

# IBA LITIGATION COMMITTEE

## Guide on AI and Litigation

### JURISDICTIONAL QUESTIONNAIRE

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|-------------------------|-----------------------------------------------------|
| <b>Jurisdiction</b>     | Russian Federation                                  |
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## LEGISLATION

### 1. What legislation governs or affects the use of AI in litigation in your jurisdiction?

#### General considerations

At present, Russia lacks a comprehensive, codified legal framework governing the deployment of artificial intelligence (AI) systems, either in general or specifically in legal practice. While certain sector-specific regulations exist, particularly in the field of personal *data protection* (see ‘Enacted regulations’ below), the broader legislative landscape remains fragmented and underdeveloped. The authors of this guide identify several interrelated causes for this regulatory vacuum, rooted in the unique trajectory of Russia’s digital governance model.

Primarily, the rapid evolution and continuous advancement of AI systems have outpaced the capacity of existing legal instruments. The dynamic nature of these technologies challenges established legal doctrines, particularly those grounded in civil law, intellectual property and data protection regimes.

Moreover, Russia’s national regulatory strategy is shaped by a distinct set of imperatives: the pursuit of a sovereign internet,<sup>1</sup> the promotion of domestic technological self-reliance and the mitigation of external vulnerabilities, particularly those induced by international sanctions. Thus, since December 2023, the European Union has imposed a ban on the supply of corporate software (enterprise resource planning (ERP), customer relationship management (CRM), business intelligence (BI) and supply chain management (SCM)) to the Russian Federation – these measures have objectively accelerated the state’s push towards ‘sovereign’ AI architectures and

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<sup>1</sup> Federal Law No 90-FZ of May 1, 2019, ‘On Amendments to the Federal Law ‘On Communications’ and the Federal Law ‘On Information, Information Technology, and the Protection of Information’, which provides for the creation of a national Internet traffic routing system, centralized management tools etc. Official Publication of the Legal Acts <http://publication.pravo.gov.ru/document/view/0001201905010025> accessed 9 September 2026.

data localisation.

Despite these challenges, AI continues to occupy a strategic position in national policy, as evidenced by high-level presidential directives.<sup>2</sup>

### **Legal landscape: current and pending regulation**

Russian laws on AI usage are quite fragmentary and are of very basic nature, that is, quite vaguely governing the main principles of using AI tools, but not providing the idea for separate definitions, responsibility, labelling and so on. At present, several draft laws are under consideration within the Russian legal landscape: a general (framework) law on the foundations of regulation of AI technologies, as well as legislative amendments to specific codes and legal acts focused on the application of AI technologies. The following section provides a detailed overview of all such proposed legislative initiatives.

#### **Framework law (bill, not enacted)**

On 18 March 2026,<sup>3</sup> the cornerstone of Russia's future AI governance, the draft of Framework Law on the Foundations of State Regulation of Artificial Intelligence Applications in the Russian Federation, was published, followed by a public consultation period concluding on 15 April 2026.

On 23 April 2026, the Presidential Council for Codification rejected the draft, characterising it as a 'legally vacuous initiative'.<sup>4</sup>

Despite this setback, the Ministry of Digital Development, Communications and Mass Media ('MinTsifry'), the author of the bill, remained committed to submitting it to the lower house of Russian Parliament, the State Duma, before the end of spring, with a target date of 26 July 2026. The anticipated entry into force is set for 1 September 2027.<sup>5</sup>

The proposed regulatory architecture is deliberately framing, risk-orientated and soft in nature. It establishes a four-tiered system of actors: (1) AI model developer; (2) AI system operator; (3) AI service owner; (4) and user, each with clearly defined responsibilities. Key provisions include mandatory human and machine-readable AI content labelling; the creation of three distinct categories of AI models (sovereign, national and trusted); and state certification by the Federal Service for Technical and Export Control (FSTEC) and the Federal Security Service (FSB) for high- and critical-risk systems. Notably, the law refrains from providing a detailed classification of AI systems by risk level, deferring such granularity to subordinated regulatory acts (approximately 17 are currently under development).

The law is structured around a risk-based approach, wherein regulatory obligations are proportionate to the potential impact of AI systems on human life, health, national security, property

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<sup>2</sup> Official site of the President of Russia, Meeting on development of AI technologies. The President chaired a meeting on the development of artificial intelligence technologies at the Kremlin, 10 April 2026 <http://en.kremlin.ru/events/president/news/79525> accessed 9 September 2026.

