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APPLICATION OF INFORMATION AND TELECOMMUNICATION TECHNOLOGIES IN CRIMINAL PROCEEDINGS IN UKRAINE

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Some aspects of the use of information and communication and digital technologies (“video conference mode”), software products during proceedings, relevant technical and procedural mechanisms of application, storage (archiving) of evidentiary information, and their regulation in domestic and other countries’ legislation were studied.

The use of the latest technologies during judicial proceedings becomes relevant in the case of the impossibility of a person’s “physical presence” to participate in certain procedural (investigative) actions, court proceedings: in the event of an artificial or natural situation declared (introduced) in the state, a state of martial law, a state of emergency, implementation measures to ensure national security and defense, repel armed aggression of the Russian Federation.

In the development of innovative technologies, individual problems that arise before the participants of criminal proceedings are subject to a fairly quick and, most importantly, operational solution with the help of modern information and communication technologies and products.

If at the stages of the pre-trial investigation or trial of the case, the direct participation of a person is impossible due to objective reasons; the competent persons have given the legal permission to decide on the conduct of individual investigative or procedural actions in video conference mode.

The most rational, in this context, are software products related to the improvement of telecommunication networks, in particular, the use of online services and platforms. It is only

possible to single out the rapid development of mobile information technologies, particularly the mobile Internet. This field of communication all over the world, and in Ukraine as well, is mastering new standards that allow for faster and better exchange of information.

Keywords: information; communication and digital technologies; video conference mode; software product; portal; information transportation; remote proceedings.

Problem statement. The Law of Ukraine “On the National Program of Informatization”, entered into force on March 1, 2023, regulates legal relations arising during the formation and implementation of the informatization program, including during criminal proceedings. The procedure of sending legal notices, messages, and calls to the participants of the judicial process in electronic form has been approved. The service of automatic sending by vessels of notifications through the application of the portal action and/or Viber had introduced.

By the decision of the Supreme Council of Justice, the “Regulations on the functioning of separate subsystems (modules) of the Single Judicial Information and Telecommunications Systems” was approved: “Electronic Cabinet”; “Electronic Court”; video conference subsystem.

According to the provisions of the Criminal Code of Ukraine, the laws of Ukraine “On the National Anti-Corruption Bureau of Ukraine”, “On the Prosecutor’s Office”, “On the Judiciary and the Status of Judges”, “On the higher Anti-Corruption Court”, “On Information”, “On Protection of Information in Automated Systems”, “On Telecommunications”, “On the National System of confidential communication”, “On Electronic Documents and Electronic Documents Circulation”, “On electronic trust services” – developed “Regulations on information and telecommunication system of pre-trial investigation “e_Case”. The system provides the creation, assembly, storage, search, processing, and transfer of materials and information (information) in criminal proceedings [1].

The use of the latest technologies during litigation in case of impossibility of “physical presence” of a person for participation in separate procedural (investigative) actions, judicial review: In case of declared (introduced) state situation of artificial or natural character, the regime of the military, emergency state, implementation of measures to ensure national security and defense, defense of the armed aggression of the Russian Federation.

In the process of the development of innovative technologies, some problems that arise before the participants of criminal proceedings are subject to rather fast and basic, operative decisions by means of the application of modern information, communication technologies, and products.

If at the stage of pre-trial investigation or trial proceedings the case, the direct participation of the person is impossible due to objective reasons; competent persons are given the legislative permission to make a decision on conducting separate investigative or procedural actions in the mode of a video conference (for example, consideration of the petition on forced feeding of the suspect, can be conducted in the mode of a video conference (p. 206-1 Criminal Code of Ukraine).

Due to informatization, which had mentioned in the legislation as “a combination of interconnected organizational, legal, political, socio-economic, scientific and technical, technological and production processes aimed at creating conditions for the development of the information society and the introduction of information-communication and digital technologies”, the transition to a new “happy” communication and broadcasting, transportation of information, which could be used effectively in all spheres of society’s life activity, is taking place.

The most rational, in this context, are the software products connected with the improvement of telecommunication networks, particularly the application of online services and platforms. It is impossible not to distinguish the rapid development of mobile information technologies, particularly mobile Internet. This sphere of communication worldwide, and in Ukraine, is also taking on new standards that allow for more efficient and qualitative information exchange.

