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Technological challenges, with particular attention being paid to the introduction of digital technology and artificial intelligence into the organisation of the administration and administrative justice

QUESTIONNAIRE

Responses from _____ (Please indicate your institution)

This questionnaire has been prepared in anticipation of the seminar to be held in Turin on 23 and 24 November 2026. In accordance with point 2 of the guiding principles adopted by the Hellenic Presidency of ACA-Europe, it aims to explore the current challenges facing administrative judges, particularly those related to technology, and more specifically the introduction of digitalisation and artificial intelligence into the organisation and functioning of the administration and administrative justice.

In order to gain an in-depth understanding of the various dimensions of these technological challenges, the survey is split into three parts:

Part A - The digitalisation of administrative proceedings, with a focus on the experience of various supreme administrative jurisdictions and the impact of this transformation on the organisation and conduct of judicial activity.

Part B - Automated administrative decision-making and judicial review by administrative courts, particularly issues of technical discretion, automation and the delimitation of judicial powers.

Part C - The role of the administrative judge and the use of artificial intelligence in the performance of judicial functions and in the decision-making process, particularly in light of Regulation (EU) 2024/1689, known as the 'AI Act', as well as other European Union standards and regulations, such as Regulation (EU) 2016/679, known as the 'GDPR', Regulation (EU) 2022/2065, known as the 'DSA', and Regulation (EU) 2022/1925, known as the 'DMA'.

Part A

The digitalisation of administrative proceedings and the use of artificial intelligence tools by the administrative justice system

A.I – Infrastructure and technological organisation

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A.I.1 – Digital equipment and resources

1. What is the level of digital equipment available to judges and administrative staff?

☐ Non-existent
☐ Limited
☐ Intermediate
☐ High
X☐ Complete
Please explain if necessary:
Each magistrate has access to hardware and software that allows them to connect securely and continuously, wherever they are in the world. This equipment includes:

– a desktop computer with a domestic ADSL (Asymmetric Digital Subscriber Line) connection linked directly to the administrative justice network;
– a printer;
– dual monitors (on request);
– a laptop, a tablet and a work smartphone;
– a remote digital signature;
– an institutional email account;
– OneDrive;
– a client for accessing the VPN (Virtual Private Network) with MFA (Multi-Factor Authentication);
– access to the Microsoft Office 365 suite.

Administrative staff are equipped with:

- a desktop computer at work;
- a network printer;
- dual monitors (on request);
- a laptop and, for specific assignments, a tablet and a work smartphone;
- a remote digital signature;
- an institutional email account;
- OneDrive;
- a client for VPN access with MFA authentication;
- access to the Microsoft Office 365 suite.

2. Is the technological infrastructure (networks, servers, equipment, connectivity) suited to the day-to-day operational needs of the administrative jurisdictions?

☐ Strongly disagree
☐ Somewhat disagree
☐ Neither agree nor disagree
☐ Somewhat agree
X☐ Strongly agree

Please explain if necessary:
The technological infrastructure, based on a redundant multi-cloud architecture, guarantees high levels of service and resilience. State-of-the-art security solutions have

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been implemented, while connectivity has been optimally scaled to meet the needs of each court. Advanced user support services – for magistrates and administrative staff – are also planned, accompanied by high service level agreements (SLAs).

A.I.2 – Cloud solutions, remote access and interoperability

3. To what extent does your jurisdiction use cloud-based solutions for its information systems?

☐ Not at all
☐ To a limited extent
☐ Moderately
X☐ Extensively
☐ Completely
Please explain, where applicable, and, in the absence of cloud solutions, specify the alternative infrastructure solutions implemented:

In accordance with the national digital transformation strategy and applicable regulations, in September 2023, the Italian administrative justice system completed the migration of its main systems to a cloud infrastructure, thereby ensuring enhanced security and availability of the services provided. However, a residual component is still hosted in on-site data centres, with a disaster recovery site located in a remote, secure location.

3a. Do the adopted technical solutions enable judges and staff to perform their duties remotely using the institutional equipment made available to them? If so, please specify any limitations.

The high standard of IT equipment provided by the Court, combined with the use of advanced IT applications, allows work to be organised flexibly, based on the 'work anywhere' model.
In this context, the Magistrates' Web Office is currently being set up. Accessible via a web browser and integrated into the magistrates' portal, this application allows judges to perform their duties securely, from any location and using a variety of devices, without the need for physical media or local applications installed on workstations.
This solution offers centralised workflow management, direct access to files and decision archives, and the ability to draft, sign and deliver documents in a fully digital environment.
It is also possible to work offline, with automatic synchronisation of content as soon as the connection is restored, thus ensuring business continuity in the event of a temporary loss of network access.
The only potential limitations relate to the need for adequate digital authentication and connectivity devices, as well as compliance with the security measures normally required for access to institutional systems.

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3b. Are the applications being used interoperable with other national or cross-border judicial IT systems? If so, please specify the extent of this interoperability.

The core systems ensure a high level of interoperability with key national platforms – such as the National Digital Data Platform, the Ministry of Infrastructure and Transport and the Avvocatura Generale dello Stato – as well as with international systems, such as the European Case Law Identifier (ECLI), thus ensuring that the Italian administrative justice system runs smoothly.

