

CONTENT

1 General Overview of the Artificial Intelligence and International Law	13
<i>Ján Klučka</i>	
1.1 Problems with the new rules of international law relating to artificial intelligence: Lack of the definition of artificial intelligence in current international law	13
1.2 Artificial intelligence in international law	20
2 Trusting the Use of AI in the Law Field: Foremost, an Ethical Challenge.....	25
<i>Ruxandra Andreea Lăpădat</i>	
2.1 The issue of the legal existence and intention of artificial intelligence – who takes responsibility?	27
2.2 Robots affecting human rights: study case regarding the right to a fair trial.....	31
2.3 Losing face: replacing experts in the field with artificial intelligence – is it ethical?	34
3 The Impact of Artificial Intelligence on Fundamental Rights and Freedoms and Vice-Versa	39
<i>Radoslav Benko</i>	
3.1 Benefits and concerns of AI systems	41
3.2 Fundamental rights and freedoms touched by the deployment and use of AI systems	42
3.3 The interplay of fundamental rights and freedoms norms with the ethics	45
3.4 Vulnerabilities of AI systems	46
3.5 Well-designed AI (design for values in AI)	47
4 Artificial Intelligence as an Undue Influence in Criminal Trials: Issuing the Use of Algorithms Under the Principle of Independence of Judges in Europe	51
<i>Theo Antunes</i>	
4.1 The notion of undue influence: Defining the extent and the content of a complex notion under European Law	52

4.1.1	The relevance of the council of Europe and European Union Law in assessing undue influence and the working of AI	53
4.1.2	Undue influence: What influences threaten the principle of independence?	55
4.1.3	Undue Influence: What qualifies an influence as undue?	58
4.2	AI in criminal trials as an undue influence? Identifying the major points of tensions between such use and the principle of independence under European Law	60
4.2.1	AI as an influencer over the judicial decisions: Drawing the extent of the influence paradigm	61
4.2.2	AI as an undue component: Defining the undue in the AI	64
4.2.3	AI in criminal trials as a legitimate influence? Drawing a compatibility scheme between the principle of independence and the use of AI in criminal trials	66
4.2.4	What principles for the governance of algorithms in criminal trials: Addressing the unveiling of the undue character of AI in criminal trials?	67
4.2.5	What extent of the influence of AI in the criminal trials: Drawing a European perspective?	69
5	Robot as a Judge? Possibility of the Use of an Artificial Intelligence in Court Proceedings in Slovakia.....	77
	<i>Silvia Brnčalová</i>	
5.1	Decision-making process on courts nowadays (in Slovakia)	78
5.2	Artificial intelligence and the judiciary	79
5.2.1	AI in the legal practice	79
5.3	Framework for the AI in the judiciary	81
5.4	Possible use of the artificial intelligence during the decision-making process in courts (in Slovakia)	84
5.5	Advantages and disadvantages from the potential use of an AI in the judiciary	86
5.5.1	Financing	86
5.5.2	Citizen's trust	87
5.5.3	Fastening of the deciding process and simplifying the tasks for humans	88

6 Urgent Judicial Protection Against Decisions of Robots.....	91
<i>Martin Serfőző</i>	
6.1 Artificial intelligence	92
6.1.1 General meaning of artificial intelligence	92
6.1.2 Artificial intelligence as a subject of legal regulation	94
6.2 Legal basis for protection against artificial intelligence	96
6.3 Legal measures to protect against artificial intelligence	99
6.3.1 Necessary measure	100
7 An Identity Problem of AI. Who or What Is AI?	106
<i>Renáta Kišoňová</i>	
7.1 Artificial Intelligence as an author	107
7.2 Hans Kelsen's approach to a person, personality and subject of law	110
8 Issue of Legal Protection to AI-Created Objects.....	113
<i>Yuliya S. Kharitonova</i>	
AI, Technological Convergence and Creativity	113
8.1 AI and Copyright: Issues of Creativity	114
8.2 AI Inventions: The New Patentability	116
8.3 Trademark Image Recognition: Confusingly Similar Designations	117
8.4 Sui Generis System of IP Rights for AI-generated Outputs	118
9 Artificial Intelligence and Its Impact on Intellectual Property Law	121
<i>Renáta Romanová</i>	
9.1 Patent law	123
9.2 Copyright	126
9.3 Trademark	129
10 Artificial Intelligence as a Challenge to Copyright of the New Age	135
<i>Lukáš Macko</i>	
10.1 The concept of artificial intelligence versus human creativity	136
10.2 Artificial intelligence and copyright	139
10.3 The need to protect "copyright" works of artificial intelligence	141

11 Artificial Intelligence and the Slovak Law of Obligations: Non-Conforming Performance and Non-Contractual Liability Arising Out of Damage Caused to Another	145
<i>Luboslav Sisák</i>	
11.1 Artificial intelligence: a working definition	146
11.2 Breach of a sales contract: non-conforming performance	147
11.2.1 Non-conforming performance in individual sales contract regimes	148
11.2.2 AI and non-conforming performance in individual sales contract regimes	149
11.3 Non-contractual liability for damages	151
11.3.1 The Civil Code	151
11.3.2 Product liability	156
12 Liability for Damage Caused by Autonomous Vehicles: The News in the EU in 2021	163
<i>Lubica Gregová Širicová</i>	
12.1 The new German act on autonomous driving	166
12.2 Proposal for a Regulation on liability for the operation of artificial intelligence-systems	169
12.2.1 The operator of AV as the target of liability	170
12.2.2 Two regimes of liability	173
12.2.3 Private International Law perspective	175
13 Autonomous Weapon Systems in the Light of the Principles of Distinction and Proportionality	180
<i>Juraj Panigaj</i>	
13.1 Autonomous weapon systems and compliance with the core principles of the international humanitarian law	181
13.1.1 Compliance with the principle of distinction	183
13.1.2 Compliance with the principle of proportionality	187
13.2 Regulation of autonomous weapon systems	191
13.2.1 The fundamental concept in relation to the principles of distinction and proportionality	192
14 Drones in Armed Conflict: Angel of Salvation or Angel of Death?.....	198
<i>Ludmila Elbert</i>	
14.1 The Drone as an Angel of Salvation	199

14.2 The Drone as an Angel of Death	203
14.2.1 Drones as Autonomous Weapon Systems	205
14.2.2 Drone and its Compliance with the International Law	206
15 Contemporary International Legal Regulation of Artificial Intelligence in Health and Nursing	223
<i>Lucia Bakošová</i>	
15.1 Artificial intelligence in health and nursing	224
15.2 The Role of the United Nations in Regulation of AI in Health and Nursing	227
15.3 Initiatives of Specialized International Organizations	229
15.3.1 World Health Organization	230
15.3.2 Organization for Economic Co-Operation and Development	232
15.4 Specific Role of Regional Organizations in Regulating AI in Health and Nursing	236
15.4.1 The European Union on the path to the first legally binding document	236
14.4.2 The African Union	248