

The Genesis of Online Dispute Resolution in Ukraine

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Abstract. Procedural pluralism can be understood as the existence of several legal regimes operating within a single sphere of justice (in the broad sense), or as the coexistence of norms and legal institutions of different legal systems (in the narrow sense) that are applied when resolving relevant disputes (conflicts). One manifestation of procedural pluralism can be considered the right of interested parties to choose the method and procedure for resolving/settling a dispute (conflict) between them. Such methods and procedures include online justice. It has been established that online dispute resolution (ODR) has a number of advantages over traditional court proceedings, including efficiency, accessibility, inclusiveness, and flexibility. These characteristics help to reduce the burden on national courts and increase access to justice. The national judicial system has not remained aloof from the introduction of the principles of online justice, within which the direction of digitization of justice was chosen through the introduction of the phenomenon of electronic courts. Unfortunately, Ukraine has not yet developed special procedural rules for online justice, as a result of which the relevant processes remain complex and oriented primarily towards legal professionals. It has been determined that one form of alternative dispute resolution, which mainly arises in the context of smart contracts, is Blockchain arbitration, which combines the speed of consideration with high efficiency of settlement. In addition, Blockchain technology makes it possible not only to automate the consideration of cases, but also to ensure the automatic enforcement of decisions, which helps to increase confidence in such dispute resolution procedures and reduces dependence on centralized institutions. It has been concluded that the transition of the judicial process to an online environment fundamentally changes its nature, requiring not only the adaptation of traditional instruments of classical justice, but also the development and implementation of new mechanisms that take into account modern technological achievements. At the same time, the experience gained during this transformation process can serve as a basis for improving the legal system as a whole and contribute to the effective prevention of future conflicts.

Key words: procedural pluralism, online dispute resolution, e-justice, digitalization, virtual and hybrid court sessions, open justice, Blockchain arbitration.

JEL Classification: K40, K12, O33, L86, K23

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Introduction. Over the past decade, both globally and in Ukraine, there has been active implementation of digital technologies and electronic information processing tools in the judicial system with the aim of improving its efficiency, transparency, and accessibility. Today, it can be said that under the influence of the latest technologies, alternative methods of dispute (conflict) resolution are taking on a new direction of development, which encompasses both the rationalization of existing mechanisms and their fundamental rethinking.

Online justice has become a new subject of research for the national judicial system, legal practice, and domestic procedural scholars.

Given that elements of digital modernization are already integrated into all stages of the judicial process - from the initiation of proceedings to the enforcement of court decisions - the following areas currently remain outside the scope of appropriate regulatory regulation: (a) certain aspects of information support for the activities of the judiciary; (b) innovations in the field of evidentiary procedure; (c) conflicts arising from the use of videoconferencing and web conferencing systems; (d) the relevance and admissibility of using artificial intelligence in the resolution of disputes (conflicts).

In this regard, the formation of a comprehensive policy (general principles) on online justice at the theoretical and practical levels should become a key factor in creating a unified digital procedural model for protecting the rights and interests of individuals and legal entities at both the national and transnational levels.

Literature Review. The development of online dispute resolution and the emergence of digital justice mechanisms have generated a growing body of scholarship examining the transformation of traditional procedural law within cyberspace. Ukrainian researchers such as Bryntsev (2016), Golubeva (2021), Markova (2016), Kibenko (2023), Dynis (2011), and Vasyliiev (2023; 2024) have significantly contributed to the theoretical foundations of this field. Bryntsev (2016) provided one of the earliest comprehensive analyses of the “Electronic Court” in Ukraine, highlighting its legal basis, technical design, and institutional challenges. His findings underscore that while the digitalization of procedural interactions can enhance access to justice, the Ukrainian legal system still lacks coherent standards for authenticating electronic submissions and ensuring procedural equality.

