

# **75 lat Rady Europy – ewolucja systemu aksjologicznego i form oddziaływania na państwa członkowskie**

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## Spis treści

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Wprowadzenie .....	7
Wystąpienie marszałek Senatu Małgorzaty Kidawy-Błońskiej na inauguracji Międzynarodowej Konferencji Naukowej Praw Człowieka „75 lat oddziaływania Rady Europy na kształtowanie europejskiej przestrzeni prawnej w obszarach demokracji, praworządności i praw człowieka”, 15 kwietnia 2024 r. ....	10
Przesłanie marszałka Sejmu Rzeczypospolitej Polskiej Szymona Hołowni .....	12
List prezesa Najwyższej Izby Kontroli Mariana Banasia .....	13
Przesłanie ministra nauki i szkolnictwa wyższego Dariusza Wieczorka .....	15
Wystąpienie zastępcy rzecznika praw obywatelskich dr. Valeri'ego Vacheva .....	16

### **Ewolucja systemu aksjologicznego Rady Europy**

<b>Zuzanna Adamczyk</b> Statut Rady Europy jako wyraz dążenia do jedności europejskiej przez państwa członkowskie .....	21
<b>Veronika Białek</b> Procedura uzyskiwania przez państwo członkostwa w Radzie Europy .....	32
<b>Krzysztof Drzewicki</b> Warunki członkostwa w Radzie Europy w ocenie polskiej literatury naukowej .....	50

**Larysa Novak-Kalyayeva**

Human rights as an innovation in the European political and legal space:  
the experience of the Council of Europe ..... 70

**Karolina Świeca**

„Organizacja wartości” – Rada Europy w ujęciu aksjologicznym ..... 92

**Piotr Zamelski**

Spójność aksjologiczno-prawna państw Rady Europy ..... 102

**Ewa Golka-Jastrząb**

Sztuczna inteligencja jako wyzwanie dla aksjologicznego systemu  
Rady Europy ..... 113

**Joanna Kasprzycka**

Rozwój sztucznej inteligencji. Szansa czy zagrożenie dla praw jednostki  
w europejskim systemie prawnym ..... 129

**Paweł Kuczma**

Procedura monitoringowa Rady Europy ..... 139

**Jerzy Jaskiernia**

Parlamentarny wymiar Rady Europy i jego znaczenie dla kształtowania  
europejskiej przestrzeni prawnej w obszarach demokracji,  
praworządności i ochrony praw człowieka ..... 154

**Jacek Mazurkiewicz**

Nie jestem marksistą. W czym zubożono w Radzie Europy  
i w Unii Europejskiej refleksję nad demokracją, praworządnością  
i ochroną praw człowieka, porzucając metodologię marksowską? ..... 173

**Stanisław Leszek Stadniczeńko**

Rada Europy w nowej rzeczywistości społeczno-kulturowo-politycznej ..... 183

**Marcin Nowotka**

Rekomendacje Amnesty International w kwestii kierunków rozwoju  
Rady Europy ..... 214

**Ryszard Pizior**

Kierunki oddziaływania Rady Europy na politykę wiejską państw członkowskich ..... 227

**Dawid Kutryn**

Najnowsza działalność Zgromadzenia Parlamentarnego Rady Europy w dziedzinie sportu ..... 247

**Jan Nalewczyński**

Współpraca Rady Europy z Agencją Praw Podstawowych UE ..... 261

**Ewolucja form oddziaływania Rady Europy na praktykę ustrojową państw członkowskich****Sylweryusz M. Królak**

A dynamic model for the functioning of the Commissioner for Human Rights in the context of the system of monitoring the protection of human rights in Council of Europe member states ..... 275

**Klaudiusz Kanclerz**

Efektywność oddziaływania Rady Europy na system prawa medycznego w Rzeczypospolitej Polskiej ..... 288

**Ján Svák, Dušan Tomka**

30 years of Slovak membership in the Council of Europe – victories and challenges ..... 301