A.II – Digitalisation and dematerialisation of judicial administrative proceedings

A.II.1 – Dematerialised administrative proceedings

4. Is a dematerialised judicial administrative proceedings system in place within your jurisdiction?

☐ No
☐ Yes, at an initial stage
☐ Yes, at an intermediate stage
☐ Yes, at an advanced stage
X☐ Yes, on a fully integrated basis
Please explain if necessary:

Since 1 January 2017, the Telematic Administrative Proceedings (PAT) system has been operational. It has enabled the digitalisation of the entire cycle of judicial procedural activities, which has had a significant impact on the working methods of magistrates, lawyers and administrative staff, and has facilitated access to administrative justice services. The PAT is subject to continuous improvement and is part of a broader approach to re-engineering both external (lawyers, members of the public, court officials) and internal (magistrates, presidents, court clerks) systems and portals, with the aim of enhancing security, ergonomics, accessibility and integration, and to create conditions conducive to new innovations, including the development of mobile services via dedicated applications.
With regard to external portals, particularly those for lawyers, access procedures have recently been modernised, based on the exclusive use of digital identities (SPID, CIE and CNS), in accordance with the regulatory framework in force and security requirements. New online filing features, based on guided procedures (Formweb), are also planned in order to reduce errors and improve the quality of data in electronic files. All of these actions are aimed at increasing the efficiency of each phase of the management of proceedings, from the moment they are instituted, thereby helping to adapt the system in terms of both its structure and its functionality.

4a. When this system exists at least at an initial stage, do judges and staff process and sign documents exclusively in digital format in their everyday working practice?

☐ Never
☐ Rarely
☐ Occasionally

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☐ Frequently
X☐ Always

Please explain if necessary:

Documents are managed and signed exclusively in digital form. Electronic signatures are fully integrated into the Italian administrative justice information systems, where they are used systematically by judges and staff as part of digital workflows.

4b. Percentage of paper files prior to the implementation of dematerialised administrative proceedings that have been digitised:

☐ 0–20%

☐ 20–40%

☐ 40–65%

X☐ 60–80%

☐ 80–100%

A.II.2 – Digital services for members of the public, lawyers and public authorities
5. Are digital services available for filing documents, consulting files, notifications, payments or other related services? If so, please specify which ones.

These services are fully integrated into the Administrative Justice Information System (SIGA), the central platform for the digital management of telematic judicial administrative proceedings. The institutional portal, which supports this system, offers additional features and services designed to ensure accessibility, transparency and effective interaction with magistrates, administrative staff, lawyers and members of the public.
This integration provides a consistent and secure technological environment that promotes interoperability with other national and international systems, while ensuring operational continuity and quality of service.

6. Do these digital services guarantee an adequate level of accessibility for people with disabilities?

☐ 0–20%

☐ 20–40%

☐ 40–65%

☐ 60–80%

X☐ 80 - 100%

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7. Are lawyers involved in the design, development and implementation of digital platforms and tools intended for their use?
If so, please specify the terms of this involvement.

Yes, lawyers are involved in the design, development and implementation of digital platforms and tools for administrative justice.
This involvement takes place on the basis of formal, ongoing and multi-level procedures, which can be summarised as follows:

I) Mandatory institutional consultation: in accordance with Article 13 of Annex 2 to the Code of Administrative Procedure, the adoption and amendment of technical and operational rules for dematerialised judicial administrative proceedings must involve the National Bar Council (CNF) and the most representative specialist lawyers' associations, which are called upon to give their opinions on drafts prepared by the Court.
II) Preliminary discussions and contributions to the design: during the design and development phase of the new platforms (in particular the new Lawyers' Portal and the Formweb filing system), preliminary discussions were held with the CNF, the State Attorney General's Office and lawyers' associations in order to gather operational feedback and suggestions for improvement, many of which were incorporated into the final version of the solutions.
III) Consideration of the requirements of the legal profession: the introduction of the lawyer's employee profile is a significant example of this. Developed to meet an organisational need expressed by the profession, it has been integrated into the system in compliance with security, liability and digital identification rules.
IV) Participation in the piloting and transition phases: the rollout of the new platforms involves testing and a gradual introduction phases, during which lawyers are involved as qualified users. Opportunities for discussion, information sharing and feedback collection are planned to ensure an orderly and functional transition to the new system.
V) Ongoing and cooperative dialogue: the Court has adopted a synergistic approach with the legal profession, promoting dialogue as an essential tool for ensuring that digital solutions are technologically advanced and consistent with the operational needs of professionals and the guarantees of the right to defence.
The involvement of the legal profession is a structural element of the governance model for digital innovation processes in administrative justice.

8. Are there any support and training measures in place for users outside the court system (lawyers, members of the public, government agencies) regarding the use of the digital tools available to them?
X☐ YES
☐ NO

If so, please specify which ones

Structured measures to support the training of external users are planned and implemented for the use of digital platforms and tools in administrative justice.
These measures include:

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- dedicated assistance via technical and specialised support channels;
- training content (video tutorials and recorded training sessions) made available on institutional portals;
- regularly updated FAQ sections;
- operational manuals, designed to assist users in utilising the features and during the evolutionary transition phases of the systems.

These support initiatives are designed to ensure the conscious, secure and effective use of digital tools, including when new features or platforms are introduced.

A.III – Security of information systems and data protection

A.III.1 – Compliance with the regulatory framework

9. Do your jurisdiction's information systems comply with European and national standards on security, data protection and digital preservation?

☐ Strongly disagree
☐ Agree only slightly
☐ Indifferent
☐ Somewhat agree
X☐ Strongly agree

Please explain if necessary:

The systems comply with national and European regulations on cybersecurity, personal data protection and digital preservation. The infrastructure is protected by advanced cybersecurity solutions that comply with the NIS 2 (Network and Information Security 2) Directive and are also based on artificial intelligence technologies.
Incident response procedures are implemented in accordance with the highest international standards to ensure a rapid and effective response in the event of a problem. Data and document storage complies with current standards, with redundancy mechanisms and disaster recovery techniques in place to ensure the operational continuity of the services provided, even in the event of an emergency.