Markova (2016) and Golubeva (2021) examined alternative and informal dispute-resolution mechanisms in civil law, arguing that ODR extends the logic of mediation and arbitration into a digital environment, where procedural flexibility must be balanced with enforceability. Their studies emphasize the importance of clear regulatory boundaries defining the competence of online mediators and the admissibility of electronic evidence. Riepin (2024) further contextualized these findings by assessing Ukraine’s practical experience with ODR initiatives, concluding that the gap between legislative expectations and actual technological readiness remains substantial.

At the macro-theoretical level, Vasyliiev (2023, 2024) developed the concept of procedural pluralism in cyberspace, positing that convergence between national and transnational procedural norms is inevitable as courts adopt hybrid digital interfaces. His research frames ODR not as a parallel process but as a new procedural layer

embedded in the architecture of justice. Similarly, Kibenko (2023) argued that Ukraine's online court system must evolve beyond digitization of paper workflows toward a genuine digital transformation of judicial reasoning and data management.

Among international scholars, Katsh and Rifkin (2001) remain foundational, conceptualizing ODR as a synthesis of dispute-resolution theory and networked communication, where technology itself functions as a "fourth party." Their framework influenced subsequent comparative studies exploring transparency, privacy, and algorithmic neutrality in virtual adjudication (see also Susskind, 2020; Sabreen, 2023). Susskind (2020) examined the long-term implications of online courts for public trust and procedural justice, while Sabreen (2023) problematized the balance between open justice and privacy protection in virtual hearings.

European legal scholarship increasingly situates ODR within broader debates on cyberlaw and transnational justice. Brodowski and Szabó (2024) explored virtual criminal trials within the European Union, demonstrating how digital hearing platforms challenge established jurisdictional doctrines. Vasyliev (2023) and Dynis (2011) likewise noted that cyberspace blurs the distinction between domestic and international adjudication, requiring new theoretical models of procedural sovereignty.

Complementing these legal analyses, sociotechnical perspectives by Castells (2010) and Howe (2009) explain the rise of networked and crowdsourced justice, where digital participation expands but also fragments authority. Nikitenko (2020) applied the notion of crowdsourcing to participatory democracy, offering conceptual tools for understanding user-driven elements of ODR systems.

Despite these advances, the literature collectively reveals significant gaps. Few studies provide a comprehensive differentiation between online dispute-resolution entities or a systematic typology of their competencies. The regulatory basis for procedural guarantees - authentication, data security, enforcement of online settlements - remains insufficiently analyzed, especially within the Ukrainian context. Moreover, most research focuses on technological or normative aspects, with limited empirical assessment of how ODR functions as an independent form of justice, rather than merely a mode of settlement. Consequently, further work is needed to define the structural and functional parameters of online justice, develop unified regulatory frameworks, and evaluate the prospects for integrating ODR mechanisms into Ukraine's judicial ecosystem.

Aims - research into the theoretical and practical foundations of online justice and, on that basis, identification of possible approaches (models) to the legal regulation of online dispute resolution.

Methodology. To achieve this goal, a set of philosophical, general scientific, and specialized scientific principles and methods of scientific cognition were used. The dialectical method allowed for a comprehensive analysis of the online dispute resolution (ODR) system as a dynamic phenomenon developing in the context of modern society and legal globalization processes. The comparative method was used to analyze trends and patterns in the development of ODR in foreign countries, summarize foreign experience, identify common and distinctive features of the phenomenon under study, and formulate proposals for incorporating positive practices

into the process of improving national legislation. Using formal logical methods, we classified types of ODR, which allowed us to thoroughly characterize them and reveal the essence of each. Modeling and forecasting methods were used to determine the prospects for implementing ODR systems in Ukraine and adapting them to the national legal field. The theoretical basis of the study consists of scientific works in the fields of state and law theory, philosophy of law, civil (commercial) procedural law, private international law, publications by practicing lawyers, as well as works from other fields of legal science.

Results. According to the most general definition, «legal pluralism» is a situation in which a person's legal existence is determined simultaneously by several (two or more) legal regulators. In this sense, the term «legal pluralism» attempts to cover the following situations: (1) in the sociology of law - the opposition between formal state law and «living, real» law as separate normative systems; (2) in the anthropology of law - the opposition between official (state) written law and the traditional «customary law» of a particular people.