**Paweł Łyczak**

Commissioner for Human Rights of the Council of Europe – effectiveness of impact on the protection of Human Rights in the EU member states on the example of Slovakia ..... 316

**Andelija Tasić**

European Court of Human Rights – the influence of its decisions on the civil procedure in Serbia ..... 330

**Aleksandar Mihajlović**

Efficiency of justice – importance of the CEPEJ as the legacy of the Council of Europe ..... 344

**Miomira Kostić**

Older convicts and human rights legacy of the Council of Europe ..... 356

**Kamil Spryszak**

Monitoring Europejskiego Komitetu ds. Zapobiegania Torturom  
oraz Nieludzkiemu lub Poniżającemu Traktowaniu albo Karaniu  
(CPT) w obszarze zatrzymań imigracyjnych w Grecji ..... 372

**Laura Anna Woźniak**

Efektywność działań Komisarza Praw Człowieka Rady Europy  
wobec łamania praw człowieka w Republice Turcji ..... 393

**Natalia Piekarczyk**

Wpływ Rady Europy na proces zmian konstytucyjnych w Republice  
Armenii ze szczególnym uwzględnieniem roli Europejskiej Komisji  
na rzecz Demokracji przez Prawo (Komisji Weneckiej) ..... 409

Aleksandar Mihajlović<sup>1</sup>

## Efficiency of justice – importance of the CEPEJ as the legacy of the Council of Europe<sup>2</sup>

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### Introduction

Development of legal norms has its purpose in creating rules that will regulate behaviour of natural persons and legal subjects. This includes the necessity that legal norms are both effective and efficient. Time flows and if a concrete result is not achieved in a reasonable time, depending on a concrete case, the legal norm, or precisely the justice, will lose its purpose. The European Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter: ECHR) stipulates in Article 6 that “..., everyone is entitled to a fair and public hearing within a *reasonable time* by an independent and impartial tribunal established by law”<sup>3</sup>. This is clear from this article which guarantees the right to a fair trial that the efficiency of a legal norm/procedure is recognised as a part of this right.

The European Commission for the Efficiency of Justice (hereinafter: CEPEJ) was established on 18 September 2002 with Resolution Res(2002)12<sup>4</sup> of the Committee of Ministers of the Council of Europe (hereinafter: Resolution) with a purpose of promoting human rights and the rule of law concept through Europe, paying special attention on the ECHR and its Article 5 (Right to liberty and security), Article 6 (Right to a fair trial), Article 13 (Right to an effective remedy) and Article 14 (Prohibition of discrimination). The CEPEJ develops

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<sup>2</sup> This paper is a result of the research conducted at the Institute of Comparative Law financed by the Ministry of Science, Technological Development and Innovation of the Republic of Serbia under the Contract on realization and financing of scientific research of SRO in 2024 registered under no. 451-03-66/2024-03/200049, since 5<sup>th</sup> February 2024.

<sup>3</sup> Article 6, Paragraph 1, The Council of Europe, Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by protocols Nos 11 and 14 (adopted 4 November 1950, entered into force 3 September 1953) ETS No 005 (European Convention on Human Rights – ECHR).

<sup>4</sup> Resolution Res(2002)12 establishing the European Commission for the efficiency of justice (CEPEJ), (Adopted by the Committee of Ministers on 18 September 2002 at the 808<sup>th</sup> meeting of the Ministers’ Deputies), <https://search.coe.int/cm#> [accessed: 5.06.2024].

different tools which aim is to improve the efficiency and the functioning of justice in Europe.

The subject of this paper is the efficiency of justice in the context of the CEPEJ mandate. The purpose of the article is to analyse the legal structure of the CEPEJ and its connection to the raising implementation of artificial intelligence (hereinafter: AI) within legal systems. The author's attention will be also on the Regulation on Artificial Intelligence, the so-called the European Union's Artificial Intelligence Act (hereinafter: EU AI Act)<sup>5</sup>, as well as the CoE Draft Framework Convention on Artificial Intelligence, Human Rights, Democracy and the Rule of Law (hereinafter: DFC)<sup>6</sup>, and their connection with efficiency and justice. Two legal methods will be applied: doctrinal and descriptive methodology frameworks.