<sup>3</sup> Federal Portal of Draft Regulatory Legal Acts <https://regulation.gov.ru/Entities/Npa/view/166424> accessed 9 September 2026.

<sup>4</sup> Rossiyskaya Gazeta: The Council, chaired by Krashenninikov, did not support the AI bill, 23 April 2026 [https://rg.ru/2026/04/23/sovet-pod-predsedatelstvom-krashenninikova-ne-podderzhal-zakonoproekt-ob-ii.html?utm\\_referrer=https%3A%2F%2Fwww.google.com%2F](https://rg.ru/2026/04/23/sovet-pod-predsedatelstvom-krashenninikova-ne-podderzhal-zakonoproekt-ob-ii.html?utm_referrer=https%3A%2F%2Fwww.google.com%2F) accessed 9 September 2026.

<sup>5</sup> TASS: MinTsifry published the AI bill, 18 March 2026 <https://tass.ru/ekonomika/26810297> accessed 9 September 2026.

and the environment. This principle is enshrined in the foundational text: 'Requirements for AI systems shall depend on the degree of their influence on human life and society'.

### **Scope of application and key provisions**

The law introduces, for the first time at the federal level, legally binding definitions of central AI concepts:

- Artificial Intelligence (AI), a system capable of simulating human cognitive functions;
- AI Model, a computational construct trained on data to perform specific tasks;
- AI System, a technical system incorporating one or more AI models; and
- AI Service, a digital offering utilising AI capabilities.

The bill (Article 10) provides for certain responsibilities as follows:

- the AI Model Developer is to ensure system safety; eliminate discriminatory features; and document architecture, logic and limitations for auditability;
- the AI System Operator is to immediately suspend operations upon detection of imminent harm to life, health, environment or national security; and maintain incident logs;
- the AI Service Owner is to inform users of AI interaction; label AI-generated content; assume the duties of the information disseminator if the daily user base exceeds 500,000 within the Russian Federation; and
- the user is to comply with access rules and refrain from illicit use of AI tools.

The law establishes a tripartite classification of AI models, reflecting national strategic priorities:

- the sovereign AI Model is supposed to be entirely developed on Russian territory by Russian citizens or legal entities, using domestic data exclusively;
- the national AI Model is generally similar to the sovereign AI Model, but permits the use of foreign open-source models; and
- the trusted AI Model is listed in a state registry and certified by FSTEC and FSB. Only the latter mentioned may be deployed in government systems or on critical infrastructure.

The law mandates that AI-generated content be accompanied by a human and machine-readable warning label, ensuring transparency in digital communication. The responsibility for labelling rests with the service owner. Major social media platforms are required to verify compliance; failure to do so obligates them to either label the content themselves or remove it.

Unlike, for example, the EU AI Act, which explicitly bans certain applications (eg, real-time biometric

surveillance and social scoring), the Russian draft law does not enumerate specific prohibitions. Instead, it includes a broad prohibition against the exploitation of human vulnerabilities (Article 3) and a categorical ban on discrimination.

A pivotal provision (Article 17) empowers the state to ban or restrict transboundary AI technologies in cases defined by Russian law. This creates a legal basis for blocking foreign AI services such as ChatGPT, Claude, Gemini, and even DeepSeek and Qwen, particularly if their data infrastructure resides outside Russia.

In conclusion, one may assert that an extensive and comprehensive body of work has been undertaken in the preparation of the draft law. Nevertheless, returning to its critical assessment, it is impossible not to acknowledge the new challenges posed by its formulations, such as, for example:

- a quite ambiguous definition of AI: the current definition is so broad that it may encompass any software with conditional logic or statistical analysis, raising concerns of regulatory overreach);
- liability for open-source models: a Russian entity that fine-tunes a foreign model, for example, DeepSeek and Qwen, assumes full legal responsibility, despite lacking access to the original model;
- absence of extraterritorial enforcement: no mechanism exists to hold foreign AI providers accountable, despite their widespread use in Russia; and
- transboundary AI regulation's concerns: Article 17 assumes the possibility of restrictions on cross-border AI technologies, but lacks specificity, which creates a legal basis for the potential blocking of services like ChatGPT, Claude, Gemini, DeepSeek and Qwen, especially if data is stored abroad.

We anticipate that the draft law will undergo substantial revisions in the future.

