-teper-komentuvatime-konsulsku-informatsiyu (accessed on 23.05.2025).

[6] The Ministry of Digital Transformation launches WINWIN AI Centre of Excellence. (2025, February 4). *Ministry of Digital Transformation of Ukraine.* https://thedigital.gov.ua/news/mintsifra-zapuskae-winwin-ai-center-of-excellence-tsentr-peredovogo-dosvidu-z-rozrobki-ta-integratsii-shi (accessed on 23.05.2025).

focus on developing AI technologies across education, healthcare, economics, urban planning, and many other areas. This will allow our country not only to adapt to global trends but also to become a leader in this field."[7]

The analysis of AI development vectors in Ukraine demonstrates a steady institutional commitment to digital transformation, even amid external challenges and limited resources. The government´s focus on integrating AI into various sectors — from transportation and agriculture to diplomacy and public services — reflects a strategic shift toward innovation-driven governance. However, to ensure the sustainability and transparency of these initiatives, Ukraine must complement technological advancements with robust legal frameworks, ethical standards, and inter-agency coordination. In this context, the experience of the European Union and other international partners provides a valuable roadmap for aligning Ukraine´s AI development with global norms of accountability, security, and public trust.

4. LEGAL AND INSTITUTIONAL CONTEXT OF AI IMPLEMENTATION

The use of AI has the potential to transform Ukraine´s public administration by optimising workflows, automating routine and time-consuming bureaucratic procedures, and ensuring a more transparent and equitable distribution of public resources. The prospects for integrating AI into the public service will continue to expand as technology develops. However, this process requires an adequate legal framework that guarantees accountability, data protection, and respect for human rights. Therefore, before considering Ukraine´s alignment with European standards, it is essential to examine the current state of AI regulation at both the national and local levels.

Article 54 of the Constitution of Ukraine (Verkhovna Rada of Ukraine, 1996) establishes a fundamental principle by guaranteeing citizens the freedom of scientific and technical creativity and the protection of intellectual property, moral, and material interests arising from creative activity. This constitutional provision underpins the legal foundation for safeguarding the results of scholarly and innovative work, including AI systems and digital technologies developed within local self-government. It reflects Ukraine´s recognition that technological progress must be accompanied by mechanisms protecting both inventors´ rights and the ethical use of their creations.

Despite these guarantees, Ukrainian legislation still lacks a coherent legal framework regulating AI use in the public sector. The Law of Ukraine On Local Self-Government in Ukraine remains one of the key legislative acts governing municipal authorities, yet it does not reflect modern digital realities. Its provisions contain only general references to administrative procedures, without addressing the integration of new technologies into municipal governance. Article 33 of the Law defines the powers of local self-government but does not mention the use of digital or automated systems. Similarly, Section XI "Local Self-Government" omits any reference to digitalisation or AI tools (Verkhovna Rada of Ukraine, 1997).

Article 146 of the Constitution (Verkhovna Rada of Ukraine, 1996) provides a reference norm, stating that other aspects of local self-government organisation, structure, and responsibility shall be defined by law. However, the absence of specific implementing legislation creates uncertainty about the practical application of these provisions. This highlights the need for local governments to adopt bylaws — such as

[7] White paper on AI regulation in Ukraine: The vision of the Ministry of Digital Transformation. (2024, June). *Ministry of Digital Transformation of Ukraine [E-book].* https://storage.thedigital.gov.ua/files/c/fc/36c4cae89deedfbf3781ec6bceddffcc.pdf (accessed on 23.05.2025).

internal regulations or methodological guidelines — that define the procedures for developing and operating automated information and analytical systems. Such instruments would ensure procedural consistency and prevent arbitrary decision-making.

Further evidence of legal fragmentation can be found in Article 46 of the Law On Local Self-Government in Ukraine, which refers to the procedure for considering electronic petitions. Although it mentions that council sessions may be convened to review such petitions, the Law itself does not regulate their submission or consideration (Verkhovna Rada of Ukraine, 1997). Instead, this issue is governed by a separate act — the Law of Ukraine "On Amendments to the Law of Ukraine "On Citizens´ Appeals" regarding electronic appeals and petitions" (Verkhovna Rada of Ukraine, 2015). The lack of direct reference between these two acts creates legal uncertainty and complicates the practical exercise of citizens participatory rights at the local level.