Problem research analysis. Some aspects of the application of information, telecommunication technologies, and video recording technologies scientists have applied in their works: G. K. Avdeeva, K. O. Arkhipova, O. V. Baulin, V. V. Bilous, V. V. Biryukov, O. G. Volevodza, V. O. Golubev, D. V. Dabizhi, M. V. Karchevskiy, P. O. Litvyshko, E. D. Lukyanchikov, T. V. Mykhalchuk, A. V. Moldovan, Yu. Yu. Orlov, M. I. Pashkovskiy, M. A. Pogoretskyi, A. S. Rybchenko, I. V. Rogatyuk, V. M. Trofymenko, A. S. Syzonenko, A. V. Stolitniy, O. S. Starenky, M. I. Smirnov, V. G. Uvarov, D. M. Tsekhan, I. V. Chernychenko, S. S. Chernyavskiy, N. V. Shulga and others.

At the same time, several problematic narratives remain in theory and practice, which require further improvement in terms of technical support and procedural law.

The purpose of the article is the study certain aspects of the use of information and communication and digital technologies /"video conference mode"/, software products during proceedings, relevant technical and procedural mechanisms of application, storage (archiving) of evidentiary information, their regulation in domestic and other countries legislation.

Statement of basic materials. It had generally accepted that, as a session of two-way interactive communication, the concept of "video conference mode" is interpreted as a means of understanding a set of legal, organizational, administrative, and engineering-technical constructions, such as: "video recording technical means", "electronic information resource", "computer "computer technology"; "information technology"; "information and communication technology"; "telecommunication technology"; "mobile terminal of the communication system"; "Browser and Internet"; "biometric data, parameters"; "digitized signature of a person, digitized image of a person's face, digitized fingerprints", "electronic message", "electronic document", "qualified electronic signature", "electronic court" and "electronic cabinet"; "Diya portal application"; "unified judicial information and telecommunication system"; "remote proceedings", "principle of procedural economy" etc.

Prof. M. Bortun believes that a "video conference in a criminal process had understood as a special procedure carried out with the help of telecommunication technologies, during which communication in the form of audio and video information exchange between remote participants of the investigative action takes place at a distance (remotely), but in the mode real-time" [2].

Instead, Prof. M. I. Smirnov outlined the concept of a video conference as a special procedure of proceedings, during which an official (judge, prosecutor, investigator) is at the place of the main proceedings. The participant of the procedural action is at another place, and communication between them takes place in real-time using technical means using audiovisual interaction [3].

Currently, there is no "one-size-fits-all" technology to be used by the court. The parties must choose a specific one from the list of possible IT platforms (for example, Skype, Microsoft Teams, Zoom) and agree on its use before starting the corresponding procedural action.

The main goal is to ensure permanent access to justice, minimize any external unauthorized intervention, and save "procedural time", allowing the parties to fully participate in the court process, which is as close as possible to generally accepted, customary, legally, and legally regulated procedures. The court's permission to carry out all or any part of the court proceedings is necessary. The judge conducting any hearings requiring in-person attendance must approve them [4].

Today, remote proceedings (video conference mode) have been used effectively in most states of the European Union, Great Britain, and the USA.

The first regulatory mentions of the possibility of using modern telecommunications technologies in criminal justice refer, for the most part, to the 90s of the 20th century and also had found in UN documents. They provide for "live video recording" or "video transmission" for the testimony of witnesses, in particular in cases involving crimes against children. Studying UN normative documents related to telecommunication technologies, somebody can come across the terms "video link" and

“videoconference”; in some documents, they appear simultaneously. These concepts are also used in the law enforcement practice of most UN member states [5].

In the normative legal acts and documents of some foreign countries, generalized formulations had been used, which replaced the term “video conference” in terms of content. Thus, the Criminal Code of Canada provides provisions for participation in court sessions using “cable television” or any other means that allow a person to “participate in simultaneous visual communication and oral communication” or “virtually present” [6].

In Great Britain, testimony could be provided using the so-called “live link”, a synonym for “video link” [7].

Articles 69, 287 of the Criminal Code of Estonia provide for the possibility of “long-distance hearing” (long-distance hearing) as a remote testimony of witnesses [8].

In the Criminal Justice Act of Great Britain, “video communication” is interpreted as a “live” television or other communication that allows a witness to be in another building in which the trial has not to hold, but located on the territory of the United Kingdom, to be seen and heard by the parties to the process and vice versa [9].

In England and Wales, video conferencing have successfully used in courts and prisons. During the trial, it has mostly used during bail and custody hearings. This practice has also been used to hear child witnesses from a separate room, as they are a vulnerable group among the participants in the process [10].