### **Other general regulations (enacted), soft law and other pending bills**

#### *Enacted regulations*

THE NATIONAL STRATEGY FOR THE DEVELOPMENT OF ARTIFICIAL INTELLIGENCE IN THE RUSSIAN FEDERATION UNTIL 2030<sup>6</sup>

This establishes a comprehensive roadmap for the national advancement of AI, grounded in the principles of technological sovereignty, economic modernisation and digital resilience. A foundational principle enshrined in the strategy is unequivocal: 'It is not permissible to delegate responsible moral choices to AI systems; accountability always rests with a human or legal entity'. This statement underscores the state's firm commitment to preserving human oversight in all critical decisions involving AI, reinforcing the non-substitutability of human judgement in ethically sensitive

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<sup>6</sup> Decree of the President of the Russian Federation of October 10, 2019 No. 490 (as amended on February 15, 2024) 'On the Development of Artificial Intelligence in the Russian Federation' (together with the 'National Strategy for the Development of Artificial Intelligence for the Period up to 2030'). Official Publication of the Legal Acts <http://publication.pravo.gov.ru/document/view/0001201910110003>

domains.

PRESIDENTIAL DECREE NO 116 OF FEBRUARY 26, 2026 'ON THE COMMISSION UNDER THE PRESIDENT OF THE RUSSIAN FEDERATION ON THE DEVELOPMENT OF AI TECHNOLOGIES'<sup>7</sup>

This decree establishes the Presidential Commission on Artificial Intelligence, serving as the central coordinating body for national AI policy. The Commission is co-chaired by Dmitry Grigorenko and Mikhail Oreshkin, both prominent figures in digital governance and economic strategy. The decree mandates that all federal subjects of the Russian Federation establish analogous regional commissions by 1 June 2026, ensuring a unified and decentralised approach to AI governance across the country.

FEDERAL LAW NO 152-FZ OF JULY, 2006 (AMENDED) 'ON PERSONAL DATA'<sup>8</sup>

This defines the foundational landscape for the use of automation technologies in general, albeit not exclusively centred on AI-driven mechanisms. Thus, the law prohibits decisions that produce legal consequences for a data subject or otherwise affect their rights and legitimate interests, based solely on automated processing of personal data (except in specified cases) (Article 16). In addition, the law establishes a ban on cross-border transfers of personal data and imposes a general obligation to obtain consent for the processing of personal data, including through automated mechanisms.

FEDERAL LAW NO 123-FZ OF APRIL 24, 2020 'ON THE CONDUCT OF AN EXPERIMENT ON SPECIAL REGULATION FOR THE CREATION OF CONDITIONS FOR THE DEVELOPMENT AND IMPLEMENTATION OF AI TECHNOLOGIES IN MOSCOW'<sup>9</sup>

This launched the experimental regulatory regime in Moscow, initially valid for five years from 1 July 2020. It was extended and expanded by Federal Law No 233-FZ of 8 August 2024.

FEDERAL LAW NO 258-FZ OF 31 JULY 2020 'ON THE CONDUCT OF AN EXPERIMENT IN THE FIELD OF DIGITAL AND TECHNOLOGICAL INNOVATIONS'<sup>10</sup>

This establishes the broader framework for experimental regulation in digital innovation.

FEDERAL LAW NO 233-FZ OF AUGUST 08, 2024 AMENDING THE FEDERAL LAW NO 152-FZ 'ON PERSONAL DATA'<sup>11</sup>

This law introduces specific provisions governing the processing of personal data in the context of AI, particularly within the Moscow Experimental Regulatory Regime, including such changes as special rules for data collection and training of AI models; requirements for transparency and consent in AI-driven personal data processing; and enhanced obligations for data controllers using AI systems. The amendments entered into force on 1 September 2025, marking a critical step

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<sup>7</sup> Official Publication of the Legal Acts <http://publication.pravo.gov.ru/document/0001202602260005> accessed 9 September 2026.

<sup>8</sup> Official Website of the Russian Government <http://government.ru/docs/all/98196/> accessed 9 September 2026.

<sup>9</sup> Official Publication of the Legal Acts <http://publication.pravo.gov.ru/Document/View/0001202004240030> accessed 9 September 2026.

<sup>10</sup> Official Publication of the Legal Acts <http://publication.pravo.gov.ru/Document/View/0001202007310024> accessed 9 September 2026.

<sup>11</sup> Official Publication of the Legal Acts <http://publication.pravo.gov.ru/document/0001202408080031> accessed 9 September 2026.

towards integrating AI compliance into the existing personal data protection framework.