A more progressive step can be seen in the Final and Transitional Provisions of the Law On Local Self-Government in Ukraine, which temporarily allowed local councils and executive committees to hold sessions via video or audio conference during the COVID-19 pandemic. This norm, although limited in scope, represents an essential precedent for legitimising online administrative procedures. However, given the digital transformation of governance, such provisions should be moved from the transitional to the permanent sections of the Law to ensure the continuity of remote and hybrid administrative formats (Verkhovna Rada of Ukraine, 1997).

In June 2024, the Ministry of Digital Transformation introduced the White Paper on AI Regulation in Ukraine,[8] outlining a vision for responsible innovation and regulatory convergence with the European Union. The document provides guidance for businesses and public authorities on preparing for future AI legislation, emphasising safety, accountability, and ethical considerations. It also proposes the creation of voluntary codes of conduct, a legal assistance platform for enterprises, and regulatory sandboxes to test AI products before formal regulation takes effect. This initiative demonstrates the government´s recognition of AI as a national priority and an instrument of European integration.

Complementing this, the Ministry has also published Recommendations for the Responsible Use of AI by Public Servants, which establish ethical and procedural standards for the deployment of AI in administrative work. These recommendations promote responsible interaction with AI systems by protecting personal and sensitive data, ensuring confidentiality, and respecting human rights, in accordance with the General Rules of Ethical Conduct for Civil Servants and Local Government Officials. Although these recommendations are non-binding, they represent a significant step toward institutionalising ethical governance principles.

At the same time, Ukraine´s legislative system continues to rely on general acts rather than sector-specific regulations. While initiatives such as the Law "On Administrative Services" and the Diia digital platform have advanced digital governance, the Concept for the Development of AI in Ukraine primarily addresses technological innovation rather than administrative, ethical, or legal oversight. This imbalance leads to fragmented implementation and inconsistent practices across ministries and agencies.

[8] Regulation of artificial intelligence in Ukraine: The Ministry of Digital Transformation presents a White Paper. (2024, June 26). *Cabinet of Ministers of Ukraine.* https://www.kmu.gov.ua/news/rehuliuvannia-shtuchnoho-intelektu-v-ukraini-mintsyfry-prezentuie-bilu-knyhu (accessed on 23.05.2025).

Although Ukrainian legislation has taken specific steps toward digital governance — most notably through the Diia system[9] and the Law "On Administrative Services" — there is still no comprehensive definition of AI in national law, nor any general act regulating its use in the public sector (Serhiichuk, 2025).

The Concept of the Development of AI in Ukraine (Verkhovna Rada of Ukraine, 2020) focuses primarily on technological and innovation policy rather than on administrative, legal, or ethical regulation. While it declares the need for human-centred and responsible AI, its practical implementation remains limited. The absence of sector-specific guidelines or binding legal rules leads to inconsistent practices across ministries and agencies.

In contrast, the European Union has developed an extensive regulatory and ethical framework for AI, including the forthcoming AI Act,[10] the Ethics Guidelines for Trustworthy AI (European Commission, 2019) and several directives concerning data protection and automated decision-making (Gstrein et al., 2024).

These instruments emphasise risk-based governance, transparency, and accountability — principles that should inform Ukraine´s efforts to align its legal framework with EU standards.

The United States, meanwhile, applies a decentralised and sectoral approach based mainly on executive orders and voluntary guidance. This model prioritises innovation and market flexibility but often raises concerns about human rights protection and algorithmic bias (Engler, 2023).[11]

For Ukraine, the key challenge is balancing innovation and accountability. National institutions still operate without unified ethical standards, impact assessment mechanisms, or clear liability rules for algorithmic decision-making errors. This legal vacuum risks both administrative arbitrariness and erosion of public trust.

Therefore, adopting a **specialised Law on AI** and harmonising national legislation with the EU framework should become a key priority. This step will not only advance European integration but also enhance investor confidence and establish Ukraine as a competitive player in the digital economy through transparent, risk-based, and innovation-friendly regulation.

5. COMPARATIVE ANALYSIS AND CHALLENGES FOR UKRAINE

AI is gradually becoming a fundamental tool in public administration worldwide, significantly enhancing efficiency, transparency in decision-making, and reducing bureaucratic burdens. For Ukraine, which cannot develop its AI potential in isolation, participating in international cooperation—such as joining the Council of Europe´s Ad Hoc Committee on Artificial Intelligence (CAI)—is a strategic step towards aligning its governance practices with global standards.

