Bosnia and Herzegovina

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1. What is the understanding or definition of AI in your jurisdiction?

While there is no specific legal definition of artificial intelligence (AI) within the legislative framework of Bosnia and Herzegovina, the concept generally aligns with international standards. AI is broadly understood as the field of computer science dedicated to creating intelligent systems capable of simulating human-like behaviour and decision-making processes. The only direct mention of AI in legislation currently exists within the 2021–2027 Development Strategy adopted by the Parliament of the Federation of Bosnia and Herzegovina.

According to this strategy, AI refers to systems that display intelligent behaviour by analysing their environment and taking actions, with some degree of autonomy, to achieve specific goals. This definition encompasses AI-based systems that can be purely software-based, such as voice assistants and image analysis software, or embedded in hardware devices such as advanced robots and autonomous cars. However, the strategy's definition lacks specificity, necessitating further clarification and refinement within the legislative framework.

Regarding data protection and General Data Protection Regulation (GDPR) compliance, Bosnia and Herzegovina has adopted laws in alignment with EU standards, particularly the Law on the Protection of Personal Data, which ensures the lawful processing of personal data. Compliance with these regulations is essential for AI initiatives to protect individuals' privacy and data rights effectively.

As AI technologies continue to evolve, ongoing efforts are needed to update legal definitions and frameworks to address emerging challenges and opportunities in Bosnia and Herzegovina's AI landscape. It is crucial for policymakers and stakeholders to collaborate in refining the understanding and definition of AI within the jurisdiction, considering its implications for various sectors and ensuring alignment with international best practices and standards.

This iterative process will contribute to establishing a robust legal framework that fosters responsible AI development and deployment while safeguarding the rights and interests of individuals and businesses in Bosnia and Herzegovina.

2. In your jurisdiction, besides legal tech tools (ie, law firm or claim management, data platforms, etc), are there already actual AI tools or use cases in practice for legal services?

The adoption of AI tools within the legal sector of Bosnia and Herzegovina is still in its infancy compared to more technologically advanced jurisdictions. While there is a growing interest in leveraging AI to enhance legal services, the implementation remains limited. Some law firms may utilise basic legal technology (legaltech) tools, such as document management systems and legal research platforms, but the integration of advanced AI applications is relatively rare. To ensure compliance with data protection regulations, legal professionals must exercise caution when utilising AI tools that involve the processing of personal data. It is crucial to conduct thorough assessments of the AI systems' data handling practices to mitigate risks of non-compliance with GDPR and other relevant laws. Efforts to promote AI literacy among legal professionals and provide access to training programmes and resources can facilitate the adoption of AI tools and foster innovation within Bosnia and Herzegovina's legal sector.

In addition to the limited integration of legal tech tools, there are few actual AI tools or use cases in practice for legal services in Bosnia and Herzegovina. The complexity of legal processes and the cautious approach towards AI adoption contribute to this scenario.

However, some early adopters are exploring AI applications for tasks such as contract analysis, due diligence and legal research. Despite these initiatives, widespread adoption faces hurdles such as concerns about job displacement and the need for tailored solutions that align with the country's legal framework and language. Collaborations between legal experts, AI developers and regulatory authorities are essential to address these challenges and unlock the full potential of AI in the legal sector. Furthermore, establishing clear guidelines and standards for AI deployment in legal services can build trust and confidence among stakeholders, paving the way for broader implementation in the future.

3. If yes, are these AI tools different regarding:
- **independent law firms;**
- **international law firms; and**
- **in-house counsel;**

and what are these differences?

Differences in AI tool utilisation in legal services are evident based on the type and size of legal entities. These disparities arise from varying resource availability, specific needs and exposure to international best practices.

Smaller, independent law firms in Bosnia and Herzegovina typically employ AI in a more limited capacity. Common uses include basic document automation and

management systems, which streamline the handling of legal documents. Budget constraints may prevent investment in more advanced AI technologies.

International law firms, benefiting from their international scope, synergies within larger groups and greater financial resources, can implement sophisticated AI systems. These may include advanced legal research tools that use machine learning to analyse case law and predict outcomes, and complex case management systems integrating various aspects of legal work. These firms are also more likely to utilise AI for more complex processes such as predictive analytics for litigation and transactions, as well as risk assessment tools requiring significant computational power and advanced algorithmic support.