A.III.2 – Incident management and business continuity

10. Are IT security incidents dealt with promptly and effectively?
☐ Never
☐ Rarely
☐ Occasionally
☐ Frequently
X☐ Always

11. Are business continuity and disaster recovery plans regularly updated and tested?

☐ Never
☐ Rarely

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☐ Occasionally
☐ Frequently
X☐ Always

A.III.3 – Publicity and dissemination of court decisions

12. Are court decisions available online in their entirety?

☐ Never
☐ Rarely (only for the most significant decisions)
☐ Occasionally
☐ Frequently
X☐ Always

Please add any additional information and explain if necessary:

All administrative court decisions are available in full, with sensitive data redacted to protect the privacy of the parties, on the institutional website and via the European Case Law Identifier (ECLI) search engine.
In addition, the OPENGA portal provides users and operators with various data sets that organise and classify the decisions of administrative justice bodies.

13. Where a system for publishing decisions online is in place, is there an internal policy to ensure the protection of personal data and respect for the right to be forgotten?

☐ No
☐ No formalised policy; anonymisation is carried out by the registry services on a case-by-case basis
☐ No formalised policy; anonymisation is decided on a case-by-case basis on the instructions of judges
☐ Yes, personal data are systematically anonymised
X☐ Yes, personal data are anonymised in accordance with an internal policy providing for targeted exceptions
☐ Other (please specify)

A.IV – Training and digital skills

14. Does your jurisdiction offer structured and regularly updated digital technology training courses for judges and staff?

If so, please specify which ones.

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The Council of State offers structured, continuous and up-to-date IT training courses for magistrates and administrative staff.
The Administrative Justice Presidency Council (the self-governing body for administrative judges) has approved an IT training programme, developed and monitored by the IT Department, aimed at supporting the evolution of digital systems and strengthening skills in the use of platforms, cybersecurity and the application tools in use.
All new magistrates also receive in-depth initial training when they take up their posts, with particular emphasis on administrative justice information systems, dematerialised administrative proceedings, and tools for drafting and digitally managing decisions.
Training is also provided through a dedicated e-learning platform for magistrates and administrative staff. It allows access to content in synchronous or asynchronous mode, tracking of training activities, and continuous updating of materials, including cybersecurity modules and key operational applications.

A.V – Involvement of judges in digital transformation

15. To what extent are judges involved in decision-making and design processes relating to technological innovation and digital transformation in the judiciary? If applicable, please provide details.

Magistrates are involved on a structural basis in decision-making and design processes relating to technological innovation and digitalisation.
The main innovations introduced in administrative justice respond to operational needs expressed by magistrates, who help identify priorities and play a key role during the piloting phase, when systems are tested and adapted to the requirements of judicial work.
Their contribution is particularly noteworthy in testing the artificial intelligence tools developed as part of the business intelligence and AI platform, in order to refine their functionality and ensure that these tools remain exclusively instruments for supporting judicial activity, without interfering in the content of decisions.
In this context, magistrates working in the IT Department, which is headed by a magistrate, play a central role in promoting structural integration between the operational needs of the judicial function and the technical component, thanks to the skills developed in the course of the Department's activities. Given the dynamic nature of IT systems, the implementation and development process is constantly driven by feedback from judges.

A.VI – Use of AI systems in administrative justice

A.VI.1 – Tools and level of deployment

16. Are artificial intelligence systems currently used to assist in judicial or administrative activities?

Artificial intelligence applications are used to support judicial and administrative activities as part of the business intelligence and artificial intelligence platform for

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administrative justice, developed in-house by the administration and intended for widespread use across all judicial services.
AI applications have a strictly instrumental and supportive function and have no impact on the decisions made by judges. In particular, the use cases implemented concern:
– identifying similar or related appeals to optimise the organisation of work and prevent contradictory decisions;
– advanced case-law research, based on semantic relationships and not just keywords;
– extracting and displaying regulatory and case-law references contained in defence documents;
– support for the anonymisation of decisions, subject to verification and validation by court clerks.
All AI tools are trained exclusively on internal data, are in the process of being integrated with the administrative justice information system, and are designed according to a rigorous governance model, ensuring traceability, human supervision and process integrity. The use of generative AI systems for drafting texts or for decision-making purposes is expressly excluded.

16a. If so, which ones are used? (Please tick all that apply)

☐ Chatbots

X☐ Semantic search tools

X☐ Automated anonymisation of decisions

X☐ Text analysis and assistance with legal research

X☐ Tools to assist with organisation and court management

☐ Other (please specify)

16b. Overall level of internal deployment of AI systems:

☐ Occasional or isolated use
☐ Trial phase
X☐ Development phase
☐ Widespread use
☐ Full integration

Please explain if necessary:

Since 2020, the administrative justice system has adopted artificial intelligence technologies in the field of cybersecurity, strengthening the protection of systems and

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data. Since 2024, innovative application solutions, also based on AI, have been developed to support judges and administrative staff. The process of fully integrating these features into the administrative justice information system (SIGA) is under way in order to strengthen the electronic administrative process. The main functions already implemented include those mentioned in answer 16.
Developments in existing use cases and analysis of new areas of application are also under way, with the aim of ensuring continuous innovation and maximum reliability for the digital ecosystem of administrative justice.