European and international experiences demonstrate various approaches to AI deployment in governance, reflecting each country´s legal traditions, institutional maturity, and technological readiness. In October 2024, the European Commission

[9] Diia reaches 23 million users: Ukraine´s digital government becomes the new normal. (2025, October 15). *Digital State UA*. https://digitalstate.gov.ua/news/govtech/ponad-23-milyony-ukrayintsiv-uze-korystuiutsia-diyeiu-tsyfrova-derzava-stala-novoiu-normoiu (accessed on 23.05.2025).

[10] Regulation (EU) 2024/1689 of the European Parliament and of the Council. (2024, June 13). https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32024R1689 (accessed on 23.05.2025).

[11] AI Watch: Global regulatory tracker - United States (2025, September 24). *White&Case*. https://www.whitecase.com/insight-our-thinking/ai-watch-global-regulatory-tracker-united-states (accessed on 23.05.2025).

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(2025) announced the launch of its own generative AI system, GPT@EC, designed to assist officials in drafting documents, preparing summary reports, and developing sectoral policies. This initiative serves as a practical example of how AI can enhance bureaucratic efficiency while maintaining high ethical and data protection standards. For Ukraine, such a model illustrates how AI can facilitate administrative efficiency, provided that strong oversight mechanisms ensure accountability and transparency.

The United States exemplifies a different governance model, in which AI integration is primarily driven by sectoral innovation and self-regulation. For instance, in 2022, the U.S. Treasury Department introduced machine learning tools to analyse vast volumes of financial data, identifying fraud through anomaly detection (Shaikh, 2025). This approach highlights the benefits of flexible regulation and innovation-led experimentation. However, for Ukraine, adopting similar decentralised mechanisms without sufficient institutional safeguards could risk regulatory fragmentation and inconsistencies across agencies.

In France, AI-based systems have streamlined administrative procedures by automating the issuance of permits and licences, facilitated by inter-agency data exchange. Here, AI functions as an accelerator of administrative processes, enhancing citizen access to public services while minimising human error and corruption risks.[12] This case demonstrates that, with appropriate legal guarantees and interoperability frameworks, AI can significantly increase both efficiency and trust in government institutions—an area where Ukraine still faces systemic challenges.

The United Kingdom offers another relevant perspective. Recent reforms there have promoted digital decentralisation—transferring digital governance practices from central authorities to local administrations. This model, supported by newly elected local leaders, underscores the importance of distributing AI-related competencies across all tiers of government (Kvitka, Novichenko and Bardakh, 2021). Ukraine, which has embarked on decentralisation reforms, could similarly empower local self-government bodies to adopt AI tools for service delivery and community management, thereby deepening democratic participation.

A particularly illustrative case is New York City, where AI supports municipal emergency management by processing real-time data during crises (Kvitka, Novichenko and Bardakh, 2021). The use of AI in risk assessment and operational coordination demonstrates the role of data analytics in enhancing resilience and preparedness—an experience directly applicable to Ukraine´s civil protection system, especially in wartime conditions.

Similarly, the Danish city of Odense presents an integrated model for balancing local and state interests through AI-driven resource management. Local authorities use AI to address environmental, economic, and social challenges—ranging from waste management and intelligent energy to urban planning and citizen engagement. This approach reflects a holistic vision of AI governance, where technological innovation serves sustainable development goals (Kvitka, Novichenko and Bardakh, 2021).

A comparative analysis shows that different legal traditions approach AI governance in distinct ways. While Western legal systems emphasise the balance between innovation and human rights, many post-socialist states, including Ukraine, are still forming basic legal principles for AI integration in the public sector. This asymmetry underscores the importance of adopting a gradual, risk-based regulatory model.

[12] Report Algorithms, AI systems and public services: what rights do users have? (2024). https://www.defenseurdesdroits.fr/sites/default/files/2025-01/DDD_rapport_algorithmes-systemes-d-IA-et-services-publics_EN_2024_20250109.pdf (accessed on 23.05.2025).

The EU AI Act[13] proposes a classification of AI systems according to risk — unacceptable, high-risk, and low-risk categories. For Ukraine, this model could serve as a roadmap for sectoral adaptation, particularly in public service delivery, taxation, and administrative justice.

The Estonian "KrattAI" strategy[14] shows how legal norms, institutional coordination, and public participation can coexist within a unified AI governance framework. Ukraine could adapt similar governance principles through pilot projects and regulatory sandboxes.

Poland´s Programme for the Development of AI[15] explicitly links AI to public trust, emphasising citizen participation and ethical oversight — vital for Ukraine, where institutional legitimacy remains fragile.

The U.S. approach (Rawal et al., 2025), rooted in self-regulation and executive guidance, offers flexibility but limited enforceability. For Ukraine, such decentralisation could risk fragmentation of authority and inconsistent implementation.