Legal pluralism is possible not at the level of norms, but at the level of any type of legal activity. In particular, for lawmaking, it is the right to choose the optimal option for legal regulation, which is implemented throughout the entire lawmaking process. For the implementation of the law, it is the right to choose a course of action within the framework permitted by the norms of law (Vasyliiev, 2023).

American legal doctrine proposes using the term «procedural (judicial) pluralism», which implies the existence of parallel methods of dispute (conflict) resolution that are alternative to the justice administered by state courts; when public justice, which favors coercion and relies on state support, applies procedures based on contracts within its own jurisdiction.

It is believed that the development of informal dispute resolution procedures, as a manifestation of «procedural pluralism», was influenced by: (1) «quantitative» reasons related to such requirements for dispute resolution as accessibility, cost-effectiveness, and efficiency; (2) «qualitative» reasons related to the possibility of direct participation of the parties in the resolution of the dispute (conflict), as well as the possibility for the parties to propose their own compromise solution to the dispute (conflict) that would satisfy the interests of both parties (Markova, 2016).

One manifestation of procedural pluralism is the possibility of using alternative methods of dispute (conflict) resolution, which includes «Online dispute resolution» (ODR). This method has a wide variety of terms in its name, for example, «Internet Dispute Resolution» (IDR); «Electronic dispute resolution» (EDR); «Electronic alternative dispute resolution» (EADR); «Online alternative dispute resolution» (OADR).

For a better understanding of the development of ODR in legal practice, attention should be paid to their classification by periodization or cyclicity. Thus, first-generation online dispute resolution (ODR) systems are based on an approach whereby individuals play a key role in planning and decision-making. Although technical means may be involved in such systems, they only perform a supporting function and have no independent influence on the course of the process. These systems are characterized by

a focus on the use of information exchange tools, such as instant messaging, telephone and video communication, e-mail, and the latest forms of remote presence. In contrast, second-generation ODR systems feature deeper integration of digital technologies, enabling them not only to facilitate communication but also to actively contribute to decision-making. Thanks to the inclusion of intelligent and partially autonomous elements, such systems are capable of supporting the development of ideas, action planning, strategy selection, and even participation in decision-making, which significantly expands their functionality compared to the previous stage of development (Riepin, 2024).

An analysis of scientific legal literature allows us to identify the following key features of ODR: (1) an informal and flexible procedure that is not subject to strict procedural requirements and rules of evidence; (2) minimal or no costs for participating in the process; (3) convenience for parties who are geographically distant from each other; (4) suitability for resolving disputes (conflicts) in which the emotional state of the participants makes personal interaction impossible; (5) accessibility for persons with physical disabilities; (6) no need to involve professional lawyers (Golubeva, 2021).

Therefore, ODR can be considered as a form of conflict resolution and settlement carried out with the help of various automated information systems (services) or a digital platform for dispute (conflict) resolution with the mandatory participation of a special entity — the administrator of this platform.

There is a «concept of minimum standards for alternative dispute resolution» that also applies to online dispute resolution. These standards include, in particular: adherence to a reasonable time frame for dispute resolution; independence of persons who make decisions or facilitate the achievement of agreement between the parties; reasonable cost of services; technological neutrality of the platform; accessibility to a wide range of users; and flexibility of procedures used in online dispute resolution.

The practical significance of these standards lies in the fact that only if they are complied with can online proceedings provide the parties with a legal outcome in the form of effective dispute (conflict) resolution. On the other hand, failure to comply with the minimum standards of online settlement leads to the loss of such an outcome: in the event of further consideration of the dispute in court (arbitration body), the decision taken or agreed upon as a result of the online procedure cannot be recognized as legitimate if the rights or legitimate interests of the parties were violated in the process.

An analysis of the functioning of online dispute resolution (ODR) platforms gives grounds to classify them, taking into account the organizational approach and the nature of the resolution tools, into three main forms: online negotiations, online mediation, and online arbitration.