### **Soft law**

The Code of Ethics in the Field of Artificial Intelligence (26 October 2021)<sup>12</sup> was developed jointly by the AI Alliance,<sup>13</sup> the Analytical Center under the Government of the Russian Federation and the Ministry of Economic Development. This voluntary code represents a pioneering effort to establish ethical norms for AI deployment in the private and public sectors. Initial signatories included major national and international players, for example, Sber, Yandex, MTS, VK and Gazprom Neft.

Although the Code is non-binding, it functions de facto as soft law, shaping corporate behaviour, investor expectations and public perception, particularly among large enterprises and technology providers operating in Russia.

### **Draft laws (others)**

*Draft Law No 718538-8 (September 2024)*<sup>14</sup>

This draft concerns criminal liability for AI-enabled misconduct and introduces a qualifying circumstance in several articles of the Criminal Code: Article 128.1 (Defamation) and Articles 158, 159, 159.6, 163 and 165 (Crimes against property and personal freedom). The qualifying factor is the 'use of images or voices (including falsified or artificially generated)... as well as use of biometric personal data'.

*Draft Law No 885494-8 (April 2025)*<sup>15</sup>

AI as an aggravating circumstance in criminal law. This draft proposes to amend Article 63 of the Criminal Code to include the use of AI as an aggravating circumstance in criminal proceedings. The intent is to increase penalties when AI is used to facilitate or enhance the commission of a crime, particularly in cases involving automation, deception or systemic harm.

*Draft Law No 1133088-8 (January 2026)*<sup>16</sup>

This is an expansion of Article 272.1 of the Russian Criminal Code related to illegal usage, transfer, collection or storage of personal data, or automated processing of personal data.

## **PROFESSIONAL BODY GUIDANCE**

### **2. What guidance have bar associations, regulators or other professional bodies issued on AI use by lawyers?**

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<sup>12</sup> Code of Ethics in the Field of Artificial Intelligence <https://ethics.a-ai.ru/> accessed 9 September 2026.

<sup>13</sup> See <https://ethics.a-ai.ru/advisory-council-on-ethics/> accessed 9 September 2026.

<sup>14</sup> Legislative Support System (LSS), the official electronic resource of the State Duma of the Russian Federation <https://sozd.duma.gov.ru/bill/718538-8> accessed 9 September 2026.

<sup>15</sup> Legislative Support System (LSS), the official electronic resource of the State Duma of the Russian Federation <https://sozd.duma.gov.ru/bill/885494-8?ysclid=mlrwdq8fp3896865461> accessed 9 September 2026.

<sup>16</sup> Legislative Support System (LSS), the official electronic resource of the State Duma of the Russian Federation <https://sozd.duma.gov.ru/bill/1133088-8> accessed 9 September 2026.

At present, formal regulation of AI usage within the legal profession remains absent. However, active discussions are underway at the level of professional legal communities, particularly bar associations, regarding the need for structured governance. In a broader sense, encompassing in-house legal teams of large corporations, banks and other entities, practitioners currently rely on soft law principles and established ethical guidelines rather than binding legal norms.

These include the necessity of human validation of AI-generated information, the imperative to preserve client confidentiality and adherence to core professional standards. Although no formal rules have been codified, these principles are gradually being refined in response to evolving market demands and technological advancements.

### **3. What other professional conduct obligations are relevant to lawyers using AI?**

While no explicit regulatory framework governs AI application within bar associations or professional legal bodies, a set of foundational ethical principles (rooted in the very ethos of the legal profession) provides a normative foundation.

The Code of Professional Ethics for the Advocates (adopted at the I All-Russian Congress of Advocates on 31 January 2003, as amended)<sup>17</sup> stipulates, among other provisions, that ‘an advocate must avoid actions (or omissions) aimed at undermining trust in himself or in the legal profession’, that ‘trust in an advocate cannot exist without assurance of professional confidentiality’ and that ‘abuse of trust is incompatible with the status of an advocate’.

It follows logically that the use of AI, particularly when involving the transmission of sensitive data to external systems, carries inherent ethical risks. Any negligent or reckless deployment of AI tools thus directly contravenes these core tenets of professional conduct.

A distinguishing feature of the Russian legal market lies in its pluralistic composition: the legal profession includes not only formally recognised advocates (attorneys-at-law or *advokat*) but also legal practitioners without such status. While the ethical obligations outlined in the aforementioned Code are legally binding only on advocates, in practice, all legal professionals, regardless of formal standing, tend to align their internal procedures with these principles.