A.VII – Governance, regulation and ethical framework for AI

A.VII.1 – Internal guidelines and regulatory compliance

17. Has your jurisdiction adopted any internal guidelines, charters or policies governing the use of AI systems, in particular in application of Regulation (EU) 2024/1689 (the AI Act), the GDPR and other relevant European instruments?

X☐ YES

☐ NO

If so, please specify which ones.

The administrative justice system began experimenting with AI prior to the subsequent adoption and implementation of the AI Act. The implementation strategies, as defined in a specific document, have established an artificial intelligence model, the role of which is intrinsically instrumental and subordinate to the activities of magistrates and registry staff.
The artificial intelligence systems developed by the administrative justice system were not designed for high-risk activities, as specified by the AI Act and subsequent national implementing provisions. These uses are intended to support the analysis and organisation of litigation, to extract regulatory and case-law sources cited in procedural documents, to enable searches in the decision database by fully exploiting the capabilities of natural language, and to effectively obscure sensitive data contained in decisions protected by confidentiality, while preserving the readability of the text. The implementation strategy is based on the fundamental principle that magistrates cannot be replaced by AI: human judges are always at the centre of AI project development and the monitoring of results.
The fact that the deputy magistrate in charge of the IT Department also serves as Data Protection Officer (DPO) made it possible to verify and promote compliance with the regulations introduced by the GDPR and the rules governing confidentiality in judicial activities during the development, trial and implementation phases of the AI tools. Particular attention has been paid to ensuring that the AI tools developed by the administrative justice system comply with national and European legislation on cybersecurity.

18. Are AI systems subject to prior risk assessments?
X☐ YES

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☐ NO

If so, please specify the terms of these assessments

The adoption of systems based on artificial intelligence is subject to rigorous risk assessments, carried out in accordance with formalised procedures and in compliance with national and European regulations.
The terms provide for:
- a preventive analysis of risks relating to IT security, personal data protection (GDPR) and compliance with sectoral directives, including NIS2;
- an assessment of the operational and organisational impact, with particular attention paid to transparency, the reliability of algorithms and the mitigation of any potential bias;
- continuous monitoring and periodic audits to verify the robustness of the solutions and the compliance of the features implemented;
- mitigation plans and incident management procedures, in line with international standards, to ensure system resilience and continuity of services.
These activities are integrated into the life cycle of AI solutions and documented in accordance with European best practices for the responsible use of artificial intelligence.

19. Are there specific requirements in terms of transparency for the use of AI systems? If so, please provide details.

The adoption of systems based on artificial intelligence is subject to transparency assessments, carried out in accordance with formalised procedures and in compliance with national and European regulations, including the provisions of the AI Act. These assessments are carried out by a multidisciplinary team composed of magistrates and IT specialists (both internal and from technology partners), who are involved in all stages of the life cycle of AI solutions. In particular:

- during the learning phase, the team verifies the quality of the data and their separation in order to avoid any external contamination, the neutrality of the algorithms, as well as compliance with the principles of transparency and non-discrimination, as required by the AI Act;
- during the fine-tuning phase, the results are analysed and the models adjusted based on user feedback (magistrates and administrative staff), ensuring that changes are traceable and documented;
- periodic audits and quality checks are planned to monitor the system's performance and prevent algorithmic bias or opacity, in accordance with the governance and accountability requirements established by the AI Act.

All these activities are integrated into technology governance processes, ensuring compliance with the principles of transparency, reliability and security set out in the European regulations on artificial intelligence.

20. Is the use of AI systems accompanied by human oversight mechanisms?

X☐ YES

☐ NO

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If so, please provide details

The adoption and use of AI systems in administrative justice are subject to constant human supervision: AI tools have an instrumental and supportive function, while drafting and any decisions remain the sole responsibilities of the judge.
Human supervision is carried out by the following means:

- initial controlled training and coaching of AI systems: models are trained exclusively on certified internal data, according to criteria defined and verified in collaboration with the legal component, in order to ensure consistency with the legal context and the quality of the source data, and to prevent any bias or distortion;
- judicial involvement in design: magistrates play a key role in defining product architecture, identifying methodologies, and in training and supervision activities, with structural integration of legal and technological expertise;
- human validation of results;
- fine-tuning and non-automatic improvements: user feedback during the usage phase is not directly integrated into the models; a dedicated committee, composed of technicians and magistrates, analyses and evaluates evolutionary interventions before they are implemented;
- controlled testing after validation: the tools relating to the five use cases were validated within the planned time frame; the next phase of testing was designed as a key stage for quality control and refinement, prior to integration with SIGA and distribution to all users;
- user responsibility and final human checks: although technical and organisational checks are in place, even after commissioning, the checks linked to each user's responsibilities remain intact.

None of the use cases implemented is intended to predict or determine the outcome of decisions, and artificial intelligence is not used to make decisions automatically.

21. Are specific methodologies implemented during the design, development and deployment of AI systems to ensure their traceability, reliability, integrity and accuracy? If so, please provide details.

Specific methodologies are adopted to ensure the traceability, accuracy and integrity of systems during the design, implementation and development of artificial intelligence projects, in accordance with European regulations and best practices.
In particular:

- traceability and transparency: each stage of the model's life cycle is documented and monitored, in accordance with the principles of explainable artificial intelligence (XAI), in order to ensure that algorithmic decisions are comprehensible and can be audited by authorised parties;
- accuracy and integrity: quality controls are implemented on data and model validation procedures, including robustness and bias mitigation tests, in accordance with the requirements of the AI Act for high-risk systems;
- environmental sustainability: models are optimised using computational impact reduction techniques, such as quantisation algorithms during the learning phase, in

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order to minimise energy consumption and promote a responsible approach to innovation;
- governance and oversight: a multidisciplinary team (magistrates and IT specialists) supervises all stages, from design to fine-tuning, also based on user feedback, thus ensuring transparency and reliability.

