VOLUME 1 | ISSUE 1 | OCTOBER 2026

International Journal of Justice

RESEARCH. DIALOGUE. IMPACT.

ACADEMY OF JUSTICE OF THE REPUBLIC OF UZBEKISTAN

Founded by the Academy of Justice of the Republic of Uzbekistan



www.ijournaljustice.uz

EDITORIAL BOARD

International Journal of Justice



EDITOR-IN-CHIEF

Sherzod Yoqubjonovich Abduqodirov

Rector of the Academy of Justice of the Republic of Uzbekistan

Doctor of Sciences in Law (DSc), Associate Professor



DEPUTY EDITOR-IN-CHIEF

Nodirbek Saparbaevich Salaev

Vice-Rector of the Academy of Justice of the Republic of Uzbekistan

Doctor of Sciences in Law (DSc), Professor

MEMBERS OF THE EDITORIAL BOARD



Anselmo Reyes

Doctor of Philosophy (PhD) in Law, Professor

Judge of the Singapore International Commercial Court



Dilshod Urinbaevich Aripov

Doctor of Sciences in Law (DSc), Professor

Vice-Rector of the Academy of Justice of the Republic of Uzbekistan



Akrom Ikromovich Toshpulatov

Doctor of Sciences in Law (DSc), Professor

Director of the Parliamentary Research Institute under the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan



Shakhriyor Bakhtiyorovich Bakaev

Doctor of Philosophy (PhD) in Law

Responsible Official of the Administration of the President of the Republic of Uzbekistan



Borzu Sabahi

Doctor of Sciences in Law (DSc), Professor

International Arbitrator



Dilshod Shavkatovich Israilov

Doctor of Philosophy (PhD), Associate Professor

Head Specialist of the Department for Coordination of Research Activities of the Academy of Justice of the Republic of Uzbekistan



Yesemurat Sultamuratovich Kanyazov

Candidate of Legal Sciences in Law (PhD)

Director of the Institute for Retraining and Advanced Training of Legal Personnel under the Ministry of Justice of the Republic of Uzbekistan



Yevgeniy Vyacheslavovich Kolenko

Doctor of Philosophy (PhD), Professor

First Deputy Head of the Law Enforcement Academy of the Republic of Uzbekistan



Krisztina Karsai
Doctor of Sciences in Law (DSc), Professor
Head of the Institute of Criminal Law and Criminal Sciences at the University of Szeged



Lorenzo Mateo Bujosa Vadell
Doctor of Philosophy (PhD) in Law, Professor
Professor at the University of Salamanca



Maged Mamdouh Kamel Shebaita
Doctor of Philosophy (PhD), Professor
International Arbitrator, Doctoral Candidate at the University of London



Ivan Georgievich Nikonov
Doctor of Philosophy (PhD) in Law
Responsible Official of the Administration of the President of the Republic of Uzbekistan



Malikakhon Pirnazarovna Kalandarova
Doctor of Philosophy (PhD), Associate Professor
Deputy Chairperson of the Supreme Court of the Republic of Uzbekistan



Islambek Rustambekovich Rustambekov
Doctor of Sciences in Law (DSc), Professor
Vice-Rector of Tashkent State University of Law



Sakari Kristian Melander
Doctor of Sciences in Law (DSc), Professor
Professor at the University of Helsinki



Khurshid Primkulovich Sadikov
Judge of the Supreme Judicial Council of the Republic of Uzbekistan



Sławomir Marek Redo
Doctor of Sciences in Law (DSc), Professor
Chairperson of the Expert Council for the Development of Scientific Research at the Faculty of Law and Administration



Vigita Vėbraitė
Doctor of Philosophy (PhD) in Law, Professor
Professor at Vilnius University



MANAGING EDITOR
Azamjon Rasuljon ugli Kambaraliev
Head Specialist at the Academy of Justice of the Republic of Uzbekistan

CONTENTS

IMPROVING THE INSTITUTION OF APPEALS: TIME LIMITS, RESPONSE QUALITY, MONITORING **10**
Achilova Liliya Ilkhomovna; Rozmetova Asal Anvarzoda