In the first part of the article, the author analyses some theoretical explanations of efficiency and its connection to law. The next part is dedicated to the legal framework how the CEPEJ works, its establishment, structure and mission through the analysis of the Resolution and the Rules of procedure of the CEPEJ<sup>7</sup>. The third part is about the relation between CEPEJ tools and AI. In that context the author will also briefly cover some legal solutions in this context prescribed by the EU AI Act and the DFC.

## Efficiency and Law – Theoretical Perspective

In general, a legal system can affect different elements of a society, it can make incentives for some kinds of behaviour, it can make preferable allocation of limited resources which are necessary for development etc.<sup>8</sup> The basic precondition, *conditio sine qua non*, for the successful functioning of a legal system is the respect of the rule of law principle. This principle encompasses impartial judiciary, separation of powers between the executive, legislative and the judicial power, as well as the right to a fair trial<sup>9</sup>. As we mentioned in the introductory

<sup>5</sup> In this article, the author used the EU AI Act version endorsed by the Committee of the Permanent Representatives of the Governments of the Member States to the European Union (the Coreper I) on 2 February 2024, <https://www.euaiact.com/> [accessed: 5.06.2024]. It is not yet published in the Official Journal of the European Union.

<sup>6</sup> In this article, the author used the Draft Framework Convention on Artificial Intelligence, Human Rights, Democracy and the Rule of Law from 18 December 2023, <https://rm.coe.int/cai-2023-28-draft-framework-convention/1680ade043> [accessed: 5.06.2024].

<sup>7</sup> Rules of procedure of the CEPEJ, CEPEJ/GENERAL (2014) 20, <https://rm.coe.int/european-commission-for-the-efficiency-of-justice-cepej-revised-rules-/1680786ae6> [accessed: 5.06.2024].

<sup>8</sup> M. Lorizio, A. Rosa Gurrieri, *Efficiency of Justice and Economic Systems*, "Procedia Economics and Finance" 2014, Vol. 17, p. 105.

<sup>9</sup> P. Albers, *Improvements of Judicial Systems: European Experiences*, "International Journal For Court Administration" 2008, Vol. 1. No. 1, p. 45.



part, the efficiency of judicial processes is a part of the right to a fair trial. Judicial power is not only important because it affects human behaviour, resolves different conflicts, and has a preventive effect of some inappropriate cases, but it also contributes to the economic development<sup>10</sup>.

The purpose of the laws is to regulate and shape the behaviour of different members of a society in a way to prescribe what is forbidden or what is permitted to be done, as well as through the establishment of different kinds of institutions. These members are encouraged to interact with institutions and use different procedures, and exercise variety of rights, both effectively and efficiently<sup>11</sup>. In this context where the law is explained by incentives which stimulate concrete behaviour, some authors, such as Judge Richard Posner, see the economic side of law. Posner explains that laws induce efficient behaviour, and the term “*efficient*” should not be understood in a limited way only in relation to market transactions, but in a wider social context<sup>12</sup>. Economic models of law, which are used by the discipline called Law and Economics, supported by the judge and scholar Posner, have a premise of rationality which comes from economic actors. It means that every subject, an element of the (legal) system, behaves in a rational and efficient way aiming to maximise their interest, both material and non-material interest. This kind of a rational approach to law is criticised, because the rationality has its limits. Sometimes humans are not rational actors and their actions are affected by biases which are an introduction to a new discipline called Behavioural Law and Economics, which opposes the presumption of the human rationality in their interaction<sup>13</sup>. In other words, we can say that one of the functions of the law is to produce efficiency, and the efficiency can be understood as a product of laws<sup>14</sup>.

