



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

**Opening of the judicial seminar
“The Rule of Law and Justice in a digital age”**

Introductory speech by Robert Spano

10 September 2021

Presidents of Constitutional and Supreme Courts,
Distinguished speakers,
Colleagues,

I am extremely proud to be able to open this year’s Judicial Seminar and to welcome you in person to the European Court of Human Rights. When we postponed our traditional January event, it was not certain that we would be able to meet physically in September, and yet here we are.

I would like to thank you for making the journey to Strasbourg. Your presence here today demonstrates your commitment to the European Court and to our joint human rights project. It also confirms your interest in the theme for today’s event: the digital age.

Let me warmly welcome our distinguished guest speakers: Professor Peggy Valcke, Judge Bart Jan van Ettehoven, Judge María Encarnación Roca Trías and Judge Rajko Knez. I will let our moderators introduce them in more detail. Suffice to say that we are very privileged to have them with us as experts to introduce our discussions.

Before turning to the theme for today, let me thank this year’s judicial Organising Committee: Judge Gabriele Kucsko-Stadlmayer, the President of the Committee, who will shortly be taking the floor, Judges Armen Harutyunyan, Jolien Schukking, Ivana Jelić, and Maria Eloseguí. Organising this year’s Seminar has been more challenging than usual but you have done a wonderful job. Thanks are also due to Valentin Nicolescu and Rachael Kondak who have assisted the Committee, and Valérie Schwartz and Tatiana Kirsanova.

The digital revolution has changed our lives in ways deemed unimaginable even a decade ago. Yet technological developments also pose major challenges and risks to society. Today’s Seminar will look at some of those challenges – artificial intelligence; the pandemic; social media and privacy; - with a focus on the impact on rule of law and justice. How is the digital age affecting our work as Judges? What can we expect from the future? What should we embrace and what should we be weary of?

The Council of Europe has been particularly active in the last years in the domain of human rights and artificial intelligence. As Judges we are all under a certain amount of pressure to perform more efficiently, to deliver justice more speedily. Artificial intelligence offers certain opportunities in terms of case-processing. Yet the risks to human rights need to be clearly understood and managed.

The last 18 months of the pandemic has exposed us to an even greater reliance on digital technology. Courts and Judges have had to adapt in a very short space of time. The European Court of Human Rights has itself been able to continue its public service mission, partly as a result of its investment into IT systems, and this is continuing in the future. For example, video conferencing enabled the Court to maintain the public character of its hearings during the two lockdown periods in France.

Public outreach and court communication is essential in explaining clearly the role of courts in a democracy and clarifying the meaning and scope of certain sensitive judgments. Social media is undoubtedly one of the most important communication tools in today's world and in particular opens courts up to a younger audience. Yet knowing when and where to post or tweet as a Judge is not always an easy task and the public's reaction can be unpredictable.

Finally, privacy issues will increasingly arise as more and more of our data is shared online. Live-streamed hearings fulfil the requirement of transparent justice yet are Judges and witnesses more vulnerable?

I encourage participants to actively take part in this afternoon's discussions. We are so fortunate in having a wealth of different European experience sitting together in this room. Let us make the most of our physical presence here today. I am looking forward to hearing from our speakers, but also to hearing from you.

Now I will hand over to Judge Kucsko-Stadlmayer; Gaby, the floor is yours. I wish you a fruitful afternoon of discussions.