LEGAL ASPECTS OF INVESTIGATIVE JOURNALISM **18**
Jahonov Shohruh Shuhrat ugli

LEGAL BASIS OF CIVIL SOCIETY INSTITUTIONS IN THE LEGISLATION OF THE REPUBLIC OF UZBEKISTAN **25**
Sharipov Asrorjon Safar ugli

DIGITAL TRANSFORMATION OF INTERNATIONAL COMMERCIAL ARBITRATION IN UZBEKISTAN: LEGAL AND INSTITUTIONAL PROSPECTS **30**
Otakhonov Foziljon Khaydarovich

THE LEGAL NATURE OF SUBSIDIARY LIABILITY IN INSOLVENCY PROCEEDINGS INVOLVING AGRICULTURAL BUSINESS ENTITIES **39**
Rakhmatjon Tojinorovich Berdiyarov

CIVIL LAW ASPECTS OF GOODS DELIVERY BY SELF-EMPLOYED COURIERS **49**
Ruzinazarov Shukhrat Nuralievich

NATIONAL AND INTERNATIONAL EXPERIENCE IN LEGAL PROTECTION OF A COMPANY NAME: IMPROVING THE LEGISLATION OF UZBEKISTAN **63**
Allayarova Maftuna Almardanovna

ORGANIZATIONAL AND LEGAL MECHANISMS FOR COMPENSATION OF CONSTRUCTION CONTRACT DAMAGES **69**
Donayev Abduqodir Haydarovich

JURISDICTION AND VENUE OF CIVIL CASES ARISING FROM INHERITANCE RELATIONS: A NATIONAL AND FOREIGN ANALYSIS **76**
Soliyeva Kamola Rustamjon-qizi

ISSUES OF USING COURT NOTICES IN ENSURING THE OPENNESS OF CIVIL PROCEEDINGS IN COURTS **84**
Sabirov Erkinjon Kuchkarbaevich

DIGITAL EVIDENCE IN SUPPLY-CONTRACT DISPUTES BEFORE ECONOMIC COURTS: AUTHENTICATION, INTEGRITY AND EVIDENTIARY RISK IN UZBEKISTAN **91**
Mahmudova Saida Rayimjonovna

CONTENTS

FROM HUMAN CAPITAL TO INSTITUTIONAL TRANSFORMATION: A NEW STAGE IN THE STRATEGIC DEVELOPMENT OF THE JUDICIAL PERSONNEL TRAINING SYSTEM 104
Aripov Dilshod Urinbaevich

THE ROLE OF INTERNATIONAL STANDARDS IN GOVERNING ARTIFICIAL INTELLIGENCE IN JUDICIAL SYSTEMS: A COMPARATIVE AND CRITICAL ANALYSIS 109
Sadikov Khurshid Primkulovich

INDEPENDENCE — A SOLID FOUNDATION OF JUSTICE AND HUMAN DIGNITY (35 years of the evolution of the judicial and legal system of the Republic of Uzbekistan) 117
Israilov Dilshod Shavkatovich

INSTITUTIONAL MODELS OF JUDICIAL QUALIFICATION BOARDS: INTERNATIONAL STANDARDS AND FOREIGN EXPERIENCE 128
Jamolov Azizjon Nodir ugli

THE DEATH OF FREE WILL. WHO BEARS CULPABILITY WHEN ARTIFICIAL INTELLIGENCE INDUCES A PERSON TO COMMIT A CRIME? 140
Salaev Nodirbek Saparbaevich

ON EUROPEAN CRIMINAL-LAW INTEGRATION – FROM MUTUAL RECOGNITION TO LIMITED SUPRANATIONAL CRIMINAL POWER 148
Krisztina Karsai

CRIMINAL LIABILITY OF OFFICIALS OF NON-GOVERNMENTAL COMMERCIAL ORGANIZATIONS: PROBLEMS OF THEORY AND PRACTICE 158
Akramova Muazzam Turdikul qizi