On 23 March 2020, following the Prime Minister’s State of the Nation Address, the Lord Chief Justice of England and Wales issued guidance to the judiciary regarding hearings in the District and Family Courts, stating that no hearings should take place unless necessary and remote hearings are not possible [4].

Ireland has a Video Conferencing Committee, established by High Court Judge Susan Denham in January 2003. The committee has been tasked with studying the potential of such technology as videoconferencing, the effectiveness, and efficiency of conducting criminal and civil trials in Irish courts with its help, considering all the advantages of its use. In Northern Ireland, the video conference mode has used for communication between the court and the accused (convicted) through specially equipped soundproof booths, and the police stations have equipped with such modern technologies, which means that there is no need for the officer to be in the courtroom in person [10].

The use of video conferencing in criminal proceedings in Scotland was successfully launched in 2003, led by the Courts Service and the Scottish Prison Service. This system has been used most actively for so-called “full committal hearings”, which allow the accused to apply for release on bail privately. Such hearings usually require the delivery of the prisoner from the place of deprivation of liberty to the sheriff under police escort, and the so-called “video courtroom” allows this process to have carried out without the need to leave the premises, which also reduces the burden. It has believed that this practice eliminates the potential for inmates to experience stress associated with leaving and returning to the institution. Their regime has not been disrupted, as regular meals, exercise, and other activities have not been missed. In addition, with the help of video conferences, there is also communication between prisoners and their lawyers [10].

The US Supreme Court interprets the Sixth Amendment to the US Constitution as the right of the accused to be physically present at all stages of the judicial process. In the US, there is a limited number of circumstances under which the absence of the accused is allowed. It is, for example, a trial of a corporation or a hearing for a crime punishable by imprisonment for a year or less (provided the accused consents to such a hearing in writing). In the US, video conferencing is particularly widely used in appellate courts, civil proceedings, and bankruptcy cases (which, by law, require multiple hearings) [11].

In the American judicial system, video conferencing is called “telejustice”. The introduction of this system brings many benefits to the judicial system. First of all, it reduces costs and speeds up the judicial

process. According to the Pew Foundation, which conducted a study on the effectiveness of the introduction of telejustice in the United States, cases that usually have been considered for 120 days are now heard for at most 10 days. The reason is that personal presence in the courtroom is optional [11].

The use of websites of criminal prosecution bodies has been implemented. In this regard, many years of experience in the use of websites of US law enforcement agencies is interesting. On its website, the police department publishes information about the most dangerous criminals who have escaped prison and about particularly serious crimes.

For example, the Pennsylvania State Police launched its website in February 1997. It covers the history of the local police, information on the conditions of employment in law enforcement agencies, news of the police department, recommendations for ensuring the personal safety of citizens, housing safety, and crime prevention. It is significant that after posting information about ten dangerous criminals on the website, four of them have been arrested.

The main task of personal Internet pages of US law enforcement agencies is to use a computer network to fight crime, in which various vectors have represented for faster and better detection of crimes. Thanks to this, it becomes possible to identify and arrest wanted criminals and inform citizens about the problems of law enforcement agencies and the criminogenic situation [5].

In Canada, for the most part, the emphasis is on mandatory participation in the court process rather than physical presence in court [10].

One of the examples of the application abroad of the regime of the remote presence of persons during interrogation is the experience of the Italian judiciary. In most cases, the interrogation of witnesses in remote presence have carried out if there is a need to apply security measures. Since 1996, Italy has had a system that allows one to get an image of one of the more than 1,200 witnesses to whom security measures are applied. Moreover, all of them watch him only from the back. In addition, an additional line provided private communication between the witness and his lawyer [12].

The possibility of using such technology as “video conference” is provided for in the domestic criminal procedural legislation.

This term has been used in criminal procedural law and some decisions of the country’s higher courts. For the first time, this concept was introduced in the CPC of Ukraine (1960) on June 16, 2011, Art. 85-3 “Usage of telephone conference and video conference during investigative action”. The current CCP of Ukraine contains more than a dozen norms in which the term “video conference” is used (Articles 35, 206-1, 232, 336, 351, 354, 567 and Transitional Provisions of the CCP of Ukraine).