Efficiency can be explained in descriptive and normative way. The descriptive approach is not very clear, and it can be understood that legal norms support efficient behaviour, or that the law is efficient itself<sup>15</sup>. The normative approach of efficiency is an essential part of the Law and Economics or Economic

<sup>10</sup> R. Ippoliti, G. Tria, *Efficiency of judicial systems: model definition and output estimation*, “Journal of Applied Economics” 2020, Vol. 23, No. 1, p. 385.

<sup>11</sup> A. Allott, *The Effectiveness of Law*, “Valparaiso University Law Review” 1981, Vol. 15, No. 2, p. 233.

<sup>12</sup> N. Garoupa, C. Ligierre Gomez, *The Evolution of the Common Law and Efficiency*, “Georgia Journal of International and Comparative Law” 2012, Vol. 40, No. 2, p. 309.

<sup>13</sup> J.S. Bayern, *False Efficiency and Missed Opportunities in Law and Economics*, “Tulane Law Review” 2011, Vol. 86, No. 1, p. 137.

<sup>14</sup> K.D. Brown, *The Perverse Effects of Efficiency in Criminal Process*, “Virginia Law Review” 2014, Vol. 100, No. 1, p. 190.

<sup>15</sup> T. Famulski, *Economic Efficiency in Economic Analysis of Law*, “Journal of Finance and Financial Law” 2017, Vol. 3, No. 15, p. 30.

Analysis of Law discipline, and it is important to underline that economic efficiency is different from efficiency in jurisprudence which focus is on the realisation of intention provided by a legal norm<sup>16</sup>. The economic literature recognises two models of the efficiency, the Pareto efficiency and the Kaldor-Hicks efficiency. The Pareto efficiency can be defined as a situation “(...) when the change in social reality does benefit at least one person (increases that person’s utility), and does not worsen the state of any other person (does not decrease utility of any other person)”<sup>17</sup>. This kind of understanding efficiency is only a theoretical model which does not exist in reality. The second model, called the Kaldor-Hicks efficiency is more realistic, and it exists “(...) when the change in social reality does benefit at least one person (increases that person’s utility), and even though it may worsen other person’s state (decrease that person’s utility), the benefit of the first person is greater than the loss of the other, so that there is a possibility of the loss being compensated, and the first person still having his or her utility increased”<sup>18</sup>. Generally speaking, different laws and policies produces variety of effects toward the members of a society, and in practice, it is very hard “(...) to identify new policies or new laws that make someone better off without making anyone worse off”<sup>19</sup>. Although there can be a difference in theory between efficiency in legal and economic context, in practice, they follow the same pattern. Efficiency produces costs which are related to the bad implementation of law<sup>20</sup>. Better effectiveness of law is connected with higher efficiency, and in both cases it is necessary to increase the resources for achieving twofold aim, the effectiveness and the efficiency of justice<sup>21</sup>.

Efficiency, as a principle, is a part of justice/the legal system, and together with effectiveness they make a full circle what the law aims to achieve through regulation. Although in theory there can be a difference between economic and legal understanding of efficiency, both views are almost the same in practice. Efficiency induces costs for governments which have to invest resources to make better performance of efficiency. In the following parts, CEPEJ will be described through the normative analysis of relevant legal documents, as well as how AI can affect the efficiency and the rule of law.

<sup>16</sup> Ibidem, p. 31.

<sup>17</sup> Ibidem, p. 32.

<sup>18</sup> Ibidem.

<sup>19</sup> R.D. Cooter, *Liberty, Efficiency, and Law*, “Law and Contemporary Problems” 1987, Vol. 50, No. 4, p. 151.

<sup>20</sup> G. Tullock, *Two Kinds of Legal Efficiency*, “Hofstra Law Review” 1980, Vol. 8, No. 3, p. 661.

<sup>21</sup> Ibidem.