A.VIII – Innovation, prospects and future needs

A.VIII.1 – Current innovation projects

22. Are there any innovation projects currently under way in the following areas? (please tick all that apply)

X☐ Process automation
X☐ System interoperability
X☐ Modernisation of existing systems
X☐ Advanced digital services for external users
X☐ AI systems
☐ Other (please specify)

A.VIII.2 – Barriers to digital transformation

23 What do you consider to be the main barriers to the digital transformation of administrative justice? (please tick all that apply)

X☐ Complexity of the regulatory framework
☐ Insufficient financial resources
☐ Lack of specialised human resources
X☐ Organisational complexity
☐ Resistance to change and digital skills gap
☐ Cybersecurity risks and challenges
☐ Other (please specify)

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A.VIII.3 – Investment priorities

24. What do you think should be the priority areas for investment over the next few years? (please tick all that apply)

X☐ Modernisation of infrastructure
X☐ Cybersecurity
X☐ Training and skills development
X☐ Deployment of AI systems
X☐ Interoperability at European level
☐ Complete digitalisation of administrative procedures
☐ Other (please specify)

25. Please describe one or more good practices in digitalisation that have been implemented or are planned within your jurisdiction.

For several years now, the administrative justice system has been engaged in a structured process of digitalisation aimed at improving the efficiency, transparency and quality of the services it offers, as well as the electronic administrative trial process. This process has accelerated significantly over the past three years and is currently entering a new phase of development, in line with rapid technological advances.
Among the best practices already adopted are solutions for advanced data analysis based on data warehousing and business intelligence techniques. These platforms enable information from different systems to be integrated, providing interactive dashboards and dynamic reports to support strategic decision-making, performance monitoring and resource planning.
Another important initiative is the automation of the budget life cycle, which has fully digitised the forecasting, management and reporting phases, ensuring traceability, reduced lead times and greater accuracy of accounting data.
Applications have also been developed to support the self-governing body, the Abstracts Office and the Studies Office.
To complement these initiatives, an Open Data platform has been set up, making the main statistical and informational data relating to administrative justice available in an open and reusable format. This tool promotes transparency and accountability and encourages the development of analyses and applications by members of the public, professionals and institutions. Other projects are planned in this area, including the creation of a mobile application for administrative justice.
These best practices are part of a broader strategy that combines digital innovation, security, interoperability and sustainability, with the aim of improving the quality of services offered to magistrates, lawyers, administrative staff and members of the public.

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Part B
Automated administrative decisions and judicial review

B.I – Automated administrative decisions: substantive legality and procedure

1. Are there provisions in your legal system that authorise public administrations to use digital or algorithmic technologies in the exercise of their powers?

X☐ YES

☐ NO

If so:

1.a. According to these provisions, what are the authorised tools and the objectives pursued by their use?

In Italy, there are general standards that provide for and promote the use of technology in administrative activities.
Article 3(a) of the General Administrative Procedure Act (Act No 241/1990) stipulates, among other things, that public administrations may use IT and telematic tools to achieve greater efficiency in their internal relations. This provision highlights the instrumental nature of the technological tool and the purpose of its use to improve the efficiency of administrative activities.
Article 12 of the Digital Administration Code requires public administrations to use information and communication technologies to pursue the objectives of effectiveness, efficiency and economy in administrative activities, as well as impartiality, transparency, simplification, compliance with the principles of equality and non-discrimination, and to ensure the effective recognition of the rights of individuals and businesses. The Digital Administration Code also stipulates that public administrations must engage in the process of administrative digitalisation, using new technological solutions to streamline and simplify management activities, documents, payment methods and administrative procedures. This standard not only generalises the use of technology by public authorities, but also makes it an individual right and a corresponding obligation for administrations, as a tool for modernising and simplifying administrative activities.
Article 69 of the Digital Administration Code implicitly recognises the possibility of using digital intelligence tools by requiring access to the source codes of programs commissioned by the administration to be guaranteed.
Article 30 of the Public Procurement Code stipulates that, in order to improve their efficiency, contracting entities must, where possible, automate their activities by using technological solutions, including artificial intelligence and distributed register technologies, in compliance with the specific provisions in this area.
Act No 132/2025, containing provisions and delegations to the Government regarding artificial intelligence, establishes that public administrations must use artificial intelligence to increase the efficiency of their activities, reduce processing times for procedures and improve the quality and quantity of services provided to individuals and businesses, while ensuring transparency in its operation and traceability in its use.

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Artificial intelligence may be used in an 'instrumental and supportive manner in decision-making, while respecting the autonomy and decision-making power of the individual, who remains solely responsible for the actions and procedures in which artificial intelligence has been used' (Article 14(1) and (2)).

1.b. What types of acts can be adopted using these technologies?
In particular, is the use of algorithms permitted for the adoption of administrative decisions involving discretionary powers?

2. Are there provisions in your legal system governing the design, deployment and use of artificial intelligence systems employed by public administrations?