The use of technical means of video recording to record the progress and results of an investigative (search) action conducted in the mode of a video conference is carried out by an investigator, a prosecutor, or, at his direction, by specialists of expert forensic units at the place of residence of the person conducting such an action, at the place of drawing up the protocol. The video recording must have organized so that the video recording materials, as appendices to the investigative (search) action protocol, contain all the necessary information that reflects the events that occurred during the investigative (search) action in each location. Such a requirement indicates the expediency of using not one but several video cameras to record the course and results of an investigative (search) action conducted in the mode of a video conference. Changing the appearance and voice of a person who was protected and who participates in actions in the video conference mode is a technical task, the execution of which the investigator and prosecutor should entrust to specialists, having ensured that under the created conditions, the person could not identify.

Victims, witnesses (including minors), and suspects may participate in a remote pre-trial investigation, and a representative, defense attorney, specialist, expert, translator, teachers, psychologists, and other persons may participate in their conduct. The need for this arises in connection with the specifics of these actions [5].

The decision to conduct procedural actions in the mode of video conference during the pre-trial investigation is taken by the investigator, the prosecutor, and in the case of interrogating the mode of video conference, according to Art. 225 of the Criminal Code of Ukraine, – an investigating judge on his

initiative or at the request of a party to criminal proceedings or other participants in criminal proceedings (Part 4 of Article 232 of the Criminal Code of Ukraine). The court takes the decision to conduct procedural actions in the mode of a video conference during a trial on its initiative or at the request of a party or other participants in criminal proceedings (Part 2 of Article 336 of the Criminal Procedure Code of Ukraine) [13].

The decision to carry out a remote pre-trial investigation is made by the investigator, prosecutor, investigating judge, and in the case of a trial – by the court in the following cases:

1) in case of impossibility of direct participation of certain persons in pre-trial proceedings due to health or other valid reasons;

2) if necessary, ensure the safety of persons;

3) during the interrogation of a minor or minor witness, the victim;

4) if necessary, take such measures to ensure the efficiency of the pre-trial investigation;

5) in the presence of other grounds determined by the investigator, prosecutor, or investigating judge to be sufficient (Articles 232, 336 of the Criminal Procedure Code of Ukraine) [14].

The court decides to conduct remote court proceedings on its initiative or at the request of a party or other participants in criminal proceedings. Suppose a party to a criminal proceeding or a victim objects to remote court proceedings. In that case, the court may decide on its implementation only with a reasoned resolution, justifying its decision. The court does not have the right to decide on conducting remote court proceedings in which the accused is outside the court premises if he objects to it, except for the cases of conducting remote court proceedings under martial law [14].

The court could accept the evidence obtained in connection with the application of the video conference mode, provided that the proper procedure for conducting investigative (search) and judicial actions has been observed remotely. Observing the conduct of the procedural action and the mental and physical state of the person allows the court to verify the legality and possibility of using evidence obtained using a video conference. In addition, it is necessary to organize a video conference so that it is possible to see the persons participating in it and the premises where they are. Otherwise, such evidence may be denied by a participant in criminal proceedings [12].

The law does not require the issuance of a special resolution on the implementation of investigative (search) actions in videoconference mode, except in cases where a party to the proceedings or the victim objects to it. In this case, the specified officials can still carry out identification, but with the issuance of a reasoned resolution (resolution), in which they justify their decision. Conducting remote proceedings with the suspect's participation when he objects to it is not allowed [5].

It is important to determine the whereabouts of such participants in criminal proceedings as teachers, psychologists, doctors, and legal representatives. Therefore, it must be established in the relevant legal regulations. The latter's absence makes conducting a remote pre-trial investigation and court proceedings difficult. Considering the functions of a teacher, psychologist, doctor, and legal representative, these persons should be close to minors, incapacitated, or persons with limited legal capacity who participate in procedural actions during criminal proceedings. When solving this issue, it is necessary to take into account the peculiarities of conducting procedural actions with the participation of minors, minors, incapacitated or limitedly capable persons, which have provided for in Articles 44, 59, 226, 227, 354, 491 of the Criminal Procedure Code of Ukraine [12].

From the point of view of cybernetic knowledge, interrogation in the videoconference mode is a process of receiving and transmitting information from the investigator to the interrogated and vice versa, which occurs with the help of technical means and the use of technologies that provide video and sound transmission from another room. Thus, in cybernetic sciences, transmitting information is to obtain new knowledge from the carrier. During the interrogation, the investigator faces a wider range of tasks, which are considered here from the point of view of the possibility of solving them during the interrogation in video conference mode.