## **The Council of Europe European Commission for the efficiency of justice (CEPEJ) – Establishment, Structure and Mission**

The European Commission for the Efficiency of Justice was established on 18 September 2002 with Resolution Res(2002)12 of the Committee of Ministers of the Council of Europe. The Resolution recognises *two aims of the CEPEJ*: 1. the improvement of the efficiency and the functioning of the justice system of member states to ensure that everyone within their jurisdiction can enforce their legal rights effectively, thereby generating increased confidence in the citizens in the justice system; and, 2. a better implementation of the international legal instruments of the CoE concerning efficiency and fairness of justice<sup>22</sup>.

*The functions of the CEPEJ* includes the tasks: 1. to examine the results achieved by the different judicial systems in the light of the principles referred to in the preamble to this resolution by using, amongst other things, common statistical criteria and means of evaluation; 2. to define problems and areas for possible improvements and to exchange views on the functioning of the judicial systems; 3. to identify concrete ways to improve the measuring and functioning of the judicial systems of the member States, having regard to their specific needs; 4. to provide assistance to one or more member States, at their request, including assistance in complying with the standards of the CoE; and, 5. to suggest, if appropriate, areas in which the relevant steering committees of the CoE, in particular the European Committee on Legal Co-operation (CDCJ), may, if they consider it necessary, draft new international legal instruments or amendments to existing ones, for adoption by the Committee of Ministers<sup>23</sup>.

The CEPEJ fulfils its tasks by the working methods such as: 1. identifying and developing indicators, collecting and analysing quantitative and qualitative data, and defining measures and means of evaluation; 2. drawing up reports, statistics, best practice surveys, guidelines, action plans, opinions and general comments; 3. establishing links with research institutes and documentation and study centres; 4. inviting to participate in its work, on a case-by-case basis, any qualified person, specialist or non-governmental organisation active in its field of competence and capable of helping it in the fulfilment of its objectives, and holding hearings; and, 5. creating networks of professionals involved in the justice area<sup>24</sup>. The CEPEJ delivers opinions on the request by the Parliamentary Assembly of the Council of Europe, the European Court of Human Rights, the

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<sup>22</sup> Article 1, Resolution.

<sup>23</sup> Article 2, Resolution.

<sup>24</sup> Article 3, Resolution.

appropriate Committees of the Council of Europe, in particular the European Committee on Legal Co-operation (CDCJ), the European Committee on Crime Problems (CDPC), the Steering Committee on Human Rights (CDDH) and the Consultative Council of European Judges (CCJE) and the Secretary General.

The structure of the CEPEJ includes experts who are appointed by every of 46 member states of the CoE. Each member state shall appoint a delegation which consists of a member and a substitute member<sup>25</sup>. The CEPEJ shall elect its President and Vice-President from among the experts appointed by the Member State entitled to vote, for a mandate of two years and they can be re-elected ones<sup>26</sup>. Beside the member states of the CoE, the states enjoying observer status to this organisation are *de facto* members to the CEPEJ (Holy See, Canada, Japan, Mexico and United States of America). The Committee of Ministers of the CoE decided to grant the observer status to the following countries: Guatemala, Israel, Kazakhstan, Morocco and Tunisia. The CEPEJ holds at least one plenary meeting a year, it can organise *ad hoc* meetings when it is necessary, and a secretariat provided by the Secretary General of the CoE assists the work of the CEPEJ. The Bureau of the CEPEJ shall be composed of the President, the Vice-President and up to 2 experts. The expert members of the Bureau shall be elected for two years, and can be re-elected once<sup>27</sup>. The Bureau shall carry out the following functions: 1. make proposals as regards the issues referred to in Article 3 of the Statute of the CEPEJ, having in mind in particular the Guiding Principles contained in the Statute of the CEPEJ; 2. make proposals, where appropriate, to the CEPEJ on (i) country assistance activities, (ii) on the specialists who may be called upon to carry out a country assistance activity in accordance with Rule 7 and (iii) on the modalities in which a country assistance activity will be carried out; 3. make proposals to the CEPEJ concerning the appointment of consultants; 4. co-ordinate the work of the working parties; 5. prepare the draft order of business for the meetings of the CEPEJ; 6. decide whether or not any proposal for amendment to the present Rules in accordance with Rule 12 shall be submitted to the CEPEJ; 7. prepare the preliminary draft annual activity report; 8. prepare for the attention of the CEPEJ the draft annual activity report; and, 9. carry out any other function assigned to it by the CEPEJ<sup>28</sup>. If necessary, the CEPEJ can set up working parties which encompass maximum six persons.

