

**30th Council of Europe Conference of Ministers of justice**  
**“transparent and efficient justice”**  
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**SPEECH**

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**SLOVENIA**

Esteemed Minister of Justice of Turkey, Esteemed Deputy Secretary General of the Council of Europe, Esteemed Council of Europe Commissioner for Human Rights, Honourable Ministers, Ladies and Gentlemen,

It is an honour and a privilege for me to participate at this jubilee - 30<sup>th</sup> Council of Europe Conference of Ministers of Justice. I am grateful to the Turkish authorities for their hospitality and for the excellent organisation of this important event.

Modernisation of the justice system is one of the challenges faced by every justice ministry. In recent years, introduction of the use of IT in the justice sector has been the leading way of this modernization. In this context the exchange of good and efficient practices can be very useful. In Slovenia it is being developed on the initiative of the Ministry of Justice, the courts and other agencies within the legal system, which have responded to the need of citizens, businesses, legal practitioners and the judicial authorities to conduct some functions of the judiciary by electronic means by providing various electronic legal services.

The major technological modernisation of the operation of the Slovenian courts since the introduction of electronic operations in courts is the sound recording of court hearings.

Slovenia was the first of the Member States of the European Union to equip all courtrooms with such equipment and use in all judicial proceedings.

Within this project, the Ministry of Justice has equipped 352 courtrooms in the Republic of Slovenia with devices for sound recording of hearings (local, district, higher, special courts, supreme court). As of 1 October 2010, these devices have been used at all the aforementioned courts.

The main aim of the “Sound Recording of Hearings and in Judicial Proceedings” project is to ensure that the time that is required for hearings in judicial proceedings will be shortened, which will consequently improve the efficiency of court operations, as well as the quality of hearings.

The recording of hearings will be used in all judicial proceedings with a large number of parties: for instance, in criminal or civil procedures, non-litigious procedures, family cases and other proceedings, whereby the introduction of recording will significantly save time, since all statements will be recorded and it will no longer be necessary to summarise statements for the minutes. The gradual abolition of minutes is also a long-term aim of the project.

Sound recording also brings many benefits for other participants at judicial proceedings (witnesses, attorney, prosecutors), who will be able to present their positions without interruptions, since summaries for minutes will no longer be needed. External parties will also more easily prove the actual substance, since the content will be recorded and played during a scheduled hearing.

We will continue this year with the second phase of the project, with the main aim of abolishing all transcriptions. We will therefore establish a central server, where all records will be saved; the main functional advantage will be the traceability system.

Next challenge on modernisation the justice system of the Slovenia is the videoconferencing systems in the justice system. I would like to point out the use of videoconferencing in interviewing children or abused persons, where videoconferencing technology proves the

most appropriate, since those persons are not exposed to direct contact with the courts, judicial proceedings and criminal offenders.

Ladies and gentlemen, modernization of the justice system is not the only theme of this conference relating to the third millennium's challenges. In addition to prison policy, data protection and privacy are also on the agenda.

So, on the one hand, information technology can bring considerable benefits and progress, as witnessed in the area of e-justice but, on the other hand, the development of information technology fosters not only the so-called big-brother effect, i.e. the feeling that we are constantly under the vigilant eyes of cameras, but also provides for the analysis and storage of personal data. Protection of personal data and supervision of its protection are therefore particularly important. I would like to emphasize here that the institutional system and the legal order of the Republic of Slovenia in the area of personal data protection fully comply with the international treaties of the Council of Europe. Particularly in the area of independent supervision, the Information Commissioner of the Republic of Slovenia, as an independent national authority, and its personal data protection national supervisors, perform their supervisory duties effectively. In terms of the compliance of Slovenia's legislation on personal data protection, the Information Commissioner, in addition to his or her normal right to intervene in terms of substance in legislative procedures carried out by the Slovenian Government or the National Assembly, also has the right of direct access to the Constitutional Court of the Republic of Slovenia – to challenge the constitutional compliance of acts and implementing regulations in terms of human and constitutional rights relating to information and communication privacy. This latter solution is a specific feature of Slovenia and we have been considering integrating the relevant provisions concerning the Information Commissioner's immediate access to the Constitutional Court into the Slovenian Constitution.

I sincerely hope that, in the third millennium, we can find some kind of equilibrium between fostering rapid growth in using information and communication technology and reducing the opportunities for personal data abuse. In doing so, one of the key safeguards is increased individual awareness, so I particularly welcome those parts of the draft resolution that emphasize the importance of reminding citizens, legal entities and the remainder of civil society to protect their own personal data properly. Calling attention to traps and making recommendations for safer use of the internet, for example, can contribute to greater care and better data protection.

I thank you for your attention.