DISTINGUISHING OFFENCES AGAINST SEXUAL FREEDOM FROM RELATED OFFENCES IN UZBEKISTAN 162
Achilov Izzat Tulkinovich

CRIMINAL-LAW MEASURES AGAINST THE LEGALIZATION OF PROCEEDS OBTAINED THROUGH MISAPPROPRIATION OR EMBEZZLEMENT: QUALIFICATION, EVIDENCE AND ASSET RECOVERY 170
Sadullaev Bokhodir Oybekovich

CONCEPT OF HELPLESSNESS AND ITS SIGNIFICANCE IN THE QUALIFICATION OF CRIMES 178
Khalilova Zarnigor Zafar qizi

LEGAL SIGNIFICANCE OF THE INSTITUTION OF CRIMINAL RECORDS IN PROTECTING HUMAN RIGHTS 182
Yoqubjonov Omonjon Burkhonjon ugli

CONTENTS

THE APPLICATION OF CRIMES WITH BLANKET NORMS: CURRENT STATUS AND ISSUES 189
Pulatov Bekzod Adilbaevich

THE FORMATION AND DEVELOPMENT OF THE INSTITUTION OF CRIMINAL LIABILITY IN THE FIELD OF PUBLIC PROCUREMENT: A HISTORICAL-LEGAL ANALYSIS 202
Shukurova Shahnoza Mukumjonovna

ATTORNEY'S PARTICIPATION IN THE PRE-TRIAL STAGE OF CRIMINAL PROCEEDINGS: LEGAL AND PRACTICAL ASPECTS 214
Medetbaeva Aksungul Sharapatdin kizi

INTERNATIONAL COOPERATION IN OBTAINING ELECTRONIC EVIDENCE: THE EUROPEAN PRODUCTION AND PRESERVATION ORDERS 221
Bujosa Vadell, Lorenzo Mateo

COOPERATION BETWEEN THE SUBJECTS OF INVESTIGATION IN CROSS-BORDER INTERNET FRAUD CASES 230
Khabibiddinov Nodirjon Musinjon ugli

PROBLEMS OF PROCEDURAL REALITY IN CRIMINAL PROCEEDINGS 238
Aykhan Khankishi Rustamzade, Matanat Pasha Asgarova

DETENTION OF FOREIGN NATIONAL PRISONERS IN PENITENTIARY INSTITUTIONS: A COMPARATIVE ANALYSIS OF INTERNATIONAL PRACTICES AND NATIONAL LEGISLATION 246
Rikhsimov Komron Abrorovich

CRIMINALISTIC FOUNDATIONS FOR INTEGRATING GAIT IDENTIFICATION WITH FORENSIC PORTRAIT EXAMINATION 249
Nizomova Shahrigul Karimboy qizi

INTERNATIONAL LAW CRISIS: UN PEACE OPERATIONS AND INSTITUTIONAL REFORM 258
Kudaybergenov Bakhtiyar Abdumajit-ugli

ARTIFICIAL INTELLIGENCE AND CHILDREN'S RIGHTS: PROTECTION OPPORTUNITIES AND EMERGING LEGAL RISKS 267
Ergashev Gayrat Shavkatovich

ACTIVITIES OF INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS IN THE FIELD OF HUMAN RIGHTS 276
Nosirova Marjona Negmat kizi

Academy of Justice of the Republic of Uzbekistan
International Journal of Justice

THE ROLE OF INTERNATIONAL STANDARDS IN GOVERNING ARTIFICIAL INTELLIGENCE IN JUDICIAL SYSTEMS: A COMPARATIVE AND CRITICAL ANALYSIS

Sadikov Khurshid Primkulovich
Judge of the Supreme Judicial Council
E-mail: hurshid@gmail.com
ORCID ID: 0009-0006-9108-0457



