

# PERSONAL DATA PROTECTION IN PUBLICATION OF JUDICIAL DECISIONS



**HELP**

Human Rights Education for Legal Professionals  
Council of Europe

Iceland  
Liechtenstein  
Norway grants



## Personal data protection in publication of judicial decisions

HELP ONLINE COURSE

Duration: 2 hours

Available for free on the CoE  
HELP e-learning platform

Statement of Accomplishment

**START COURSE** 

Council of Europe  
Human Rights Education for Legal Professionals (HELP) Programme

2024

## Background

The wider publication of judicial decisions as a fundamental aspect of “open access of justice”, serves several public interests such as transparency, legal certainty, public trust and rule of law. However, it also implies several risks for privacy rights of individuals addressed under Article 8 of the ECHR, General Data Protection Regulation (GDPR) or Convention 108+ for the protection of individuals with regard to automatic processing of personal data. Indeed, the risks of re-identification and profiling arising from the publication of judicial decisions are few examples of practices that can lead to discrimination, public humiliation, or violations of the right to be forgotten.

Lately, the ECJ has taken steps to enhance personal data protection by substituting actual party names with fictional ones, emphasizing the necessity of establishing effective safeguards to facilitate the successful exercise of individuals' rights.

## About the course

The online course was developed in 2023 by a group of experts and lawyers specialised on privacy and personal data protection. It aims to present in 2 modules of 60 minutes each, the importance of data protection in publication of judicial decision, what is personal data and how to collect, use and protect them through various mechanisms and instruments. The completion of this course seeks to validate several learning objectives from the ability to draft or review judgements in a data protection compliant way to knowing the available procedural and operational level remedies and how to apply them.

## Target audience

The course is primarily aimed at judicial professionals: **judges, clerks, court registry staff, etc.** However, it is relevant to all legal professionals such as prosecutors, lawyers, and can be particularly informative for policy drafters.

It can be used by other public authorities, including national human rights organisations, public administration staff, parliamentary staff, etc.

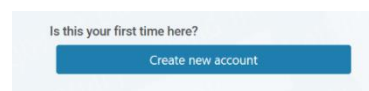
It can also be a great resource for university students or civil society organisations.

## Course outline

The course consists of an introductory module and 2 substantive modules:

0	<p><b>Introductory module</b></p> <ul style="list-style-type: none"> <li>• Welcome to the HELP course</li> <li>• Course learning objectives</li> <li>• Course structure</li> </ul>
1	<p><b>Publication of judicial decisions, public and private interests</b></p> <ul style="list-style-type: none"> <li>• Publication of judicial decisions and judicial capacity</li> <li>• Aspects for balancing public and private interests</li> <li>• Quiz</li> </ul>
2	<p><b>Rights, safeguards and remedies</b></p> <ul style="list-style-type: none"> <li>• Rights and safeguards</li> <li>• Data protection mechanisms</li> <li>• Effective judicial remedy</li> <li>• Quiz</li> </ul>

## How to access the HELP online course



The course is freely available in self-learning format on the [Council of Europe HELP e-learning platform](#). The overall length of the online course is approximately **2.15 hours**, and those who complete it in a self-learning format can obtain an individualised electronic '**Statement of Accomplishment**'.

To access the course, you need a HELP account. If you have not created one yet, you can [sign up here](#); it only takes 2 minutes.