A defining feature of each of these forms is the use of modern Internet technologies as the main channel of communication and interaction between the parties. It seems reasonable to assume that one of the key elements of online dispute resolution (ODR) is the concept of the so-called «fourth party» that joins the conflict resolution process. While the traditional model involves the participation of the first

and second parties (the parties to the dispute) and a third party (a neutral mediator or arbitrator), the fourth party — in both its original and modern forms — performs a supporting function, contributing to the convenience, efficiency, and technological support of the neutral mediator's actions (Katsh, Rifkin, 2001). Therefore, the further development of law enforcement agencies largely depends on expanding the range of tools that provide third parties with new functional capabilities, as well as on the continuous improvement of software that can function effectively even in complex and atypical circumstances.

E-justice model. The digital technologies introduced in Ukraine in the field of judicial proceedings have been dubbed «digitization». It is now possible to file lawsuits, statements, and responses to lawsuits in electronic form, as well as to track the progress of cases and court decisions. This approach has increased the openness and accessibility of justice for all participants in the process and has contributed to its efficiency. In addition, the integration of modern information technologies into the judicial system has reduced the workload on court employees and optimized resource costs.

The development of an e-justice system in the national judiciary is based on a combination of organizational, economic, legal, and technical measures aimed at promoting the effective use of information and communication technologies in the activities of judicial bodies. In a broad sense, e-justice is understood to mean not only electronic justice itself, but also all processes related to justice, in particular the organization of court activities not related to the administration of justice.

The main components of e-justice include: (1) the ability to file lawsuits and other procedural documents online; (2) the use of electronic means of evidence; (3) conducting court hearings online using video conferencing via platforms such as Google Meet or Zoom, as well as email; (4) the creation of electronic files, which involves converting document flow and record keeping into digital format; (5) ensuring access to case materials for participants in the proceedings and other interested parties via the Internet; (6) the use of electronic summonses; (7) the possibility of conducting court proceedings entirely using digital means (Vasyliiev, 2024).

At the same time, scholars point out that the mere fact of combining courts into a single computerized system does not yet indicate the establishment of full-fledged e-justice. Similarly, the publication of court decisions on the Internet or the creation of official web resources for judicial institutions are not sufficient indicators of this phenomenon. In legal literature, the term «e-justice» is often used to refer to all information and technological innovations, from the means of communication between the parties to the proceedings and the court to access to case materials through official websites or the publication of court decisions in the public domain. However, such a generalization does not allow for the formation of an accurate and comprehensive understanding of the essence of e-justice (Bryntsev, 2016).

We share the approach of those experts who view national e-justice solely as a set of automated information systems and services that enable courts and other participants in the process to perform actions required by law in the form of electronic exchange of

procedural information and digital interaction within the framework of court proceedings (Korshun, 2017).

As Supreme Court Judge O. Kibenko rightly points out, the «Electronic Court» and «Electronic Office» modules, which enable participants in proceedings and their representatives to communicate with the court via an electronic office, are imperfect and not consumer-oriented. Ukraine has not created special rules for online litigation; our process remains complex and lawyer-oriented. A party that decides to participate in such a process without a lawyer (offline or online) finds itself in a losing situation from the outset (Kibenko, 2023).

A similar approach to the introduction of digital technologies in the administration of justice, namely conducting court proceedings with remote participants (remote hearings), is known in many foreign countries, for example, the Small Claims Court and the HMTCS (Her Majesty's Courts and Tribunals Service) in the United Kingdom, the Civil Resolution Tribunal in British Columbia and Canada, the Online Registry and Online Court NWS (New South Wales) in Australia, the E-File system in Estonia, Smart Courts in China, and eLitigation in Singapore.

For example, in the US and Canada, the COVID-19 pandemic led to the introduction of so-called «virtual court hearings», where all participants in the trial are present via videoconference. Witnesses and jurors can also participate remotely, depending on the circumstances. Alternatively, the court may have a mixed scheme, where some participants are present in person and others remotely.