<sup>25</sup> Rule 1, Rules of procedure of the CEPEJ.

<sup>26</sup> Rule 2, Rules of procedure of the CEPEJ.

<sup>27</sup> Rule 3, Rules of procedure of the CEPEJ.

<sup>28</sup> *Ibidem*.

## CEPEJ and Artificial Intelligence

AI has become an inevitable part of people's everyday life. It is also related to the field of law and judiciary in general. There are still a lot of unanswered questions how the AI works and what its consequences can be in reality. This is the reason why the AI is called a "black box". Based on the unpredictability of the AI effects, there are *strong* and *weak black boxes*. While strong black boxes are absolutely unknown how the AI will work, in the case of weak black boxes, engineers can predict to some extent what the AI will bring to the society, and stakeholders can be ready to some extent to intervene and prevent negative consequences<sup>29</sup>. Another problem related to the AI is the lack of transparency how an algorithm has been trained to work in practice and that is the reason why the transparency is one of the key elements in the AI life cycle<sup>30</sup>. AI programs are developed by humans who are biased and these biases are transferred to the AI as well. This is the reason why AI programs can discriminate different social groups. This side of the AI can be explained as "garbage in, garbage out"<sup>31</sup>.

The CEPEJ has recognised the importance of the AI, and the Working Group on Cyberjustice and Artificial Intelligence (hereinafter: CEPEJ-GT-CYBERJUST) was established during the 33<sup>rd</sup> plenary meeting in December 2019. This Working Group was established with the task of "developing tools with a view to offering a framework and guarantees to member States and legal professionals wishing to create or use Information and Communication Technologies, and/or artificial intelligence mechanisms in judicial systems to improve the efficiency and quality of justice"<sup>32</sup>. Three years later, the CEPEJ Artificial Intelligence Advisory Body (hereinafter: AIAB) was established with the purpose of providing expert advice on Artificial Intelligence issues in the judicial environment. The AIAB is a key element in the process of implementation of the European Ethical Charter on the use of Artificial Intelligence in judicial systems and their environment<sup>33</sup> (hereinafter: AI Ethical Charter).

<sup>29</sup> Y. Bathaee, *The Artificial Intelligence Black Box and the Failure of Intent and Causation*, "Harvard Journal of Law & Technology" 2018, Vol. 31, No. 2, p. 906.

<sup>30</sup> *Bias in Algorithms – Artificial Intelligence and Discrimination (Report)*, "European Union Agency for Fundamental Rights, Vienna" 2022, p. 25.

<sup>31</sup> A.F. Raso et. al., *Artificial Intelligence & Human Rights: Opportunities & Risks*, "Berkman Klein Center for Internet & Society Research Publication" 2018, No. 6, p. 15.

<sup>32</sup> *Cyberjustice and artificial intelligence used in the field of justice*, <https://www.coe.int/en/web/cepej/cepej-working-group-cyber-just> [accessed: 7.06.2024].

<sup>33</sup> European Ethical Charter on the use of Artificial Intelligence in judicial systems and their environment, <https://rm.coe.int/ethical-charter-en-for-publication-4-december-2018/16808f699c> [accessed: 7.06.2024].