The comparison suggests that Ukraine should adopt a hybrid model combining EU-style risk management and U.S.-style innovation incentives to foster technological progress while protecting individual rights.

Achieving AI performance indicators in public administration requires constructive changes to public authorities' processes. Changes in the structure, models of interaction between public authorities, and improvement of the technological basis used in real management processes. Digital transformations in public administration cannot be limited to changes in service delivery processes or in increasing their quantitative measurement. Still, they must completely rebuild their work to meet the capabilities and requirements of AI (Kvitka, Novichenko and Bardakh, 2021).

In conclusion, achieving meaningful AI-driven transformation in Ukraine´s public administration requires more than technological adaptation. It demands **institutional restructuring, inter-agency coordination, digital literacy among officials, and a coherent legal strategy** grounded in democratic accountability. Only through such systemic reforms can Ukraine transform AI from a technological novelty into a sustainable instrument of effective, transparent, and citizen-oriented governance.

6. IMPLEMENTATION RISKS AND GOVERNANCE CHALLENGES

Discussions regarding the role and place of AI in modern society remain active and diverse, often polarised between optimism and scepticism. From a pragmatic standpoint, AI should not be seen as a replica of human intelligence but rather as a technological tool that complements human cognitive capacities. While speculative notions of artificial consciousness belong to science fiction, real-world AI provides practical solutions to the challenges of the digital age — from managing vast datasets and distributed registries to advancing communication and smart infrastructure.

AI´s peculiarity is that it can solve the problems humanity faces at the current stage of development — the transition from an information to a digital society — much

[13] Regulation (EU) 2024/1689 of the European Parliament and of the Council. (2024, June 13). https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32024R1689 (accessed on 23.05.2025).

[14] Estonia's National Artificial Intelligence Strategy (Kratt Strategy) for 2022–2023. https://www.kratid.ee/en/_files/ugd/980182_4434a890f1e64c66b1190b0bd2665dc2.pdf (accessed on 23.05.2025).

[15] Policy For The Development of Artificial Intelligence in Poland from 2020 (n.d.). https://www.scribd.com/document/729839345/Policy-for-the-Development-of-Artificial-Intelligence-in-Poland-from-2020-eng-4?utm_source (accessed on 23.05.2025).

faster and more efficiently than humans. First of all, these are large databases, distributed registries, high-speed network communications, the Internet of Things, and finally, space exploration (European Commission, 2019). A human being is a living being. AI is a developed technology, and considering its integration from a transhumanist perspective is a profoundly philosophical question that has remained unresolved since ancient times. From this point of view, AI can be defined as a digital technology used by humans in a digital society to solve everyday and long-term problems of scientific, technological, and socio-economic progress (Mikhaylov, Esteve and Campion, 2018).

Based on international experience and the works of leading Ukrainian and foreign scholars, several **key vectors of AI application in municipal administration** can be identified:

1. **Digital Security:** AI enhances cybersecurity by detecting anomalies, predicting system failures, and minimising human error, thus strengthening the resilience of public administration systems (Rawal et al., 2025).
2. **Financial Management:** AI supports fiscal oversight through predictive analytics and automated data processing, enabling evidence-based decision-making (Shaikh, 2025).
3. **Healthcare:** AI-powered diagnostics and predictive systems assist doctors in identifying diseases at early stages and in personalising treatment (Hassan and Omenogor, 2025).
4. **Traffic Management:** Smart transport systems use AI to optimise routes, manage congestion, and reduce accidents in large cities (European Commission, 2025).
5. **Education:** Adaptive learning systems personalise curricula to students´ needs, increasing learning outcomes (OECD, 2023).
6. **Demographic Management:** AI analyses big data to predict migration flows and resource needs, improving urban planning (Gstrein et al, 2024).
7. **Supervisory and Control Activities:** AI enables preventive governance by shifting the focus from punitive measures to early detection of corruption-prone environments (Desouza, 2018).

These examples illustrate the multifaceted nature of AI in improving governance efficiency. However, their successful implementation depends on addressing the **associated risks** — legal, ethical, institutional, and technological.

Of course, this is not a complete list of AI use vectors in municipal governance. Further research will open new horizons for digital transformation and for using digital technologies to develop communities and their residents.