Moreover, leading law firms have begun institutionalising AI usage policies, embedding requirements such as mandatory human verification of AI-generated outputs, strict data confidentiality protocols and the explicit marking of content produced with AI assistance.

In certain cases, firms are even addressing the client-attorney relationship by introducing disclosures regarding AI use, for instance, in technical, document-intensive tasks. Although no formal legal mandate exists, such practices signal a growing trend towards transparency and accountability in the deployment of AI tools.

## **COURT AND JUDICIAL GUIDANCE**

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<sup>17</sup> Official Site of the Federal Chamber of Advocates <https://fparf.ru/documents/fpa-rf/documents-of-the-congress/the-code-of-professional-ethics-of-lawyer/> accessed 9 September 2026.

#### **4. What guidance have courts or the judiciary issued on AI use by judges, litigants and legal representatives?**

To date, the judicial system has not issued formal recommendations or codified specific rules governing the use of AI technologies. None of the existing procedural codes (Civil Procedure Code of the Russian Federation, Arbitrazh Procedure Code of the Russian Federation, the Criminal Procedure Code of the Russian Federation or the Code of Administrative Offences of the Russian Federation) contains explicit provisions on AI. Similarly, judicial practice reviews and decisions from the Supreme Court of the Russian Federation do not yet establish a comprehensive regulatory framework; however, certain work in this direction is being carried out.

Thus, on 27 May 2026,<sup>18</sup> the Chairman of the Supreme Court of the Russian Federation instructed the preparation of a comprehensive analysis (review) of judicial cases involving the use of AI technologies. The assessment aims to evaluate the frequency of disputes and violations associated with AI applications, with particular attention paid to liability for harm caused by AI-driven decisions and the determination of appropriate defendants in such claims.

The review is also expected to encompass administrative and criminal proceedings related to challenges against decisions made by public authorities based on AI recommendations; detection of offences through video analytics and facial recognition systems; and the criminal qualification of offences involving deepfakes and fraudulent schemes conducted via chatbots. Additionally, the review shall include the admissibility of AI-generated documents and expert opinions as evidence, as well as appeals against judicial rulings allegedly influenced by AI-assisted decision-making by judges. The findings are intended to ensure consistency in judicial practice; inform the issuance of clarifications by the Supreme Court; and provide a basis for legislative development, with the possibility of the court itself initiating proposals for legal amendments within its constitutional authority.

Also, to date, isolated judicial rulings have expressed criticism of unethical or manipulative AI use, offering indirect guidance. These decisions, though not binding beyond the specific case, contribute to the formation of an emerging normative landscape. For more details, please see the overview provided in Question 5.

## **CASE LAW**

#### **5. Have there been cases involving use of AI-generated false citations or descriptions by judges, litigants or legal representatives?**

Such cases have emerged, with a landmark example of the Ruling of Arbitrazh Court of the Western Siberian Circuit dated 14 May 2026 in case No A27-7831/2025,<sup>19</sup> in which a party to the proceedings was penalised for attempting to mislead the court.

The court found that the party to the proceedings had submitted a statement of cassation appeal

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<sup>18</sup>Official site of the Russian Supreme Court, 'The Supreme Court will conduct a large-scale review of judicial practice in cases related to the use of artificial intelligence', 27 May 2026 [https://vsrf.ru/press\\_center/news/35924/](https://vsrf.ru/press_center/news/35924/) accessed 9 September 2026.

<sup>19</sup> Card Index of Arbitration Cases [https://kad.arbitr.ru/Document/Pdf/01899d03-ae95-4846-958e-cbe8296855ea/984c40be-bd1b-423a-b4f5-1d46ef559ef7/A27-7831-2025\\_20260514\\_Opredelenie.pdf?isAddStamp=True](https://kad.arbitr.ru/Document/Pdf/01899d03-ae95-4846-958e-cbe8296855ea/984c40be-bd1b-423a-b4f5-1d46ef559ef7/A27-7831-2025_20260514_Opredelenie.pdf?isAddStamp=True) accessed 9 September 2026.

containing fake judicial acts. The court concluded:

‘Thus, the company “CSS” provided the court with knowingly false information, falsifying sources and seeking to influence the court of the circuit through the alleged authority of a higher judicial body, hoping for a superficial review of the arguments and the desired outcome.