In Part 1 of Art. 232 of the Criminal Procedure Code of Ukraine provides for the presence of legal and factual grounds for conducting an interrogation in videoconference mode. They must reflect in the materials of the pre-trial proceedings. It is necessary to pay special attention to questioning persons whose safety needs ensuring, defined in the Law of Ukraine as “On ensuring the safety of persons participating in criminal proceedings”. A protected person may be interrogated via video conference with such changes in appearance and voice that it would be impossible to recognize him. The regulation of such possibility and necessity, in addition to domestic legislation, is also mentioned in several international legal documents: (European Convention on Mutual Assistance in Criminal Matters (April 20, 1959); Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters (March 17, 1978) (ratified by the Law of Ukraine dated January 16, 1998); Second Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters (November 8, 2001). [12].

Common to both pre-trial investigation and court proceedings is the rule regarding the possibility of using the video conference mode depending on the respective will of the participants in the criminal proceedings, the investigator, the prosecutor, the investigating judge, and the court. Suppose a person objects to conducting a remote investigation or trial. In that case, it is possible only in the event of a reasoned, substantiated decision of the investigator, prosecutor, investigating judge, or court. At the same time, this rule does not apply to the objection of the suspect (accused), which makes it impossible to use the video conference mode [12].

After the completion of procedural actions in the mode of a video conference, the investigator must

- 1) familiarize the participants of the video conference with its results by viewing the video phonogram;
- 2) record a video phonogram on a video recording medium, creating a backup and working copies;
- 3) check the recording quality of the backup copy;
- 4) to attach backup and working copies to the materials of the criminal proceedings;
- 5) remove the videogram from the technical means of video recording.

The investigator, the prosecutor, must record the progress of these measures in the investigative (search) action protocol in compliance with the requirements of Art–104 of the CPC of Ukraine. Also, after the end of the procedural action in the video conference mode, the investigator or a specialist on his behalf is obliged to block the technical means of video recording or exit the corresponding program [14].

According to the “Regulations on the procedure for the functioning of individual subsystems (modules) of the Unified Judicial Information and Telecommunication System”, a video conference is a telecommunication technology of interactive interaction of two or more remote participants in court proceedings with the possibility of exchanging audio and video information in real-time [15]. The video conferencing system is a complex of technical means and software (at the web address of the judicial authorities of Ukraine: vkz.court.gov.ua) or other means available to the court and participants in the legal process, which ensure the conduct of court sessions in the mode of video conferencing and meet the requirements of the law.

Remote court proceedings have been carried out in the courts of the first, appeal, and cassation instances, the Supreme Court of Ukraine, during court proceedings on any issues, the consideration of which is assigned to the competence of the court [14].

The participants in the court process participate in the court session in the mode of video conference outside the premises of the court, provided that the court has the appropriate technical capability, which the court notes in the decision. Information on holding a court session in video conference mode have posted on the official web portal of the judiciary of Ukraine. Responsibilities regarding implementing organizational measures related to the functioning of the video conference system in the court have been entrusted to the head of the staff of the corresponding court. Risks of the technical impossibility of participation in the video conference mode outside the court premises, and interruption of communication, are borne by the case participant who submitted the relevant application.

To participate in a court session in videoconference mode, a party to the case must first register using a qualified electronic signature in the System and check his technical means for compliance with technical requirements.

The participant in the case submits an application for participation in the court session via video conference outside the court premises. It must include the name of the court; court case number; the date and time of the court session in which the participant wishes to participate in the video conference mode; surname, first name, and patronymic; status in the court case; the e-mail address used by them to register in the System; the name of the System offered for video conferencing (in case of using other software than the one posted at the vkz.court.gov.ua link); phone number for contacting the court; a note about the presence or absence of an electronic signature. A copy of the application has been sent by the participant who applied simultaneously to other participants in the case.

The progress and results of the procedural actions carried out in the video conference mode are recorded by the court, considering the case with the help of technical video recording. The secretary starts to carry out the recording itself from the moment the presiding judge announces the start of it [16].

There is no clear regulation of the defender's location when using the video conference mode in domestic legislation. Three formats are possible: 1) when the lawyer is in the courtroom; 2) when he is with the client outside the courtroom; 3) if there are two or more defenders in the case, one of them can be next to the client, and the other – in the court session. The first format is more common in practice, facilitating the submission of evidence, documents, and petitions, while difficulties arise in communication between the lawyer and the client giving advice. The second option may limit the accused's right to a confidential conversation with his defense attorney in case of recording their communication by technical means. It would be possible to preserve the confidentiality of the conversation by suspending the recording of the video conference by the secretary of the court session for the duration of such a conversation. Therefore, it is advisable to enshrine this provision in the legislation. The third option is the most effective for the client, but one should consider the individual's financial capabilities and expenses for several lawyers [12].