The AI Ethical Charter stipulates 5 principles in the process of AI application in the context of judicial systems and environment: *the principle of respect for fundamental rights* – ensure that the design and implementation of artificial intelligence tools and services are compatible with fundamental rights; *the principle of non-discrimination* – specifically prevent the development or intensification of any discrimination between individuals or groups of individuals; *the principle of quality and security* – with regard to the processing of judicial decisions and data, use certified sources and intangible data with models elaborated in a multi-disciplinary manner, in a secure technological environment; *the principle of transparency, impartiality and fairness* – make data processing methods accessible and understandable, authorise external audits; *the principle “under user control”* – preclude a prescriptive approach and ensure that users are informed actors and in control of the choices made<sup>34</sup>.

When the EU AI Act comes into force, it will be the first – ever regional and horizontal legally binding document that will be implemented toward all the EU member states. The subject of this part of the article will not be the analysis of the concrete act, only its relation to the implementation of the AI in judiciary. It is important to underline that the EU AI Act recognises different risk categories of AI implementation. Depending on the concrete level of risk, concrete safety measures shall be implemented. As high – risk AI systems, the EU AI Act recognises the following areas: *Biometrics*; Critical infrastructure; Education and vocational training; Employment, workers management and access to self-employment; Access to and enjoyment of essential private services and *essential* public services and benefits; Law enforcement, *in so far as their use is permitted under relevant EU or national law*; Migration, asylum and border control management, *in so far as their use is permitted under relevant EU or national law*; Administration of justice and democratic processes.

In relation to administration of justice and democratic processes, the application of the AI has been recognised as a high risk in two cases: 1. AI systems intended to be used by a judicial authority or on their behalf to assist a judicial authority in researching and interpreting facts and the law and in applying the law to a concrete set of facts, or to be used similarly in an alternative dispute resolution; 2. AI systems are intended to be used to influence the outcome of an election or referendum or the voting behaviour of natural persons in the exercise of their vote in elections or referenda. This does not include AI systems to output of which natural persons are not directly exposed, such as tools used to organise, optimise or structure political campaigns from an administrative or logistical point of view<sup>35</sup>.

<sup>34</sup> AI Ethical Charter, p. 7.

<sup>35</sup> Annex III, High-Risk AI Systems Referred to in Article 6(2), EU AI Act.

The DFC, as a future international human rights convention, which shall regulate the application of AI, has a different legal nature in comparison to the EU AI Act. This is because the EU is a regional intergovernmental organisation which can regulate different fields of law in different forms of legal act, such as regulations, directives, recommendations etc. The DFC, as its title said, is a draft framework convention which will be opened to be signed by all interested countries in the world. For this reason, it was written in less detailed style and its full implementation is left to state parties to pass concrete domestic laws and incorporate the DFC standards in the context of the AI application. This document does not recognise different levels of AI risk implementation, because its presumption is that every kind of AI application brings concrete levels of risks. Article 5 of the DFC titled “Integrity of democratic processes and respect for rule of law” stipulates the following rules which are of importance to the field of justice and efficiency: each Party shall adopt or maintain measures that seek to ensure that artificial intelligence systems are not used to undermine the integrity, independence and effectiveness of democratic institutions and processes. Including the principle of separation of powers, respect for judicial independence, and access to justice. Each Party shall adopt or maintain measures that seek to protect individuals’ participation in democratic processes, fair access to public debate, and the ability of individuals to reach decisions free from undue/harmful and malicious external influence or manipulation, in the context of activities within the lifecycle of artificial intelligence systems.

It is obvious that the time still needs to show how the concrete legally binding norms from the EU AI Act and the DFC will be applied to concrete states. The CEPEJ has developed tools and soft law instruments which have created a framework for the AI application in the field of justice sector. Many of questions are still waiting to be resolved in the following period, and it is clear that the European Court of Human Rights will have a chance to develop case law in the field.

## **Conclusion**

Efficiency of justice is an important component of the principle of the rule of law, as well as of the right to a fair trial. When the law is developing, its aim is to provide efficient and effective application of rules which regulate concrete behaviours of members of one society. Efficiency can be explained both through the economic and legal perspective, and although in some theoretical context the legal, and economic sides of efficiency can differ, in practice, they have the same meaning. It means that all resources are limited, including the time, and they should be used in an efficient way which will provide the maximisation of utility.