Abstract. *Artificial intelligence (AI) is rapidly transforming judicial systems, expanding from case management and legal research into more contested territory such as risk assessment and predictive analytics. This article examines the international standards architecture that has emerged to govern this transformation: non-binding ethical recommendations (UNESCO, 2021; Council of Europe/CEPEJ, 2018), the first binding treaty on AI and human rights (Council of Europe, 2024), risk-based legislation (the EU Artificial Intelligence Act), technical standards (ISO/IEC 22989, 23053, 38507), and voluntary coordination mechanisms (the G7 Hiroshima Process and the Paris AI Action Summit). Drawing on comparative evidence from the United States (COMPAS and State v. Loomis), China ('smart courts'), and Estonia (the widely cited but largely mischaracterized 'robot judge' project), the article argues that these instruments operate at different levels of legal force and address different risks, and that their coherence, not merely their existence, determines whether they protect judicial independence, fairness, and public trust. Technical and ethical standards, while necessary to establish a common vocabulary and baseline safeguards, do not fully close what the literature terms the 'procedural gap' in algorithmic justice: the absence of meaningful voice, contestability, and reasoned explanation for individuals affected by AI-assisted decisions. The article concludes with recommendations for sequencing standard adoption and domestic procedural reform in judiciaries, including transitional systems, beginning to integrate AI into court administration.*

Keywords: *artificial intelligence; judicial systems; international standards; AI governance; algorithmic accountability; rule of law; ISO/IEC standards; European Union AI Act; procedural justice*

Introduction

Courts are inherently conservative institutions, but they have not been immune to the digital technologies that have transformed public administration over the past two decades. Artificial intelligence is now used across judicial and quasi-judicial functions, including case management, legal research, translation, transcription, document review, and, more controversially, predictive analytics and risk-assessment tools for bail, sentencing, and parole decisions (Reiling, 2020; Susskind, 2019). These applications offer efficiency gains, particularly for judiciaries facing chronic backlogs, but also introduce new risks: embedded bias, the opacity of statistical models, and potential erosion of judicial independence when discretion is delegated to systems whose reasoning cannot be fully audited (Angwin, Larson, Mattu, & Kirchner, 2016; Zheng, 2020). Without shared international standards, states risk developing fragmented, ad hoc approaches, producing uneven protection of litigants' rights across borders in an area where consistency is itself a constitutive value of the rule of law.

This article maps and critically evaluates the resulting international standards architecture as it applies to judicial AI, distinguishing three layers frequently

conflated in policy discussion: ethical recommendations that carry no binding force (UNESCO's 2021 Recommendation and the Council of Europe's 2018 CEPEJ Charter); technical standards that operationalize those aspirations into auditable specifications (the ISO/IEC 22989, 23053, and 38507 family); and binding instruments that impose enforceable obligations (the EU's Artificial Intelligence Act and the Council of Europe's 2024 Framework Convention on AI) – alongside voluntary coordination mechanisms such as the G7 Hiroshima Process and the Paris AI Action Summit. Sections 2 to 5 examine these layers in turn; Section 6 tests them against national experience in the United States, China, and Estonia; Section 7 addresses the critique that even comprehensive standards may leave a 'procedural gap'; Section 8 discusses practical implications; and Section 9 concludes.

International Ethical Frameworks: UNESCO and the Council of Europe

The broadest layer of the standards architecture is ethical. In November 2021, all 193 UNESCO Member States adopted the Recommendation on the Ethics of Artificial Intelligence, the first global normative instrument of its kind (UNESCO, 2021), grounded in human rights, sustainability, and inclusiveness, and explicitly prohibiting social scoring and mass surveillance. For judicial applications, its most consequential provisions require that decisions with significant impact on individuals be fair, transparent, and contestable' and that states conduct algorithmic impact assessments before deployment. As a non-binding instrument, its influence operates through reputational pressure and incorporation into national strategies rather than direct enforcement.