Secure and reliable technology integration has become key to virtual proceedings, which are characterized by (a) secure connectivity for all court-compliant devices and browsers; (b) ensuring data sovereignty, confidentiality, and compliance; (c) customization and full branding to increase trust and comfort; (d) simplicity and efficiency of the process of joining remote court sessions.

Great importance is attached to the issue of openness and confidentiality of «virtual proceedings». For example, recording and/or broadcasting virtual hearings in the Federal Court of Canada is prohibited, except under certain conditions set out in the «Policy on Public and Media Access to the Federal Court of Canada». [11].

As noted by European lawyers (Roopam, 2023), virtual and hybrid court hearings using, among other things, videoconferencing technology, are an inevitable trend that has certain advantages. This position can be illustrated in the table 1.

The process of «digitizing the judiciary» in England and Wales involves the introduction of a three-stage process: (1) «sorting» or an automated process that provides guidance and online assessment of the dispute; (2) a combination of conciliation and case management by judicial advisors; (3) judicial review, which consists of judges deciding cases based on documents, by telephone, video link, or in person (Sabreen, 2023). Currently, fully functional online courts in the UK are mainly used to hear civil, family, and certain categories of administrative disputes.

Table 1. Advantages of Virtual and Hybrid Court Hearings Enabled by Secure Videoconferencing

Advantage	Contents
Improving efficiency	The time required to implement procedures is accelerated, thereby reducing the number of pending cases.
Cost reduction	Savings on transportation costs and reduction in the number of staff required during court hearings
Improving turnout	Reduction in absenteeism
Expanding access	Expanding access to fair justice for all, especially for those who do not live (are stationed) in the same area as the court
Ensuring continuity	Continuing operations during health crises or natural disasters
Improved safety	Reduced need to transport witnesses or defendants to the courthouse, increased safety for courtroom staff, legal representatives, witnesses, and defendants
Effective documentation	Ensuring high-quality documentation of court hearings through convenient recordings and transcripts
Better advocacy	Providing live chat for more meaningful interaction between lawyers and clients during hearings

Sources: adapted from (Roopam, 2023)

British scholar Richard Sasskind classifies «open justice» as one of the key principles of ensuring access to justice. In his opinion, (1) online courts aim to strengthen this principle by expanding the opportunities for individuals without legal education and increasing information transparency; (2) open justice, as a component of access to justice, involves not so much the physical openness of courts as the creation of conditions enabling individuals without professional legal training to navigate the court system independently with the help of understandable legal guidelines (Sasskind, 2020).

At the same time, the procedure for online consideration of criminal cases remains controversial and raises numerous comments from the scientific community, human rights defenders, and practitioners, which indicates the existence of significant problems in its implementation and realization. Among these problems are the right of the accused to be personally present at the trial, the possibility of personal communication with a defense attorney before the charges are brought or before a preventive measure or even an indictment is applied.

These issues have gone beyond the borders of individual states and have been quite successfully interpreted by the European Court of Human Rights (ECHR). It is noted that the right of the accused to be present at the trial is part of the right to a fair trial provided for in Article 6 of the European Convention on Human Rights (ECHR). However, the ECHR has consistently ruled that this right is not absolute. Under certain circumstances, the accused may, at his or her own discretion, explicitly or implicitly, but unequivocally, waive this right (*Marcello Viola v Italy*, 05.10.2006).

With regard to the use of videoconferencing technology in court proceedings, the ECHR has determined that this form of participation in proceedings is not in itself incompatible with the concept of a fair and public hearing. However, online hearings are subject to the fundamental requirement that they should only be used in justified cases and should always be aimed at achieving a legitimate objective. In addition, in order for the accused to participate in online proceedings, it must be ensured that they can effectively participate in the proceedings using the chosen means of

communication, and that any restriction of rights caused by online presence must be compensated for by the court by other means. Effective participation via online means includes access to technical equipment, uninterrupted visibility and audibility of the proceedings from both sides, and uninterrupted participation without technical obstacles. Furthermore, in the practice of the ECHR, it is of paramount importance to ensure effective and confidential communication between the accused and the defense during online proceedings (Brodowski, Szabó, 2024).