Also, business sector experts say that "*the biggest benefits of using AI are increased speed of work (44%), idea generation (18%), content creation (10%), and reduced routine*".[16]

Another argument in favour of the expediency of managing the efficiency of the territorial organisation of power using AI is that AI development activities should contribute to overcoming economic, social, and environmental inequality, promoting sustainable development, and improving the quality of life for the population (UNESCO, 2022).

The main problems of introducing AI into municipal governance are the same as in public administration — they are related to governance, legal, and ethical challenges. In

[16] AI Watch: Global regulatory tracker – United States. (2025, September 24). *White & Case*. https://www.whitecase.com/insight-our-thinking/ai-watch-global-regulatory-tracker-united-states (accessed on 23.05.2025).

Ukraine, where there is a lag in AI implementation across state and local governments, the relevance of digitalisation lies in the need to catch up with advanced countries actively pursuing digital transformation. The implementation of AI in Ukraine´s public administration system entails numerous governance, legal, and ethical risks stemming from gaps in institutional capacity and the absence of accountability mechanisms[17].

AI and automated systems can process vast amounts of information, but misuse or insufficient protection of personal data may violate citizens´ rights. The use and development of AI systems may result in the following risks and violations related to personal data protection, among others:

1. **Legal and Regulatory Risks:** Ukrainian law does not explicitly regulate the use of AI in administrative decision-making. This creates uncertainty regarding liability, appeal procedures, and the protection of citizens´ rights. The absence of "explainability" and "human-in-the-loop" requirements risks non-transparent decision-making.
2. **Ethical and Human Rights Risks**: Key risks include discrimination, data bias, and privacy violations. The EU experience underscores the importance of algorithmic transparency, ethical oversight, and mandatory risk assessments — areas where Ukraine still lacks institutional mechanisms.
3. **Institutional and Operational Risks:** Institutional fragmentation remains a challenge: ministries and agencies develop digital tools independently, causing duplication and incompatibility. Public officials often lack the digital and ethical competencies needed for responsible AI management.
4. **Governance and Accountability Risks:** The lack of precise accountability mechanisms for AI-related errors undermines trust. Developing frameworks for liability, auditing, and public reporting is essential for democratic control.

In addition, it is worth noting the conflict arising from uncertainty about liability for incorrect AI-generated performance and the content of texts created with its help, such as ChatGPT. Legislation does not define who should be liable for damage caused by AI´s actions or results. Legal practice in Ukraine and the EU suggests that liability may be imposed on the manufacturer, operator, owner, or user of AI, depending on the circumstances.

It should be noted that by Resolution 2015/2103[18] (INL), the European Parliament of 16 February 2017 establishes that liability for causing damage to AI may be imposed on one of the so-called human agents, namely, the manufacturer, operator, owner, or user of AI. Also part 2 of Article 1187 of the Civil Code of Ukraine (Verkhovna Rada of Ukraine, 2003), stipulates that "*damage caused by a source of increased danger shall be compensated by a person who, on the appropriate legal basis (ownership, other property right, contract, lease, etc.), owns (...) a mechanism or other object, the use, storage or maintenance of which creates increased danger*".

Thus, the ChatGPT user should bear full responsibility for the text generated by the system. At the same time, when handling personal data, a public official should carefully assess all risks associated with AI use. To minimise potential harm, personal

[17] White paper on AI regulation in Ukraine: The vision of the Ministry of Digital Transformation. (2024, June). *Ministry of Digital Transformation of Ukraine [E-book]*. https://storage.thedigital.gov.ua/files/c/fc/36c4cae89deedfbf3781ec6bceddffcc.pdf (accessed on 23.05.2025).

[18] European Parliament and Council of the European Union. (2017, February 16). *Resolution with recommendations to the Commission on Civil Law Rules on Robotics*. (No. 2015/2103 (INL). https://www.europarl.europa.eu/doceo/document/TA-8-2017-0051_EN.html?redirect (accessed on 23.05.2025).

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data should be avoided when interacting with publicly available AI platforms. Unauthorised interference with AI systems, especially by individuals with criminal intent, is a serious threat. Even the most sophisticated algorithms are not entirely secure, as hackers can exploit vulnerabilities in AI to steal data, manipulate results, or destabilise processes. When using AI in their work, public servants should follow cyber hygiene principles to protect personal data, confidential information, and security measures.[19]

AI systems can be deliberately used to develop and even launch catastrophic biological, chemical or digital attacks and enable the unprecedented use of a group of robotic devices as weapons. In the virtual space, cyber threats are intensifying, driven by AI capabilities. AI also has significant potential to improve the efficiency of public servants by offering accuracy and speed in data analysis. However, algorithmic tools can sometimes lead to negative consequences, such as discrimination and distortion of results. In this regard, a public servant should possess critical thinking skills and carefully review information generated by AI to avoid the risks of discrimination and human rights violations.