X☐ YES

☐ NO

If so,

2.a. what type of implementation measures are these? (for example, legislative or soft law):

Italy has adopted Act No 132 of 23 September 2025, which establishes the principles relating to the research into, testing, development, adoption and application of artificial intelligence systems and models, promoting 'correct, transparent and responsible use, in an anthropocentric dimension' (Article 1(1)).
This regulation must be interpreted and applied in accordance with Regulation (EU) 2024/1689 (Article 1(2)). The government has been tasked with adopting, within 12 months of the Act coming into force, one or more legislative decrees to bring national legislation into line with Regulation (EU) 2024/1689.
Act No 132/2025 also established specific regulations concerning 'the use of artificial intelligence systems in judicial activities' (Article 15).

2.b. Is there an obligation for public administrations to inform the public or individuals about the use of AI systems?

In Italy, there are no general standards requiring authorities to specify, at a given stage of the administrative procedure or in the final decision, the use of a specific algorithm, or to make its characteristics public.

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2.c. Are any authorities or bodies responsible for developing general rules or standards for the use of artificial intelligence within public administrations?

3. What conditions must be met to ensure the legality of administrative procedures involving the use of artificial intelligence systems?

In particular:

3.a. Is the decision-making administration required to indicate the type of algorithmic system used and its principal characteristics?

3.b. At what stage of the procedure must the administration provide information about the use of an algorithmic system and its characteristics?

3.c. Does the interested party have the opportunity to comment on or challenge the use or operation of the AI system before the final decision is made?

Currently, in Italy, there are no general standards requiring administrations to specify, at a given stage of the administrative procedure or in the final decision, the use of a specific algorithm, or to make its characteristics public, with the exception of the provisions of Article 69 of the Digital Administration Act and Article 30 of the Public Procurement Code. Similarly, there are as yet no specific standards governing the administrative procedure in which artificial intelligence tools are used.
Case-law has clarified that the decision to use an artificial intelligence tool falls within the organisational autonomy of the administration, and that the legal basis for this decision is considered implicit in the standard attributing the power actually exercised by the administration. However, it has been consistently argued that the use of technological tools, such as algorithms, must not lead to a violation of the general principles and safeguards applicable to administrative procedures, including the principles of transparency, justification and adversarial proceedings. Furthermore, the Council of State has emphasised that the full application of administrative procedure rules is necessary in order to prevent the dangers inherent in the use of technology, which means that general principles must be applied more specifically in automated administrative procedures.
It remains to be seen how the various administrations will implement artificial intelligence in accordance with Article 14 of Act No 132/2025.

4. Are specific areas of administrative law in your country subject to express authorisation for the use of administrative decisions based on artificial intelligence systems?

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See the answer to question 2: in the area of public procurement procedures; in the health sector, as a support for diagnoses and therapies; in cybersecurity, in order to strengthen national resilience under the supervision of the National Cybersecurity Agency (ACN); and in the area of copyright.
Digitalisation tools have also been used for a long time in the field of public procurement and e-procurement: for example, the electronic market for administrative advertising (MEPA) and telematic negotiation tools.

5. Are there specific areas of administrative law in which the use of artificial intelligence systems for issuing administrative decisions is expressly prohibited?

Article 6(1) of Act No. 132/2025, entitled "Provisions and Delegations to the Government on Artificial Intelligence", identifies certain areas that are excluded from the application of this law. These are: a) activities carried out for national security purposes and subject to confidentiality, performed by the Department of Information Security, the External Intelligence and Security Agency, and the Internal Intelligence and Security Agency; b) cybersecurity and resilience activities conducted by the National Cybersecurity Agency to protect national security in cyberspace; c) activities carried out by the Armed Forces for national defence purposes; d) activities carried out by the police forces aimed at preventing and countering, for national security purposes, crimes with terrorist or subversive objectives, as well as cybercrimes affecting critical digital infrastructures identified under national and international law. Article 6(1) further specifies that such activities "shall, in any event, be carried out in compliance with the fundamental rights and freedoms guaranteed by the Constitution and with the provisions of Article 3(4) of this Act" that is without "prejudicing the democratic conduct of institutional and political life and the exercise of the powers and functions of territorial institutions on the basis of the principles of autonomy and subsidiarity" and without infringing on "the freedom of democratic debate from unlawful interference by any actor, safeguarding the interests of State sovereignty as well as the fundamental rights of every citizen recognized under national and European law."
It should be understood that in the areas explicitly excluded by the legislator from the scope of the national law on artificial intelligence - all of which share the objective of safeguarding State security - the use of artificial intelligence systems for the adoption of administrative decisions is subject to the discretionary assessment of the competent authorities, which are responsible for determining which acts may be prepared using AI systems and, above all, which AI systems may be implemented.

B.II – Judicial review of automated administrative decisions

6. Does national case-law recognise the legality of automated administrative decisions?

X☐ YES

☐ NO

Please explain if necessary:

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Administrative court case-law has repeatedly addressed the possibility of using artificial intelligence tools. It has not considered it necessary to have a specific legislative provision authorising the administration, taking the view that the choice to use algorithms is an organisational decision that does not require compliance with the principles of specificity and nominativeness.
If so:

6.a. What principles and conditions have been identified by national case-law as necessary for these decisions to be legally valid?

Case-law has ruled in favour of the need for a statement of reasons explaining the choice of algorithmic tool: it was not deemed necessary for the administration to justify, in general terms, the use of such a tool rather than a traditional type of decision, but it was considered necessary for the administration to explain why, depending on the type of administrative decision to be taken, it had chosen a certain type of algorithm. Furthermore, case-law has ruled that the administration must make the logic and operating methods of the chosen tool transparent.