Model of digital transformation of the judicial system. The development of information and communication technologies has led to the emergence of a new space for social interaction that functions beyond traditional temporal and territorial boundaries. Sociologists have proposed calling this space the «network society» — a dynamically open system based on networks of production, power, and experience (Castells, 2010).

The fact that virtual space for social interaction really exists has created a need for unified international legal regulation, since turning to traditional national legal systems and current international law creates a bunch of legal uncertainties. Among the main reasons for such uncertainty are: (1) normative locality, which implies the geographical attachment of legal norms (for example, in contractual legal relations — to the place of business or to the location of the party to the contract); (2) conflict of jurisdiction between the legal systems of different states; (3) difficulties in the application of foreign law by national courts or the absence of relevant regulatory provisions in national legislation regarding legal relations in cyberspace.

Therefore, a more attractive model of online justice in such a space is an approach based on the digital transformation of justice, which is implemented through specially designed rules and procedures involving modern mobile applications and intelligent systems, in particular based on artificial intelligence. Its ultimate goal is to create a judicial system that is accessible 24/7 from anywhere in the world using familiar digital devices such as smartphones, tablets, or laptops.

Unlike the Electronic Court project, which focuses on digitizing existing procedural procedures, the concept of an online court involves creating a fundamentally new digital environment for resolving disputes. In this model, the court or judge may only participate at the final stage of the proceedings. The online court operates based on algorithmic decisions, which allows the process to be carried out without the need for special legal knowledge or the participation of a lawyer. The main goal is to ensure fast, convenient, and continuous (24/7) access to justice without the need for personal presence or court hearings. According to the proposed vision, all actions — from filing a claim against the debtor to obtaining a court decision — can be carried out using a regular smartphone (Kibenko, 2023).

It should be noted that new institutions have emerged in modern legal practice, including online contracts, smart contracts using Blockchain technology, online platforms, online arbitration, Blockchain arbitration, mobile commerce (m-commerce), and others. Their emergence or adaptation is directly related to the transformation of social relations in the context of the rapid development of information and

communication technologies, which, in turn, requires their study and analysis in order to develop general principles and mechanisms for their functioning and protection.

For example, a smart contract is the result of the automation of contractual activities and is a computer code that contains the terms of an agreement between two or more parties. When the conditions or events specified in it occur, such code is capable of independently performing the intended functions without additional external intervention. A smart contract is stored and processed in a distributed registry (in particular, based on Blockchain technology), with the ability to record and reflect any changes resulting from its execution. Accordingly, Blockchain arbitration is a quasi-judicial dispute resolution procedure, which is enshrined in the form of a special protocol in the smart contract code. Authorized (specially selected) arbitrators based on fairness and legitimacy carry out such arbitration. The decision made within this procedure is executed automatically using Blockchain technology, which guarantees a high level of transparency, security, and immutability of the process.

These and similar forms of dispute (conflict) resolution are currently available on platforms such as Kleros, Oath, Aragon, BitCad, CrowdJury, Confideal, Jur and others. It is also important to note the existence of online platforms such as eBay, PayPal, Amazon and Alibaba, which have created their own online consumer dispute resolution services.

Thus, today there is a system in place that not only formulates, updates, and interprets norms, but also creates institutions for their practical application in dispute resolution, with its developers simultaneously performing the functions of arbitrators or law enforcement agencies (Levit, 2005).

Online dispute resolution is gradually being integrated into formal justice digital platforms, becoming an integral part of them, which in turn indicates the formation of a new dispute resolution system structure.

In this regard, attention should be paid crowdsourcing platforms, as a type of decentralized platform aimed at resolving disputes, namely business crowdsourcing, which can be characterized as the mobilization of resources and the search for non-standard solutions using information technologies, which at the same time contributes to the formation of new forms of interaction between participants in the relevant business environment.