This constitutes a direct deception of the court and a gross manifestation of disrespect towards the rule of law. The character of the presentation of arguments and the cited excerpts from judicial acts indicate a deliberate intent to achieve a favorable result through unlawful means.

The intentional actions of the company are aimed at discrediting the authority of the judiciary and clearly contradict the purposes and objectives of arbitration proceedings as defined in Article 2 of the APC RF.

The court deems it necessary to emphasize that such conduct cannot be justified under any circumstances, particularly not by the fact that the cassation appeal was prepared using artificial intelligence technologies because responsibility for the verification of the generated text rests with the party participating in the case (Part 2, Article 9 of the APC RF).

In accordance with Part 5 of Article 119 of the APC, the aforementioned actions constitute a manifestation of disrespect toward the court, which entails the imposition of a judicial fine on the company “CSS”.’

## **6. Have there been other significant cases addressing AI use in litigation?**

For the most part, the courts reject evidence generated solely by AI, unless it is substantiated by verifiable, independent sources.

In one case, the tax authority submitted a penalty calculation based on an AI-driven system, arguing that the result was algorithmically derived. However, the court ruled in favour of the plaintiff, stating: ‘The use of AI for calculations is not a basis for presuming the correctness of the results, nor does it relieve the tax authority of responsibility for the outcome. AI is not a subject – it is a tool that cannot replace human oversight and must be used under the supervision of a responsible party’.<sup>20</sup> Thus, the court emphasised that the integration of AI into tax authority procedures, including the omission of penalty amounts from official documents, does not exempt the authority from its procedural obligations to substantiate the correctness of its actions.

Similarly, the Arbitrazh Court of Republic of Kalmykia in the Judgment in case No A22-447/2024 as of 14 February 2024,<sup>21</sup> the court found that the claimant submitted an AI-generated response regarding the average monthly revenue of a sales point, without providing bank statements. The

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<sup>20</sup> Resolution of the Twelfth Arbitrazh Court of Appeals as of 9 December 2025 in case No A12-8377/2025. Card Index of Arbitration Cases [https://kad.arbitr.ru/Document/Pdf/3e4a0280-b9e5-47cf-ab51-f466b981385a/59296c2a-c6b8-4754-9b81-67b2f6993316/A12-8377-2025\\_20251209\\_Postanovlenie\\_apelljacionnoj\\_instancii.pdf?isAddStamp=True](https://kad.arbitr.ru/Document/Pdf/3e4a0280-b9e5-47cf-ab51-f466b981385a/59296c2a-c6b8-4754-9b81-67b2f6993316/A12-8377-2025_20251209_Postanovlenie_apelljacionnoj_instancii.pdf?isAddStamp=True) accessed 9 September 2026.

<sup>21</sup> Card Index of Arbitration Cases [https://kad.arbitr.ru/Document/Pdf/f9a14855-dff9-463e-8426-eed7dee657b1/8ba5bbc8-8e2e-4fc1-9aed-9a180c6af66a/A22-447-2024\\_20250214\\_Reshenija\\_i\\_postanovlenija.pdf?isAddStamp=True](https://kad.arbitr.ru/Document/Pdf/f9a14855-dff9-463e-8426-eed7dee657b1/8ba5bbc8-8e2e-4fc1-9aed-9a180c6af66a/A22-447-2024_20250214_Reshenija_i_postanovlenija.pdf?isAddStamp=True) accessed 9 September 2026.

court ruled: 'The plaintiff did not present evidence of the actual receipt of the claimed income. The AI-generated response was not accepted by the court, as it cannot confirm the real income of the plaintiff'.

In another instance, the Arbitrazh Court of Primorsky Krai in case No A51-16042/2024 in the Judgment as of 17 February 2026,<sup>22</sup> the court held: 'AI chatbots are tools that generate responses based on language models without providing verifiable sources. Parties must rely on credible, documented evidence, not responses obtained from AI chatbots'.

However, there are also other examples. For instance, in one case, a party argued that the expert review of the expert opinion had been prepared using AI technologies. The court did not accept this argument, stating that the use of AI per se is not prohibited, provided that the conclusions were subsequently validated by a reviewer (a qualified specialist):<sup>23</sup>

'In assessing the evidence, the court relied on the following: [...] The specialist did not specify which erroneous conclusions or judgments resulted from the use of information from any source or literature that were not identified by the reviewer. The use of technical means, including artificial intelligence, in generating the text of the opinion is not prohibited by law. The expert bears responsibility for the accuracy of the conclusions and the justification of the judgments in accordance with the established legal procedure.'