A judiciary-specific instrument predates UNESCO's Recommendation by three years. In December 2018, the Council of Europe's Commission for the Efficiency of Justice (CEPEJ) adopted the European Ethical Charter on the Use of Artificial Intelligence in Judicial Systems – the first international text devoted specifically to AI in courts (Council of Europe, 2018). Its five principles are: respect for fundamental rights; non-discrimination; quality and security of judicial data; transparency, impartiality, and fairness, requiring processing methods open to external audit; and 'under user control,' which precludes fully automated approaches and requires that judges, lawyers, and litigants remain able to challenge an algorithmic output. Unlike UNESCO's Recommendation, the Charter was drafted with predictive-justice and sentencing-support tools specifically in mind.

The most significant recent development is not soft law at all. On 5 September 2024, the Council of Europe opened for signature the Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law, described by its drafters as the first legally binding international treaty on AI (Council of Europe, 2024). Nineteen parties signed at the opening, including fifteen Council of Europe member states, the European Union, and three non-European states – Canada, Israel, Japan – alongside the United States. The Convention applies to AI systems used by public authorities, bringing court administration within its scope, and requires parties to ensure that AI activities remain compatible with human dignity, human rights, and the rule of law. As a framework convention rather than a directly applicable regulation, it leaves states discretion

in transposition, but marks a shift from voluntary commitment toward binding obligation (Reiling, 2020).

The European Union's Risk-Based Approach: The Artificial Intelligence Act

Where UNESCO's and the Council of Europe's ethical instruments operate through persuasion, the EU's Artificial Intelligence Act (Regulation (EU) 2024/1689) is directly applicable hard law and the first comprehensive statutory AI framework in the world. It adopts a four-tier risk classification – unacceptable, high, limited, and minimal – with obligations scaled to potential harm (European Commission, 2024); systems presenting unacceptable risk, such as social scoring, are prohibited outright.

The Act's most consequential provisions for the judiciary fall under Annex III, which designates as 'high-risk' systems used by or on behalf of a judicial authority to research facts and law or apply law to a concrete case, as well as systems assessing reoffending likelihood or evidence reliability. High-risk classification triggers a documented risk-management system spanning the AI lifecycle, human oversight sufficient to understand, monitor, and override outputs, detailed logging for audit, and a conformity assessment before market placement; deployers, including courts, must use systems as instructed and monitor their operation.

The Act entered into force on 1 August 2024, but obligations phase in over several years: prohibitions from 2 February 2025, general-purpose AI obligations from 2 August 2025, and Annex III high-risk requirements – including those for justice administration – only from 2 December 2027 (European Commission, 2024). This staggered timeline reflects an acknowledgment that courts and providers need substantial lead time to build the governance and audit infrastructure required, a lesson relevant to jurisdictions without an equivalent transition period. The Act's significance also extends beyond EU borders through the 'Brussels effect': vendors building AI for the European market have strong incentives to embed compliance features into their global product lines, so commercially available judicial AI tools are likely to arrive already partially aligned with EU requirements even in jurisdictions with no domestic legislation of their own.

4. Technical Standardization: The ISO/IEC Standards for Artificial Intelligence

Ethical recommendations state what AI systems should achieve; regulations state what providers and deployers must do; technical standards state, in auditable detail, how compliance is demonstrated. ISO, working with the IEC through their joint technical committee (ISO/IEC JTC 1/SC 42), has developed a substantial family of AI standards, three of which are especially relevant to courts.

ISO/IEC 22989:2022 establishes shared terminology for concepts such as machine learning, explainability, bias, and 'AI system' – definitional groundwork whose absence, as the Estonian case below illustrates, allows imprecise discourse to substitute for accurate technical description. ISO/IEC 23053:2022 sets out a structured AI lifecycle model covering data preparation, training, verification, deployment, and monitoring; applied to a risk-assessment tool, it requires documentation that can support external audit of the kind conspicuously unavailable to the defense in State v. Loomis (Freeman, 2018). ISO/IEC 38507:2022 addresses governance: where accountability lies when AI contributes to an organizational decision, providing a structure

that can operationalize the accountability language found in both the UNESCO Recommendation and the CEPEJ Charter.