The CEPEJ as a body of the CoE is dedicated especially to the context of the efficiency of justice. It has developed variety of tools which assist countries to improve the efficiency of their legal systems in accordance with the CoE standards and case law from the European Court of Human Rights.

The widespread application of AI in different parts of human's lives has come to an interest also for the field of judiciary and the rule of law in general. The CEPEJ Artificial Intelligence Advisory Body was established with a purpose to provide expert advice on Artificial Intelligence related issues in the judicial environment and has a key role in the implementation of the European Ethical Charter on the use of Artificial Intelligence in judicial systems and their environment. The author's attention was also on the EU AI Act and the DFC which shall enter into force in the following period, and some of their legal solutions, which are related to the judiciary and the rule of law. Their future implementation should contribute to the development of new practices which should enhance and protect the rule of law in its full capacity. It is also inevitable that the CEPEJ will develop its tools based on the experience of the implementation of these two legally binding instruments.

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## Streszczenie

### **Skuteczność wymiaru sprawiedliwości – znaczenie CEPEJ jako oddziaływania Rady Europy**

Rozwój norm prawnych nie jest celem samym w sobie. Mają one konkretne cele, które powinny zostać osiągnięte poprzez ich wdrożenie, a w tym kontekście mówimy o skuteczności prawa. Z drugiej strony ważne jest, aby konkretne cele ogłoszone przez ustawy były wdrażane sprawnie, w taki sposób, aby wyniki przynosiły jak największe korzyści netto. Europejska Komisja ds. Efektywności Wymiaru Sprawiedliwości (CEPEJ) jest organem Rady Europy (RE) złożonym z ekspertów z 46 państw członkowskich RE, którego celem jest przygotowanie narzędzi służących poprawie efektywności wymiaru sprawiedliwości w Europie. Tematem niniejszego artykułu jest efektywność wymiaru

sprawiedliwości w kontekście ram prawnych CEPEJ. Celem artykułu jest analiza struktury prawnej CEPEJ i jej związku z rosnącą implementacją sztucznej inteligencji (AI) w systemach prawnych. Uwaga autora skupi się również na ustawie Unii Europejskiej o sztucznej inteligencji (EU AI Act), a także na projekcie Ramowej konwencji Rady Europy o sztucznej inteligencji, prawach człowieka, demokracji i praworządności (DFC) i ich związku z efektywnością i sprawiedliwością. Zastosowane zostaną dwie metody prawne: doktrynalna i opisowa rama metodologiczna.

**Słowa kluczowe:** efektywność prawna, CEPEJ, AI, ustawa UE o AI, DFC

### Summary

Development of legal norms is not the purpose for itself. They have concrete aims which should be achieved through their implementation, and in that context we are talking about the effectiveness of law. On the other side, it is important that concrete aims, proclaimed by laws, are implemented efficiently, in a way where results yield the largest possible net benefit. The European Commission for the Efficiency of Justice (CEPEJ) is a body of the Council of Europe (CoE) composed of the experts from 46 the CoE member states which aim is preparation of tools for the improvement of the efficiency of justice system in Europe. The subject of this paper is the efficiency of justice in the context of the CEPEJ mandate. The purpose of the article is to analyse the legal structure of the CEPEJ and its connection to the raising implementation of artificial intelligence (AI) within legal systems. The author's attention will be also on the European Union's Artificial Intelligence Act (EU AI Act), as well as the CoE Draft Framework Convention on Artificial Intelligence, Human Rights, Democracy and the Rule of Law (DFC), and their connection with efficiency and justice. Two legal methods will be applied: doctrinal and descriptive methodology frameworks.

**Keywords:** legal efficiency, CEPEJ, AI, EU AI Act, DFC