Separately, the courts consistently emphasise that the authority to examine and establish factual circumstances of a case cannot be delegated to AI: this remains the exclusive prerogative of the judiciary. For instance, in its Resolution of 12 May 2025 in case No A60-39444/2024,<sup>24</sup> the Intellectual Property Court stated: 'The analysis of the case submitted by Shugaleev P.P. to the court materials, utilizing artificial intelligence (a language model) DeepSeek V3 (supplementary analysis), constitutes an evaluation of the evidence already presented, which falls within the exclusive jurisdiction of the court. Therefore, it does not invalidate the conclusions reached by the courts of first and appellate instances.'

In a limited but notable number of cases, courts have examined the legitimacy of employing AI technologies in the provision of professional services. In one such instance, the claimant argued that the disputed services (the development of a business strategy) were rendered by the defendant using a neural network designed for text and presentation generation, thereby allegedly indicating the defendant's lack of competence and professional expertise.

However, the court dismissed these arguments, stating that:<sup>25</sup>

'During the proceedings, the claimant failed to present convincing and credible evidence

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<sup>22</sup> Card Index of Arbitration Cases [https://kad.arbitr.ru/Document/Pdf/62a50183-5443-4c39-8360-53abff62dd57/4b0efcd4-89b1-484b-bad6-b206677f1d5a/A51-16042-2024\\_20260217\\_Reshenie.pdf?isAddStamp=True](https://kad.arbitr.ru/Document/Pdf/62a50183-5443-4c39-8360-53abff62dd57/4b0efcd4-89b1-484b-bad6-b206677f1d5a/A51-16042-2024_20260217_Reshenie.pdf?isAddStamp=True)

<sup>23</sup> Judgment of the Arbitrazh Court of Krasnodar Krai dated 9 December 2025 in case No A32-65585/2024. Card Index of Arbitration Cases [https://kad.arbitr.ru/Document/Pdf/8ed70d3a-7220-48a4-b350-061275da8983/9e5097ce-ad7e-44f6-8251-b73b50d1faaf/A32-65585-2024\\_20251208\\_Reshenija\\_i\\_postanovlenija.pdf?isAddStamp=True](https://kad.arbitr.ru/Document/Pdf/8ed70d3a-7220-48a4-b350-061275da8983/9e5097ce-ad7e-44f6-8251-b73b50d1faaf/A32-65585-2024_20251208_Reshenija_i_postanovlenija.pdf?isAddStamp=True)

<sup>24</sup> Card Index of Arbitration Cases [https://kad.arbitr.ru/Document/Pdf/e8ade2ee-464e-4fd2-99d0-c560fa78c64a/f81bee0f-6647-46c9-bc9f-5173ed96c072/A60-39444-2024\\_20250512\\_Reshenija\\_i\\_postanovlenija.pdf?isAddStamp=True](https://kad.arbitr.ru/Document/Pdf/e8ade2ee-464e-4fd2-99d0-c560fa78c64a/f81bee0f-6647-46c9-bc9f-5173ed96c072/A60-39444-2024_20250512_Reshenija_i_postanovlenija.pdf?isAddStamp=True)

<sup>25</sup> Judgment of the Arbitrazh Court of St Petersburg and Leningrad Region as of 4 February 2025 in case No A56-102880/2025. Card Index of Arbitration Cases [https://kad.arbitr.ru/Document/Pdf/476a075f-558e-444a-829d-cd63a3cb68f6/06a2fd90-7700-4fb3-9cd2-8fad3127bfe8/A56-102880-2025\\_20260226\\_Reshenie.pdf?isAddStamp=True](https://kad.arbitr.ru/Document/Pdf/476a075f-558e-444a-829d-cd63a3cb68f6/06a2fd90-7700-4fb3-9cd2-8fad3127bfe8/A56-102880-2025_20260226_Reshenie.pdf?isAddStamp=True) accessed 9 September 2026.

confirming the existence of grounds for declaring the contract void under Article 178 of the Civil Code of the Russian Federation.

No evidence of bad faith, unlawful intent, or concealment of the defendant's lack of specialized knowledge in the field of services provided was submitted.

The court established that the claimant, by signing the contract, the acceptance certificate, and making payment for the services rendered, effectively acknowledged the price, scope, and quality of the services. Having the real opportunity to verify the quality of the services, specifically, the alleged incompetence of the service provider, the claimant did not exercise due diligence either prior to contract conclusion or during its performance.'