None of these standards impose legal obligations of their own; certification remains voluntary unless required by a regulator or contracting authority. Their importance lies in supplying the technical infrastructure that both binding regulation (the AI Act's conformity-assessment requirements) and non-binding ethical commitments can point to as an implementation mechanism – without which such language risks remaining aspirational.

Global Coordination: The G7 Hiroshima Process and the Paris AI Action Summit

Alongside standard-setting bodies, a parallel track of political coordination has emerged, reflecting the recognition that AI crosses borders faster than any single jurisdiction's regulatory framework can adapt. Launched at the G7 Hiroshima summit in May 2023, the Hiroshima AI Process produced, in October 2023, the International Guiding Principles and the International Code of Conduct for Organizations Developing Advanced AI Systems (G7, 2023a, 2023b) – voluntary instruments addressed mainly to frontier-model developers, but establishing shared language on risk identification and disclosure later echoed in the EU AI Act's general-purpose AI obligations.

The Paris AI Action Summit, held in February 2025, marked a further and more contested step. Nearly one hundred states and over a thousand private-sector and civil-society representatives participated, producing the inaugural International AI Safety Report, the USD 400 million Current AI public-interest fund, an Environmental Sustainability Coalition of ninety-one partners, and the summit's central political output, the Statement on Inclusive and Sustainable Artificial Intelligence for People and the Planet. Notably, the United States and the United Kingdom declined to sign, showing that even voluntary political consensus on AI governance remains incomplete among the states with the greatest capacity to develop and export judicial AI tools.

For judicial AI governance specifically, these forums are best understood not as sources of substantive obligation but as venues that keep public-sector AI applications on the broader governance agenda and generate evidence – such as the International AI Safety Report – that domestic policymakers can draw on. Their non-binding character, and the reluctance of major AI-exporting states to endorse even general declarations, is itself a relevant data point for jurisdictions relying on international consensus as a proxy for adequate protection.

Judicial AI in Practice: Comparative National Experiences

The preceding sections describe instruments; this section tests them against three national experiences, each illustrating a different gap between international standards and domestic implementation.

The United States offers the most litigated example of algorithmic risk assessment: COMPAS, a proprietary recidivism tool used in several state courts. Angwin et al. (2016) found its error rates racially skewed – Black defendants who did not reoffend were nearly twice as likely as white defendants who did not reoffend to be misclassified as high-risk – a finding never fully resolved because the algorithm remained a trade secret, not subject to the kind of audit ISO/IEC 23053 might have supported. When a defendant challenged a COMPAS score on due-process grounds, the

Wisconsin Supreme Court in State v. Loomis (2016) upheld its use provided it was not the sole sentencing factor, but declined to require methodology disclosure. Freeman (2018) argues this left the defendant unable to meaningfully contest the evidence against him – precisely the failure mode the CEPEJ Charter's transparency principle and the AI Act's human-oversight requirement are designed to prevent.

China presents a contrasting, centrally driven model. Zheng's (2020) analysis of the 'smart courts' programme describes it as 'a call from the party-state with strong policy push,' encompassing case-filing automation, sentencing-consistency tools, and specialized internet courts for e-commerce disputes. The model uses AI to improve consistency while simultaneously reinforcing hierarchical supervision of individual judges – a dual function sitting uneasily with the judicial-independence rationale behind Western standard-setting instruments, and illustrating how the same technology can serve markedly different institutional purposes regardless of a jurisdiction's formal ethical commitments.

Estonia offers a methodological caution. Widely reported 2019 coverage described Estonia's Ministry of Justice as developing an autonomous 'AI judge' for small claims (Tangermann, 2019). In February 2022, the Ministry formally denied this, clarifying its actual initiatives were narrower: machine-learning-assisted transcription and anonymization of decisions, plus a proposal to streamline – not automate the substantive determination of – order-for-payment procedures (Ministry of Justice and Digital Affairs, Estonia, 2022). The persistence of the 'robot judge' narrative years after its correction illustrates exactly why ISO/IEC 22989's terminological work matters beyond technical circles: without a shared, precise vocabulary, public and even policy discourse can be built on an inaccurate premise.