This type of crowdsourcing has the following characteristics: (1) active use of information and communication technologies; (2) high efficiency in achieving the set goal; (3) the ability to attract a large number of participants; (4) voluntary participation based on personal initiative; (5) clear motivation among participants; (6) global scale of implementation without territorial restrictions; (7) ability to collectively solve complex problems that are difficult for individual specialists to overcome; (8) economical use of resources (free participation or symbolic remuneration); (9) variety of forms of implementation; (10) focus on the interests of different social groups; (11) potential legal consequences of decisions made (Nikitenko, 2020).

As Jeff Howe rightly points out: «Virtual communities are the foundation of crowdsourcing, providing the context and structure in which the ‘work’ is done” (Howe, 2009).

Thus, information and communication paradigms contribute to establishing meaningful dialogue between participants in the information society and searching for effective forms of interaction between them, aimed at more fully satisfying the needs of the parties in the communication process — primarily in the sphere of economic (business, commercial) relations and ensuring their protection.

Trends in the delocalization of law in transnational online litigation. The networked information society has led to a serious complication of modern legal architecture. So-called «supranational law» and «supranational jurisdiction» are gradually becoming a priority in solving the global problems of today, whose main characteristics are its cross-border nature and the voluntary transfer, on a contractual basis, of part of the sovereign rights in the legal sphere by its member states to an integrative (supranational) association. The development of supranational legal institutions is becoming an auxiliary basis (booster) that accelerates the action of globalization processes at the global level and requires urgent steps to universalize legal institutions, principles, and norms in national legal systems.

Today, we can talk about the emergence of an autonomous system of norms that competes with law or is even equated with positive law, which has been called cyber law, supranational Internet law and lex informatica.

As noted in scientific literature, cyberspace has no borders. It is a sphere where science and law inevitably converge. Legal regulation in cyberspace has three main areas: e-commerce, intellectual property protection, and cybercrime (Jambholkar, 2000).

The development of common practices on the Internet can be seen as the beginning of the formation of a set of rules independent of national legal systems, which will be used on the Internet in general and in international electronic commerce in particular.

The Internet is often seen as communication without borders due to its technological advantages, Internet communications, regardless of the consumer's location. Communications without borders are spreading rapidly, creating legal conflicts of jurisdiction both in relation to the subject matter of public law and in relation to private law. In practice, the borderless Internet argues for the emergence of an interdependent global world and numerous related problems—a wide range of trends that confirm the erosion (reduction) of the scope of social, political, economic, and legal orders, as well as the state (Dinys, 2011).

In other words, we can talk about the «delocalization of law», which is occurring in parallel with the formation of a global legal order based not on the unification of legal systems, but on more flexible approaches that are consistent with the latest network forms of social organization.

Today, there is a tendency toward regulatory and institutional shifts into the extra-legal sphere, manifested in the creation of alternative, non-governmental dispute resolution systems that operate based on informal (non-governmental) regulation. This process is accompanied by the actualization of concepts such as lex mercatoria, lex informatica, or e-merchant, which are based on recommendations, guidelines, internal rules, standards, guidelines, and other documents developed by the platforms

themselves for dispute resolution. Other sources of such regulation include established customs, practices, and other informal norms that arise in the process of regulating legal relations in the digital environment.

Thus, transferring the resolution of disputes to the jurisdiction of a non-governmental entity or platform structure effectively removes the problem of choosing the applicable law. Conflict of law issues become irrelevant because the dispute is considered outside the legal systems of individual states — this is especially true for decentralized forms of online justice that operate based on crowdsourcing approaches.

Discussion. Objective transformations of the modern world order under the influence of globalization processes have led to the intensification of scientific research in the field of electronic justice. In this context, the concept of e-justice is gradually developing and spreading within the framework of national, international, and supranational forms of legal integration.

Digital network technologies have enabled individuals and organizations to independently generate and distribute content in cyberspace, largely avoiding traditional control by state structures. This has led to a shift towards autonomous self-communication, which has become a reality thanks to the Internet. This format of free communication allows people to overcome established power relations enshrined in social institutions, including in matters of justice. The ideas of decentralization, autonomy, and independence are particularly evident in Blockchain technology, which is actively used as a tool for regulating network relations. As a result, the state and business structures are forced to adapt to the new conditions of the global world order and seek innovative forms of interaction.