Despite the rapid pace of AI system development, they are also capable of making mistakes, creating inaccurate, absurd, or disconnected-from-reality text—"hallucinating". Therefore, public officials should anticipate the possibility of generating false or fictitious information and try to minimise the negative consequences. At the same time, public officials are obliged to verify the accuracy of factual information provided by AI.

When using AI in their work, public servants can employ various strategies to minimise incorrect answers and enhance the reliability, accuracy, and trustworthiness of the output data. They should also adhere to basic cyber hygiene principles to protect personal data, confidential and proprietary information, and security measures.

7. CONCLUSIONS

The introduction of AI in Ukraine is one of the vectors of European integration for transforming the territorial organisation of power. Implementing AI in the activities of public authorities will be a challenging task, as it will require solving problems of various social, economic, ethical, and legal nature (Ivanenko and Pichyk, 2024).

One of the main difficulties lies in the **fragmentation of Ukraine´s digitalisation legislation**. The absence of a specialised law governing the use of AI in public administration has led to a scattered regulatory landscape. Provisions on digital transformation are scattered across numerous acts and do not fully reflect the realities of the digital era, leading to legal ambiguity and interpretative uncertainty.

Despite these shortcomings, Ukraine demonstrates **institutional flexibility and adaptability**. The recognition of AI´s potential impact on human rights, both domestically and globally, calls for a balanced and incremental approach. Rather than introducing rigid regulation immediately, Ukraine could follow the **risk-based model proposed in the EU White Paper on AI**, which offers voluntary tools for businesses and public institutions to prepare for the forthcoming **EU AI Act (Regulation (EU) 2024/1689)**. Gradual harmonisation with EU law will not only support European integration but also enhance investment attractiveness through legal convergence.

[19] Tips for the responsible use of artificial intelligence by public servants. (2025, March). *Ministry of Digital Transformation of Ukraine [E-book].* https://nads.gov.ua/news/prezentovano-posibnyk-pro-vidpovidalne-vykorystannia-shtuchnoho-intelektu-publichnymy-sluzhbovtsiamy (accessed on 23.05.2025).

Certain areas of social relations affected by AI should continue to be regulated by sectoral legislation, particularly where AI is instrumental rather than determinative of legal consequences. Until a specialised law is adopted, compliance with existing national norms—especially those on **personal data protection and automated decision-making**—remains mandatory. Individuals retain the right to protection from computerised decisions that have significant legal effects. Once AI-specific regulation is enacted, these guarantees should be expanded and clarified.

AI implementation can optimise administrative workflows, automate routine functions, and promote equitable distribution of public resources. However, public servants must carefully assess **cybersecurity and data protection risks**, as insufficient AI literacy or reliance on unverified tools may endanger institutional information systems and, ultimately, state security. Strengthening digital competencies and establishing AI ethics and security standards within the public sector are therefore pressing priorities.

In this regard, integrating AI into Ukraine´s public administration requires a **comprehensive, multi-level approach** that balances innovation with legality and accountability. Comparative analysis suggests that effective AI governance rests on three core principles: **algorithmic transparency, institutional coordination, and citizen trust.** Ukraine should adopt these principles through targeted legislation, ethical oversight, and capacity-building measures.

In my opinion, **a hybrid regulatory model**—combining the EU's risk-based classification with the United States´ innovation-oriented flexibility—would enable Ukraine to sustain technological progress while safeguarding fundamental rights. Legal reforms should therefore introduce **explainability and appeal mechanisms** for **algorithmic decisions**, establish **independent oversight bodies**, and ensure **human control in high-risk administrative procedures.**

The scientific novelty of this research lies in reconceptualising AI governance within Ukraine´s public administration as a legal and institutional system rather than a merely technological process. The paper proposes an integrative methodological framework combining comparative, systemic, and predictive legal analysis.

The practical contribution includes policy recommendations to align Ukraine´s national AI regulation with EU standards (in particular, the adoption of the law on AI in public administration), to introduce ethical and institutional oversight mechanisms, and to foster responsible innovation in the public sector.

I would like to conclude with one **final remark.** Ukraine stands at a strategic crossroads between technological advancement and legal modernisation. Establishing a coherent, transparent, and ethically grounded AI governance framework is not only a prerequisite for European integration but also a foundation for sustaining public trust and democratic accountability in the digital era.

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