Risks, Critiques, and the Regulatory Dilemma

Courts adopting AI face a dual regulatory challenge current instruments only partially resolve. Overregulation – requiring full conformity assessment even for low-risk administrative tools – can force backlogged courts to forgo efficiency gains; underregulation risks deploying biased, opaque tools before their risks are understood, disproportionately affecting disadvantaged litigants, as COMPAS illustrates – a calibration problem compounded by a prior normative question of whether AI should inform sentencing at all, given its traditionally individualized character (Ryberg & Roberts, 2022). The AI Act's risk-tiering and the CEPEJ Charter's distinction between administrative and decisional AI both attempt to calibrate regulatory intensity to actual risk – a calibration, rather than the mere existence of standards, that determines whether a given architecture achieves a workable balance.

A more fundamental critique, developed by Kinchin (2024), is that this entire apparatus – ethical recommendations, technical standards, even binding regulation – is oriented predominantly toward distributive justice: statistically fair, auditable, bias-free outputs. What it addresses far less thoroughly is procedural justice in the due-process sense: whether the affected individual had genuine 'voice' – meaningful notice, the practical ability to contest a decision's basis, and a reasoned response to objections. A tool can satisfy every ISO standard and pass every AI Act bias audit and still leave a defendant, as in Loomis,

unable to obtain the information needed to challenge the specific score applied to his case. Christin's (2017) finding that practitioners develop informal, undocumented workarounds around algorithmic outputs further suggests that formal standards compliance may diverge considerably from daily court practice – a gap document-based compliance is poorly positioned to detect.

This does not counsel abandoning the standards architecture reviewed here, but suggests treating it as necessary infrastructure rather than sufficient safeguard. A judiciary that adopts ISO-aligned documentation, ratifies the Framework Convention, and applies UNESCO's impact-assessment methodology builds a strong evidentiary foundation; procedural protections – individualized explanation, a genuine opportunity for rebuttal, appellate review – must still be separately guaranteed through domestic procedural law.

Discussion: Toward a Coherent Architecture for Judicial AI Governance

International standards for judicial AI are best understood as complementary layers addressing different failure modes, functioning properly only when sequenced deliberately: ethical recommendations articulate the values a system must serve; technical standards translate them into auditable documentation; binding instruments convert expectations into enforceable obligation; and coordination mechanisms such as the Hiroshima Process and the Paris Summit keep these instruments aligned across jurisdictions and sustain political attention, however incompletely.

For judiciaries early in this process – including transitional legal contexts where modernization increasingly involves AI-assisted case management and translation – the comparative evidence in Section 6 suggests three implications. First, terminological precision should precede procurement: the Estonian case shows how quickly imprecise description distorts public expectations. Second, any AI system contributing even indirectly to a judicial determination, as distinct from purely administrative functions, should be treated as warranting the higher scrutiny the AI Act reserves for Annex III systems, regardless of whether the jurisdiction is bound by it. Third, compliance with international standards should be treated as a floor, not a ceiling: domestic procedural law must independently guarantee a litigant's right to a case-relevant explanation and genuine human reconsideration, since no international instrument reviewed here can substitute for that guarantee in domestic law.

Conclusion

This article has examined the international standards architecture governing judicial AI as a layered structure: UNESCO's Recommendation and the CEPEJ Charter articulate the normative baseline; the ISO/IEC 22989, 23053, and 38507 standards supply the technical vocabulary and documentation to operationalize it; the EU's AI Act and the Council of Europe's 2024 Framework Convention convert expectation into enforceable obligation; and the Hiroshima Process and Paris Summit sustain political alignment, however incompletely, as the divergence of the United States and United Kingdom from the Paris Statement illustrates.

Comparative evidence from the United States, China, and Estonia shows that practical impact depends more on domestic implementation than formal comprehensiveness: a jurisdiction may sign

every relevant instrument and still, as Loomis illustrates, fail to guarantee meaningful contestability, while a widely publicized 'AI judge' initiative can be a media narrative disconnected from an official programme's far narrower scope. International standards are accordingly necessary but not sufficient: they give courts an operational toolkit for preserving independence, fairness, and accountability, but only sustained attention to procedural justice at the domestic level can ensure that AI in the administration of justice is genuinely fair, transparent, and trustworthy.