This being so, at present, the court practice of the Russian courts mostly follows legal principle: while AI may serve as a powerful auxiliary tool in professional practice, its use does not, by itself, constitute grounds for challenging the validity of a contract or the competence of a service provider. The burden of proof lies with the party alleging misconduct, and mere reference to AI-based methods is insufficient without substantiating evidence of fault, deception or failure to meet contractual standards.

## OTHER GUIDANCE

### 7. What other guidance exists on AI use in litigation (government frameworks, industry standards)?

Please refer to the overview in Question 1 ('Other general regulations (enacted), soft law, and other pending bills').

## PRACTICAL MATTERS

### 8. What are the key risks and best practices for litigators using AI in your jurisdiction?

Based on the framework bills and general guidance given in the current legislation, and also considering some recent input from the courts, the authors of this guide can formulate the approach as follows:

#### **Responsibility for the use of AI tools shall remain with the lawyer**

Any output generated by AI constitutes the professional responsibility of the legal practitioner. AI is not a legal subject and cannot bear liability for errors in pleadings, contracts or procedural documents. The ultimate responsibility for the accuracy, legal validity and appropriateness of any document prepared with AI assistance rests solely with the attorney who signs it. No document produced with AI support should be submitted to a client, counterparty or court without thorough personal review for factual accuracy, compliance with applicable law and adherence to professional standards.

It should be also noted that large language models underlying AI systems are prone to 'hallucinations', that is, the generation of fabricated legal references, incorrect article numbers, false case citations, and invented excerpts from decisions of judicial councils or court precedents. To prevent such outcomes, every legal reference produced by AI must be independently verified against primary sources including the 'ConsultantPlus', 'Garant', the State Automated System 'Justice' and the 'Arbitr' case database. If the original source does not confirm the reference, it must be removed from the document, regardless of how plausible or convincing the AI-generated statement may appear.

#### **Protection of attorney-client privilege and informed consent from the client**

The transmission of information constituting attorney-client privilege, commercial secrets, tax-related data or any other legally protected confidential information into publicly accessible AI platforms such as ChatGPT, Claude, Gemini and similar systems is strictly prohibited.

#### **Preference for domestic LegalTech solutions in sensitive matters**

For the processing of personal data, client contracts and procedural documents, domestic LegalTech solutions are strongly recommended.

#### **Data anonymisation and internal organisational measures**

When AI tools are used in connection with client-related materials, such data must be anonymised prior to processing. Personal information, including full names, passport details, Taxpayer Identification Number ('INN') addresses, transaction amounts and counterparties' names must be replaced with neutral designations such as 'Party A', 'OOO "X"' or 'amount N'. Within the law firm or corporate legal department, a formal internal policy on AI usage must be adopted.

#### **Clear boundaries between permissible and prohibited applications**

AI is appropriate and effective in the following tasks: for example, preliminary legal review and due diligence; legal research and retrieval of case law (provided that findings are verified). However, AI must not be entrusted with tasks requiring professional judgement, individualised assessment or strategic legal thinking. These include formulating a legal position in a unique case, developing a defence strategy, evaluating evidence and drafting the reasoning section of procedural documents.

### **9. Is there anything else about AI and litigation in your jurisdiction that practitioners should know?**

Because, as outlined above, Russia has not yet adopted a comprehensive law regulating the use of AI tools, nor does it currently possess a unified legislative framework, authorities and legal practitioners alike must anticipate that, in the coming three to five years, regulatory development will proceed in a fragmented manner, primarily through amendments and additions to existing, well-established codifications and legal acts. This approach reflects the current trajectory of Russian legislative practice, where incremental adjustments to existing legal systems take precedence over sweeping, foundational changes.

In this context, it is imperative to closely monitor evolving legal developments and remain vigilant about emerging judicial interpretations – although such interpretations are not legally binding, they may provide valuable insight into how courts perceive acceptable standards for the use of AI tools in legal practice. Furthermore, greater attention should be paid to soft law instruments, such as recommendations, guidelines and ethical frameworks developed at the level of professional bodies, including the Federal Chamber of Advocates. These instruments, while non-mandatory, may serve as critical indicators of the evolving professional expectations regarding the responsible and proportionate use of AI in attorney-client relationships, helping to define the boundaries of acceptable practice in an era of rapid technological transformation.