6.b. Have any limitations been identified with regard to the possibility of delegating the administration's decision-making power to algorithmic systems?

Even before Act No 132/2025, case-law had established that, in administrative proceedings where the content of the final decision is determined, in whole or in part, by an algorithmic decision, the principle of transparency and knowledge of the algorithm must be respected in order to ensure its comprehensibility, as must the principle of non-exclusivity.

6.c. In particular, which of the following principles must be respected, according to national case-law, when adopting an automated administrative decision? (Please tick all that apply)

X☐ Principle of transparency
X☐ Principle of non-exclusivity of human intervention ('human in the loop')
X☐ Principle of non-discrimination
X☐ Principle of knowledge and comprehensibility of algorithmic functioning
☐ Principle of attributing the decision to an authority vested with power
☐ Other (please specify)

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7. Has national case-law ruled on the nature and legal classification of the algorithm or AI system used for administrative decision-making?

In its ruling No 8472 of 2019, the Council of State emphasised that the use of artificial intelligence systems and machine-learning algorithms is subject to a series of interpretative and applicative principles aimed at ensuring the proper functioning of the system and the protection of the rights and interests concerned. In this regard, the Council of State ruled that the algorithmic rule 'remains a general administrative rule constructed by humans and not by machines, to be subsequently applied solely by the latter': the algorithm, therefore, 'has full legal and administrative validity, even if it is formulated in mathematical form, and as such, it must be subject to the general principles of administrative activity, such as those of publicity and transparency (Article 1, Act No 241/90), reasonableness and proportionality'. This construction essentially classifies the technical rule as a general administrative rule and postulates (i) that the administration's discretion is exercised by the administration at the time the artificial intelligence tool is developed (and not at the time the automated administrative decision is adopted), and (ii) that the algorithm can and must be classified as a computerised administrative act. This discretionary decision is therefore subject to full judicial review. In particular, according to the Council of State, 'the automated administrative decision requires the judge to first assess the compliance of the IT process in all its components: from its construction to the insertion of data, their validity and their management.
Hence, as has been said, it is confirmed that it is necessary to ensure that this process, at an administrative level, is carried out transparently, thanks to knowledge of the data entered and the algorithm itself. Secondly, as a consequence of the first point, the judge must be able to verify the logic and reasonableness of the automated administrative decision, that is, the "rule" governing the algorithm, which has been widely discussed.'
By judgment No. 4929 of 2025, the Council of State reaffirmed this approach, confirming the need to guarantee, in administrative procedures using artificial intelligence, knowledge and understanding of the algorithm and compliance with the principle of non-exclusivity of algorithmic decisions and algorithmic non-discrimination, the latter in order to prevent any discrimination against economic operators.

8. What are the limits of the judicial review that administrative judges can exercise over automated administrative decisions?

In Italy, case-law has held that administrative decisions taken with the aid of artificial intelligence tools, the results of which have been deemed manifestly illogical, unreasonable or incomprehensible, are subject to review and annulment: see the answer to question 6.

9. According to national case-law, is the right of access to the algorithmic process that led to the automated administrative decision recognised?

X☐ YES

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☐ NO

If so:
9.a. What information relating to the AI system (data, logic, key parameters) must be made available to the party concerned?

In a significant case dating back to 2017 - the subject of ruling No. 9227/2018 of the Regional Administrative Court for Lazio (Rome), confirmed by the Council of State in judgment No. 8474/2019 - the administrative judge reviewed an automated administrative decision, identifying its outcomes as manifestly illogical, unreasonable, and incomprehensible. The case concerned the rankings prepared by the Ministry of National Education for the assignment of teachers to schools across the national territory: the rankings had been drawn up on the basis of data - such as qualifications, titles, preferences - processed by an algorithm, the application of which had led to contradictory results: for example, the assignment of teachers to schools for which they did not have the required qualifications.
Following a request for access, the Ministry had refused to disclose the source codes, considering that they did not constitute an administrative document and were, moreover, protected as intellectual property. However, in court, the request for access was granted on the grounds that the algorithm could be classified as an 'administrative document' because it autonomously managed the teacher assignment procedure, as a specific explanation of this administrative procedure and as an element contributing, along with all the data, to the final outcome. In this case, the administrative judge ruled that the administration's decision to use such a tool should not compromise the ordinary guarantees provided by the law on administrative procedure, which required the administration to allow interested parties to reconstruct the logical reasoning behind the decision to assign teachers, thereby granting access to the source codes.
A similar case occurred in relation to a competition in which the candidates' written tests consisted of multiple-choice quizzes, which had been developed using an algorithm commissioned by the administration from a private operator: in this case, the administrative judge recognised the candidates' right to access the algorithm, referring to Article 69 of the Digital Administration Code, which requires administrations to make available the source codes of computer programs developed at their request.

Part C

Administrative judges and the use of artificial intelligence in the performance of judicial functions and in the decision-making process, in light of Regulation (EU) 2024/1689 (the 'AI Act') and other European Union standards and regulations, such as the GDPR, the DSA, the DMA, etc.

1. Does your country recognise, at constitutional level, principles that expressly refer to the use of artificial intelligence in the performance of judicial functions?

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X☐ NO

If so, please specify which ones

2. Has your country adopted or is it in the process of adopting national measures to implement Regulation (EU) 2024/1689 (the AI Act) concerning the use of artificial intelligence to support judicial decision-making, which is classified as a 'high-risk' activity (Annex III, point 8(a))?