References

1. Angwin, J., Larson, J., Mattu, S., & Kirchner, L. (2016, May 23). Machine bias: There's software used across the country to predict future criminals. And it's biased against Blacks. ProPublica. https://www.propublica.org/article/machine-bias-risk-assessments-in-criminal-sentencing

2. Christin, A. (2017). Algorithms in practice: Comparing web journalism and criminal justice. Big Data & Society, 4(2), 1-14. https://doi.org/10.1177/2053951717718855

3. Council of Europe, European Commission for the Efficiency of Justice (CEPEJ). (2018). European ethical charter on the use of artificial intelligence in judicial systems and their environment. Council of Europe.

4. Council of Europe. (2024). Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law (CETS No. 225). Council of Europe.

5. European Commission. (2024). AI Act: High-level summary [Regulatory guidance]. Shaping Europe's Digital Future. https://digital-strategy.ec.europa.eu/en/policies/regulatory-framework-ai

6. European Union. (2024). Regulation (EU) 2024/1689 of the European Parliament and of the Council laying down harmonised rules on artificial intelligence (Artificial Intelligence Act). Official Journal of the European Union.

7. Freeman, K. (2018). Algorithmic injustice: How the Wisconsin Supreme Court failed to protect due process rights in State v. Loomis. North Carolina Journal of Law & Technology, 18(5), 75-106.

8. G7. (2023a). Hiroshima Process international guiding principles for organizations developing advanced AI systems. Group of Seven.

9. G7. (2023b). Hiroshima Process international code of conduct for organizations developing advanced AI systems. Group of Seven.

10. International AI Safety Report. (2025). International AI safety report 2025 (Y. Bengio, Chair). Paris AI Action Summit.

11. International Organization for Standardization & International Electrotechnical Commission. (2022a). Information technology – Artificial intelligence – Artificial intelligence concepts and terminology (ISO/IEC 22989:2022).

12. International Organization for Standardization & International Electrotechnical Commission. (2022b). Information technology – Artificial intelligence – Framework for artificial intelligence (AI) systems using machine learning (ML) (ISO/IEC 23053:2022).

13. International Organization for Standardization & International Electrotechnical Commission. (2022c). Information technology – Governance of IT – Governance implications of the use of artificial intelligence by organizations (ISO/IEC 38507:2022).

14. Kinchin, N. (2024). 'Voiceless': The procedural gap in algorithmic justice. International Journal of Law and Information Technology, 32, Article eaae024. https://doi.org/10.1093/ijlit/eaae024

15. Ministry of Justice and Digital Affairs, Estonia. (2022, February 16). Estonia does not develop AI robot judge. https://www.justdigi.ee/en/news/estonia-does-not-develop-ai-judge

16. Paris AI Action Summit. (2025). Statement on inclusive and sustainable artificial intelligence for people and the planet.

17. Reiling, A. D. (2020). Courts and artificial intelligence. International Journal for Court Administration, 11(2), 8. https://doi.org/10.36745/ijca.343

18. Ryberg, J., & Roberts, J. V. (Eds.). (2022). Sentencing and artificial intelligence. Oxford University Press.

19. State v. Loomis, 881 N.W.2d 749 (Wis. 2016).

20. Susskind, R. (2019). Online courts and the future of justice. Oxford University Press.

21. Tangermann, V. (2019, March 26). Estonia is building a 'robot judge' to help clear legal backlog. Futurism / World Economic Forum.

22. UNESCO. (2021). Recommendation on the ethics of artificial intelligence. United Nations Educational, Scientific and Cultural Organization.

23. Zheng, G. G. (2020). China's grand design of people's smart courts. Asian Journal of Law and Society, 7(3), 561-582. https://doi.org/10.1017/als.2020.20