In-house legal departments within corporations leverage AI tools differently, focusing primarily on efficiency and risk mitigation. Common AI applications include contract management systems automating the creation, review and monitoring of legal agreements, and compliance tools ensuring adherence to regulations and standards. Tailored to optimise operational efficiency and support strategic business decisions, these AI systems directly align with business goals.

Common AI applications encompass contract management systems automating the creation, review and monitoring of legal agreements, alongside compliance tools ensuring adherence to regulations and standards. These AI systems are tailored to optimise operational efficiency and support strategic business decisions, directly aligning with business goals.

It is essential for all legal entities to prioritise data protection measures and ensure GDPR compliance when integrating AI into their practices. Collaborative initiatives involving legal professionals, technology providers and regulatory bodies can facilitate knowledge sharing and best practices dissemination, contributing to a more equitable adoption of AI tools across diverse segments of Bosnia and Herzegovina's legal ecosystem.

Additionally, legal firms in Bosnia and Herzegovina remain cautious about the use of AI due to concerns regarding data processing generated within AI systems and the sensitivity of data processed by different AI tools. As legal professionals navigate the integration of AI into their workflows, they must carefully consider data privacy and security implications, ensuring that AI tools adhere to strict data protection standards and mitigate risks associated with handling sensitive information. This cautious approach underscores the importance of comprehensive assessments and ongoing monitoring to safeguard the integrity and confidentiality of client data in the evolving landscape of AI-driven legal services.

4. What is the current or planned regulatory approach on AI in general?

Within the Government Development Strategies, strategic initiatives and measures are outlined to foster the development of artificial intelligence. The emphasis is on AI's strategic importance for economic growth, efficiency improvements and innovation across various sectors. Additionally, there is recognition of AI's potential to enhance public administration through the analysis of large datasets generated by digitalisation efforts.

However, despite these proactive measures and strategic considerations, there is a notable absence of specific legislative initiatives or regulatory frameworks dedicated to AI within Bosnia and Herzegovina. While acknowledging the importance of AI and proposing supportive measures, there is no indication of concrete steps towards establishing legal frameworks or regulations governing AI development and deployment in the region.

While efforts are being made to promote AI development within Bosnia and Herzegovina, there is currently a gap in translating these intentions into concrete legislative actions or regulatory policies specifically addressing AI.

In Bosnia and Herzegovina, all efforts to promote and advance artificial intelligence mostly come from individual enthusiasts, university professors or individual companies in the information technology (IT) industry, as well as specific industries developing technologies to advance their sector (eg, the agricultural industry).

Due to the complex political system in Bosnia and Herzegovina, the rapid adoption of regulatory frameworks providing clear guidance for the development of AI is not expected. However, given Bosnia and Herzegovina's recent approach to negotiations with the EU, alignment of the legislative framework with EU directives is anticipated.

This process of alignment may be challenging due to the specificities of the Bosnian legal system and differences in the development of technological infrastructure and economy compared to EU Member States. Nonetheless, alignment with EU regulations brings advantages such as strengthening trade relations, facilitating access to EU funds and promoting innovation and competitiveness in Bosnia and Herzegovina.

5. What are the current or planned regulations on the general use of AI or machine learning systems?

In Bosnia and Herzegovina, the regulatory landscape regarding the general use of artificial intelligence (AI) or machine learning systems is currently sparse. The government has devised a Development Strategy effective until 2027, which serves as a guiding framework. However, beyond this strategy, there are no specific regulations governing the broader use of AI or machine learning systems.

The absence of dedicated legislation highlights the need for comprehensive laws addressing the ethical, legal and societal implications of AI adoption. Any future regulations should harmonise with existing data protection laws, including those aligned with the GDPR, to ensure consistent standards in AI applications involving personal data processing. Collaborative efforts involving government agencies, industry stakeholders and civil society organisations are crucial for developing regulatory frameworks that encourage innovation, safeguard individual rights and cultivate public trust in AI technologies.

Currently, the legal landscape in Bosnia and Herzegovina lacks specific provisions tailored to AI and machine learning technologies. The absence of dedicated regulations raises concerns regarding the potential risks and ethical considerations associated with the widespread adoption of AI systems across various sectors. While the Development Strategy provides a strategic vision for fostering technological advancement in the country, it falls short of addressing the nuanced challenges posed by AI deployment.

One of the primary challenges in regulating AI lies in striking a balance between fostering innovation and ensuring responsible and ethical use of technology. As AI applications become increasingly integrated into various aspects of society, including healthcare, finance, transportation and governance, the need for robust regulatory frameworks becomes imperative. Without adequate regulations, there is a risk of unchecked proliferation of AI systems, potentially leading to privacy violations, algorithmic bias and other ethical dilemmas.