Amendments to the procedural codes allow the participants in the case to participate in the court session in the mode of video conference outside the court premises using their technical means [16]. Confirmation of the participant's identity in the case is carried out using an electronic signature, per the procedure specified by the Law of Ukraine "On the Unified State Demographic Register and documents confirming the citizenship of Ukraine, certifying a person or his special status".

The legal basis for conducting remote criminal proceedings within the framework of international legal assistance with the participation of witnesses, experts, suspects or accused persons who are in the territory of other states is, in particular, the provisions of: 1) the European Convention on Mutual Assistance in Criminal Matters dated April 20, 1959; 2) Art. 10 of the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union dated May 29, 2000; 3) Art. 9 of the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters dated November 8, 2001; 4) Art. 6 of the Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters dated 07.10.2002; 5) international treaties of Ukraine with other states on international legal assistance; 6) Art. 225–227, 228, 229, 232, 336, 552, 566 of the Communist Party of Ukraine; 7) Instructions on the procedure for international cooperation in matters of mutual legal assistance, extradition of offenders (extradition), transfer (acceptance) of convicted persons, execution of sentences and other issues of international judicial cooperation in criminal proceedings during court proceedings [17].

The question of the form and content of the consent of the suspect or the accused to participate in the conduct of procedural actions in the mode of video conference, as well as the means of checking their own will during the presentation of an objection to the consideration of the petition for the selection of a preventive measure of detention in the mode of video conference, remains insufficiently defined in the

Criminal Procedure Code of Ukraine, if the suspect or the accused is outside the court. Also, the question of the consequences of the non-arrival of the defense party to join the trial by video conference remains unresolved [13].

Conclusions. A videoconference is a legally prescribed procedure for implementing certain procedural actions by its participants with the help of audiovisual interaction with the use of technical means during the broadcast from another room in real time.

The practice of using remote proceedings through interactive technologies is relevant today in martial law conditions. The bodies of inquiry, investigation, prosecutor's office, and the court "mobilized" and partially transferred the work format to online mode. The introduced legislative changes allowed the participants in the case to participate in the video conference mode using their technical means.

Using the mentioned progressive norms of criminal procedural legislation contributes to improving the quality of justice, ensuring its availability and realization of the right to judicial protection, shortening the terms of consideration of cases, and saving procedural and financial costs.

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**ЗАСТОСУВАННЯ ІНФОРМАЦІЙНО-ТЕЛЕКОМУНІКАЦІЙНИХ ТЕХНОЛОГІЙ
У КРИМІНАЛЬНОМУ ПРОВАДЖЕННІ В УКРАЇНІ**

Досліджено окремі аспекти використання інформаційно-комунікаційних та цифрових технологій /“режим відеоконференції”, програмних продуктів під час судового провадження, відповідні технічні та процесуальні механізми застосування, зберігання (архівування) доказової інформації, їх регулювання у вітчизняному законодавстві та законодавстві інших держав.

Використання новітніх технологій під час судового провадження набуває актуальності у разі неможливості “фізичної присутності” особи для участі у певних процесуальних (слідчих) діях, судових засіданнях: у разі виникнення надзвичайної ситуації штучного або природного характеру, оголошеного (введеного) в державі воєнного, надзвичайного стану, здійснення заходів із забезпечення національної безпеки й оборони, відсічі і стримування збройної агресії Російської Федерації.

В умовах розвитку інноваційних технологій окремі проблеми, які виникають перед учасниками кримінального провадження, підлягають досить швидкому і, основне, оперативному вирішенню за допомогою сучасних інформаційно-комунікаційних технологій та продуктів.

Якщо на етапах досудового розслідування або судового розгляду справи безпосередня участь особи неможлива з об’єктивних причин, компетентними особами надано правовий дозвіл на прийняття рішення про проведення окремих слідчих чи інших процесуальних дій у режимі відеоконференції.

Найбільш раціональними в цьому контексті є програмні продукти, пов’язані з удосконаленням телекомунікаційних мереж, зокрема, з використанням онлайн-сервісів та платформ. Окремо можна виділити стрімкий розвиток мобільних інформаційних застосунків, зокрема мобільного Інтернету. Ця сфера зв’язку в усьому світі, і в Україні також, освоює нові стандарти, які дозволяють швидше і якісніше обмінюватися інформацією.

Ключові слова: інформація; комунікаційні та цифрові технології; режим відео конференції; програмний продукт; портал; транспортування інформації; дистанційне судочинство.