In legal terms, these processes give rise to new challenges: how can decentralized technologies be reconciled with the principles of state sovereignty, jurisdiction, and control? The use of Blockchain in smart contracts, electronic document management, or digital identification raises questions about the legal force of such instruments, their relationship with traditional legal norms, and new mechanisms for ensuring accountability and protection. Thus, the development of digital technologies requires a rethinking of existing paradigms of legal regulation of the protection of the rights and interests of individuals and legal entities, and the formation of a flexible cyber law system capable of integrating innovative forms of social relations.

In this context, further scientific research aimed at studying electronic justice in a globalized environment is of particular importance for rethinking approaches to analyzing its dynamics at both the interstate and global levels. Such analysis makes it possible to identify patterns in the development of digital forms of justice, compare national models, and adapt them to international standards. As a result, a theoretical basis is formed for improving existing approaches and developing new tools for resolving legal conflicts in electronic justice. This applies to both the national legal space and broader integration formats that provide for the harmonization of procedural rules, improved communication between jurisdictions, and the protection of the rights of participants in the process in cyberspace.

Conclusion. From a procedural perspective, online justice is seen as a way for parties to a dispute (conflict) to carry out procedural actions using information and communication technologies.

The use of digital technologies and ODR platforms as an alternative means of resolving disputes (conflicts) should be considered a manifestation of «procedural pluralism», which does not limit the right of the parties to go to court to protect their rights and legitimate interests. The main function of such institutions is to facilitate the rapid and effective settlement of disputes (conflicts) by organizing online negotiations, exchanging documents and positions of the parties within the framework of judicial/pre-trial/extrajudicial proceedings.

The digitization of the judicial system manifests itself in expanded access to justice and improved mechanisms for exercising procedural rights in the modern digital environment. The experience of foreign countries shows the diversity of forms and methods of «electronic justice», which stimulates the modernization of national procedural law, which remains imperfect in both organizational and procedural aspects.

The digitization of the judicial system is changing the foundations of how legal systems function, contributing to the formation and spread of a global trend toward the introduction of online justice. It can already be said that, under the influence of the latest technologies, alternative methods of dispute (conflict) resolution are taking on a new direction of development, which involves not so much the improvement of existing mechanisms as their conceptual rethinking.

Modern digital network technologies enable individuals and legal entities to independently create information content and distribute it in cyberspace, significantly minimizing the influence of corporate and administrative control.

The introduction of Blockchain technologies into the field of cross-border dispute resolution greatly contributes to the hybridization of regulatory approaches and conflict resolution mechanisms. This technology creates the conditions for the emergence of new quasi-judicial online institutions characterized by autonomy, decentralized structure, and the use of crowdsourcing approaches. It significantly changes the perception of the nature of online dispute resolution (ODR) procedures, fundamentally differing in the possibility of automated enforcement of decisions.

The digital environment and cyberspace contribute to the increasing delocalization of legal relations, effectively eliminating conflicts between legal systems and leading to the autonomization of regulatory control. This is accompanied by the formation of institutional mechanisms for resolving cross-border disputes based on the principles of decentralization. The complexity of social interactions at the supranational level is leading to a gradual shift towards understanding law as a system of actually observed norms of behavior that have legally significant consequences, regardless of their state origin.

In this context, the concept of *lex mercatoria* is of scientific and practical interest, as it promotes a gradual departure from the traditional model of handling cases with a foreign element, within which national legal systems were the only legitimate basis for resolving transnational commercial disputes. This concept, demonstrating significant potential, offers an alternative structure for cross-border regulation, which provides for

an increased role for courts and judges in shaping a new regulatory architecture, as opposed to the dominant role of the legislature. This approach finally establishes procedural autonomy as a fundamental principle of modern law enforcement in the field of international commercial arbitration.

Thus, alongside state and international regulation, new forms of objectification of the regulatory framework are gradually emerging. These include autonomous sets of special rules and regulations that function according to the logic of statutory regulation, as well as principles of law, codes of practice, and standards of conduct.

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