Moreover, the absence of clear guidelines on AI regulation may deter investment and hinder the development of AI-based industries in Bosnia and Herzegovina. Investors and businesses often seek regulatory certainty to mitigate legal risks and ensure compliance with applicable laws. Therefore, the development of comprehensive AI regulations is not only essential for safeguarding public interests but also for fostering a conducive environment for technological innovation and economic growth.

To address these challenges, Bosnia and Herzegovina could draw inspiration from international best practices and initiatives aimed at regulating AI and machine learning technologies. Countries such as Canada, Japan and the US have been actively exploring regulatory frameworks to govern AI deployment while balancing innovation and ethical considerations. By studying these approaches and adapting them to the local context, Bosnia and Herzegovina can develop tailored regulations that promote responsible AI development and deployment.

Furthermore, collaboration between government entities, industry stakeholders, academic institutions and civil society organisations is crucial for formulating effective AI regulations.

In addition to legal and regulatory measures, capacity-building initiatives and public awareness campaigns can play a significant role in fostering responsible AI adoption.

By educating policymakers, businesses and the general public about the benefits, risks and ethical considerations associated with AI technologies, Bosnia and Herzegovina can create a more informed and engaged society capable of navigating the complexities of the digital age.

Looking ahead, it is imperative for Bosnia and Herzegovina to prioritise the development of comprehensive AI regulations that address the unique challenges and opportunities posed by artificial intelligence. By proactively shaping the regulatory landscape, Bosnia and Herzegovina can harness the transformative potential of AI while mitigating risks and safeguarding the interests of its citizens. Through collaborative efforts and a commitment to responsible innovation, Bosnia and Herzegovina can emerge as a leader in AI governance, setting a positive example for other countries in the region and beyond.

6. Is free data access an issue in relation to AI?

Free data access poses several challenges, especially regarding intellectual property protection and personal data security.

The substantial data requirements for AI systems raise concerns about accessing data while respecting privacy laws and intellectual property rights. Accessing large datasets can bring up complex intellectual property issues, especially if they contain proprietary information.

In Bosnia and Herzegovina, as in the EU, there is a need to balance data availability for AI development with data owners' rights. Unauthorised data usage can infringe on copyright or trade secrets, hindering innovation and discouraging creators if not adequately protected. Bosnia and Herzegovina enforces stringent data protection requirements. AI developers must handle any personal data used in training and deploying AI systems according to strict privacy standards, including obtaining appropriate consents, minimising data and securing it against unauthorised access.

Protecting the right to data privacy is crucial, as any breach could lead to legal repercussions and undermine public trust in AI technologies. The legal framework in Bosnia and Herzegovina must provide clear guidelines on data access for AI use while protecting intellectual property and complying with privacy regulations. This balancing act presents policymakers with a delicate challenge. Effectively addressing these issues is vital for fostering a robust and responsible AI ecosystem that can innovate freely.

7. Are there already actual court decisions on the provision of legal services using AI or decisions concerning other sectors that might be applicable to the use of AI in the provision of legal services?

Currently, Bosnia and Herzegovina does not have public court cases directly applicable or relevant to the use of AI in the provision of legal services. The integration of AI within the legal sector is still in the early stages and, as such, precedents specifically addressing AI's role in legal processes have not yet been established.

However, the recent involvement of regulatory bodies in addressing issues related to AI technologies, such as data protection and consumer rights, highlights a broader regulatory interest that could be applicable to AI in legal contexts. Regulatory agencies may issue guidelines or rulings that indirectly impact AI applications in legal services.

These actions underscore the importance of regulatory compliance and ethical considerations in the development and deployment of AI technologies across various sectors. As AI continues to evolve and its applications in legal services expand, it is likely that Bosnia and Herzegovina will witness the emergence of legal precedents and regulatory frameworks specifically tailored to address AI-related challenges and opportunities in the legal domain.

As Bosnia and Herzegovina navigates the evolving landscape of AI integration in legal services, it is essential to recognise the multifaceted implications that AI brings to the legal sector. While there may not yet be direct court decisions addressing AI's role in legal services, the global legal community is actively engaging in discussions around AI's impact on legal practice, ethics and regulation.

In addition to regulatory bodies, legal scholars, professional organisations and industry stakeholders are also contributing to the dialogue surrounding AI in the legal sector. Their insights and perspectives help shape the direction of future regulations and policies governing AI applications in legal services.