X☐ YES

☐ NO

If so:

2.a. What is the nature of these measures (legislative, regulatory, guidelines, soft-law instruments)?

Italy has adopted Act No 132 of 23 September 2025, which establishes the principles relating to the research into, testing, development, adoption and application of artificial intelligence systems and models, promoting 'correct, transparent and responsible use, in an anthropocentric dimension' (Article 1(1)).
This regulation must be interpreted and applied in accordance with Regulation (EU) 2024/1689 (Article 1(2)). The government has been tasked with adopting, within 12 months of the Act coming into force, one or more legislative decrees to bring national legislation into line with Regulation (EU) 2024/1689.
Act No 132 of 2025 also established specific regulations concerning 'the use of artificial intelligence systems in judicial activities' (Article 15).

2.b. For what purposes is the use of AI permitted? (Please tick all that apply)

X☐ Research and interpretation of the law

X☐ Research and assessment of the facts

☐ Application of the law to a specific factual situation

☐ Administrative activities that are purely ancillary (recital 61 of Regulation (EU) 2024/1689)

Please explain if necessary:

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Paragraph 1 of Article 15 of Act No 132/2025 authorises the use of artificial intelligence systems in the exercise of judicial activity for the purposes of interpreting and applying the law, assessing facts and evidence, and adopting decisions.

2.c. What measures are taken to ensure human oversight (Article 14 of Regulation (EU) 2024/1689)? In particular, under what conditions is the user able to ignore, cancel or override the result produced by the artificial intelligence system (Article 14(4)(d) of the AI Act), or to suspend or interrupt its use (Article 14(4)(d) of the AI Act)?

Paragraph 1 of Article 15 of Act No 132/2025 stipulates that the use of artificial intelligence systems in the exercise of judicial activity may only take place in an auxiliary and supportive manner, with the magistrate retaining all 'decision-making' power in these matters at all times. Thus, the software is only authorised to formulate a proposal for the interpretation and application of the law or the assessment of the facts. This proposal is submitted to the magistrate for consideration, who decides whether or not to adopt it.

2.d. What regulatory measures have been adopted to ensure the transparency, accuracy and robustness of the artificial intelligence system used (Articles 13 and 15 of Regulation (EU) 2024/1689 – the AI Act)?

Article 3 of Act No 132/2025 stipulates, in general, that the development of artificial intelligence systems and models for general purposes must be based on data and processes, the validity, reliability, security, quality, adequacy and transparency of which must be guaranteed and monitored, in accordance with the principle of proportionality depending on the sectors in which they are used.

3. Are there any official forms of testing or use of artificial intelligence systems for decision-making or generating judicial decisions currently in place in your country?

☐ YES

X☐ NO

Please explain if necessary:

At present, no experimental use of artificial intelligence has been authorised to assist or replace judges in the field of administrative justice.

If so:

3.a What do they consist of?

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3.b. What data sets are used?

3.c. Is the software used publicly owned or provided by private operators?

3.d. Have any biases been identified in its operation? If so, what kind?

4. Are measures planned in your country to ensure a sufficient level of artificial intelligence literacy specifically for judges (Article 4 of Regulation (EU) 2024/1689)?
X ☐ YES

☐ NO

If so:

4.a. What do these measures consist of?

Training courses are planned when artificial intelligence tools are introduced to educate users, as part of mandatory cybersecurity training and in continuing education programmes developed by the Studies Office.

4.b. Is specific training planned to prevent or limit the phenomenon known as 'automation bias' (Article 14(4)(b) of the AI Act)?

X☐ YES

☐ NO

Please explain if necessary:

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Paragraph 4 of Article 15 of Act No 132/2025 stipulates that these educational activities also aim to raise awareness of the benefits and risks of using AI in the legal sector.

5. Is the use of generative or agentic artificial intelligence systems permitted in your country to assist in the drafting of procedural documents or court decisions?

To help you understand the question better: **generative artificial intelligence (AI)** is a category of AI models which, thanks to machine learning and training on vast amounts of data, are capable of creating original content (text, images, videos, music, etc.). **Agentic AI** is described as a system capable of autonomously planning, making decisions and executing complex tasks with minimal human intervention to achieve a defined objective [source: OECD].
To date, no ban is planned at a legislative level.
With regard to the position of lawyers, Article 13 of Act No 132/2025 stipulates that the use of artificial intelligence systems is intended solely for the performance of instrumental and support activities related to professional practice and, in any event, with a preponderance of intellectual work that is the subject of the services provided. Furthermore, professionals using artificial intelligence tools are required to inform the recipient of the intellectual service clearly, simply and comprehensively of this circumstance.
However, administrative case-law (T.A.R. for Lombardy – Milan, 21 October 2025, No 2248) has condemned the improper use of such tools by professionals, ordering the lawyer to pay additional legal costs for having cited irrelevant legislative provisions and judicial precedents when using this tool to draft the appeal.

6. Has the national case law of your country addressed issues concerning the interpretation and application of EU Regulation 2024/1689?

☐ YES

X☐ NO

Please explain if necessary:

To date, Italian case law has not addressed issues concerning the interpretation or application of EU Regulation 2024/1689.

6.a. If yes, which principles have been established?

7. Have national courts of your country submitted preliminary rulings to the Court of Justice of the European Union regarding EU Regulation 2024/1689?

☐ YES

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X☐ NO

Please explain if necessary:

To date, Italian case law has not submitted any preliminary rulings to the Court of Justice of the European Union regarding EU Regulation 2024/1689.

7.a. If yes, which questions were referred? What answers has the Court of Justice of the European Union provided?

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