Furthermore, the absence of specific court decisions in Bosnia and Herzegovina underscores the need for proactive measures to address potential legal challenges and ethical considerations associated with AI adoption in the legal profession. This could involve developing guidelines for AI usage, establishing ethical standards for AI developers and legal practitioners, and fostering interdisciplinary collaborations between legal experts and AI technologists.

By fostering a collaborative and forward-thinking approach, Bosnia and Herzegovina can position itself to leverage the benefits of AI while mitigating risks and ensuring the integrity of its legal system. As AI technologies continue to evolve and permeate various sectors, including law, proactive engagement and thoughtful regulation will be crucial to harnessing AI's potential for the betterment of society.

8. What is the current status – planned, discussed or implemented – of the sectorial legislation in your jurisdiction on the use of AI in the legal profession or services that are traditionally provided by lawyers?

As of now, there are no enacted laws specifically regulating the use of AI in legal services in Bosnia and Herzegovina. However, discussions around AI adoption in the legal profession are gaining traction, prompting considerations for potential regulatory frameworks. Educational and professional initiatives are underway to equip legal professionals with the necessary knowledge and skills to leverage AI tools effectively.

These initiatives aim to bridge the gap between technological advancements and legal practice, ensuring that lawyers can harness AI's potential while upholding ethical and legal standards. Alignment with international standards, particularly those outlined in the EU AI Act and the GDPR, is crucial for shaping future regulations in Bosnia and Herzegovina.

As the country strives to harmonise its legal framework with EU directives, it is expected that forthcoming regulations will address AI's role in legal services, including issues related to accountability, transparency and ethical use. The involvement of national bar organisations and professional institutions is essential in guiding the development of sector-specific regulations and promoting responsible AI adoption within the legal profession.

9. What is the role of the national bar organisations or other official professional institutions?

In Bosnia and Herzegovina, national bar organisations, including the Bar Association of the Federation of Bosnia and Herzegovina and the Bar Association of Republika Srpska, serve as vital entities in the oversight and regulation of the legal profession. These organisations undertake multifaceted responsibilities aimed at upholding professional standards, safeguarding the interests of legal practitioners and fostering ethical conduct within the legal community. Their significance becomes even more pronounced as the legal landscape continues to evolve, particularly with the increasing integration of AI technologies.

One of the primary functions of national bar organisations is to establish and enforce professional standards. Through rigorous accreditation processes and ongoing monitoring, these bodies ensure that individuals entering the legal profession possess the requisite qualifications and adhere to prescribed ethical norms throughout their careers. By setting clear guidelines for education, training and professional conduct, they contribute to the maintenance of high-quality legal services and the protection of client interests.

Moreover, national bar organisations serve as advocates for their members, advocating for their rights, interests and welfare. They provide a platform for legal professionals to voice concerns, seek redress for grievances and access resources necessary for their professional development. Through collective bargaining and engagement with relevant stakeholders, these organisations strive to create a conducive environment for legal practitioners to thrive and excel in their respective fields.

As AI applications become more prevalent in various facets of legal practice – including case management, document review and predictive analytics – concerns arise regarding their potential impact on professional standards, client confidentiality and access to justice.

To address these concerns, national bar organisations can play a pivotal role in formulating guidelines and regulations governing the ethical use of AI in legal services. By collaborating with experts in AI ethics, legal scholars and relevant stakeholders, they can develop comprehensive frameworks that promote responsible AI adoption while mitigating potential risks and biases. These frameworks may encompass principles such as transparency, accountability, fairness and non-discrimination, guiding legal practitioners in the ethical development, deployment and evaluation of AI systems.

Furthermore, national bar organisations can serve as catalysts for dialogue and collaboration among different professional institutions involved in the legal ecosystem. By forging partnerships with notary chambers, judicial councils and other relevant bodies, they can facilitate knowledge exchange, coordinate regulatory efforts and promote a cohesive approach to AI regulation. Through collective action, these organisations can address cross-cutting issues, harmonise standards and ensure consistency in the application of AI regulations across the legal profession.

By leveraging their expertise, authority and networks, these organisations can contribute to the development of a robust regulatory framework that fosters innovation, protects fundamental rights and upholds the rule of law in the digital age. Through proactive engagement and collaboration, they can empower legal practitioners to harness the potential of AI technologies responsibly, thereby enhancing the delivery of legal services and promoting public trust in the legal profession.