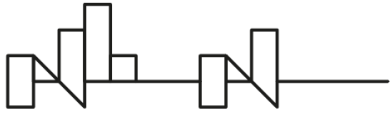


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# Foster Transparency of Judicial Decisions and Enhancing the National Implementation of the ECHR (TJENI)

PROGRAMME

WORKSHOP ON ANONYMISATION  
(PSEUDONYMISATION) OF JUDICIAL  
DECISIONS

*29 November 2022*  
*Paris, France*

# Concept Note

The public availability of judicial decisions is an important element of the **open justice** and helps foster improved transparency of the judicial process while ensuring the need for citizen control in a democratic society.

The **online publication** of court decisions requires balancing key rights such as the right to personal data protection and the right to access judicial decisions.

The publication of judicial decisions should not be an arbitrary exercise. It should be based on clear **goals** like, for example, increased legal certainty, and improvement in the consistency of judicial decisions, and should serve users, namely the general public, legal professionals, and researchers to name a few. Moreover, the scope of publication (such as selecting the decisions of first, second or third instance courts, all decisions, or only those bringing novelties to the case law) shall also be considered.

Based on the goals identified, the respective **regulatory framework** shall be developed, taking into consideration the risks related to the publication of court decisions, and the respective safeguards and remedies for ensuring the protection of the rights of individuals.

This workshop aims to provide an overview of available standards (recommendations) of the Council of Europe concerning this topic, as well as the respective case law of the European Court of Human Rights.

**Anonymisation (pseudonymisation)** has been recognised as a solution that may reconcile privacy and data protection with the need for public access to judicial decisions. The workshop addresses the potential scope and functionality made available by the digital evolution of judicial ICT systems, with a focus on **advanced solutions** for anonymisation (pseudonymisation). Specifically, interrelated topics of **natural language processing, interoperability** of various ICT instruments available to the judiciary and **cyber security**, will be touched upon.

09.15 – 09.30 **Registration of participants**

09.30 – 09.40 **Opening remarks**

- **Tigran Karapetyan**, Head of Division, Transversal Challenges and Multilateral Projects, Directorate General Human Rights and Rule of Law (DGI), Council of Europe

### **Regulatory framework for anonymisation (pseudonymisation)**

*Moderator: Elena Yurkina, Head of Unit, Innovative Solutions for Human Rights and Justice, DGI, Council of Europe*

09.40 – 11.00 **I. Regulatory framework requirements (20 min)**

- Overview of CoE recommendations, Elena Yurkina, Head of Unit

**Q&A (20 min)**

**II. Safeguards and remedies linked to anonymisation (pseudonymisation) (20 min)**

- Implementation of recommendations, Silvia Martinez Canton, CoE expert

**Q&A (20 min)**

11.00 - 11.15 **Coffee break**

### **Tools for anonymisation (pseudonymisation)**

*Moderator: Biljana Nikolic, Senior Project Officer, Innovative Solutions for Human Rights and Justice, DGI, Council of Europe*

11.15 – 12.55 **III. Overview of some technologies and advanced tools for anonymisation of judicial decisions (30 min)**

- Gernot Posch, CoE expert

**Q&A (20 min)**

**Demonstration of some tools (30 min)**

- Martin Schneider, CoE expert
- Sylvie Postel, Auditor, Documentation, Studies and Report Department - Head of the Digital Law and Data Protection Office, Cour de cassation / Amaury Fouret, data scientist, Cour de cassation, France

**Q&A (20 min)**

12.55 – 14.30 **Lunch break**

14.30 – 15.20 **IV. Machine learning and natural language processing (30 min)**

- Murielle Popa-Fabre, COE expert
- Cosmin Sterea-Grossu, Judge, Head of IT and judicial statistics, Superior Council of Magistracy, Romania / Vasile Pais, Senior Researcher, Romanian Academy Research Institute for Artificial Intelligence “Mihai Drăgănescu” (RACAI)

**Q&A (20 min)**

**Technological aspects of anonymisation (pseudonymisation): interoperability and security**

***Moderator:** Laetitia Dimanche, Project Officer, Innovative Solutions for Human Rights and Justice, DGI, Council of Europe*

**15.20 – 15.50**

**V. Interoperability (30 min)**

- Marko Sever, CoE expert
- Tomasz Kisielewicz, Ph.D., Expert in the Modern Technologies Team of the Ministry of Justice, Poland

**Q&A (20 min)**

**15.50 – 16.00**

***Coffee break***

**16.00 – 16.50**

**VI. Cyber security (30min)**

- Florian Blaschegg, CoE expert
- Edouard Rottier, Auditor, Documentation, Studies and Report Department - Head of digital dissemination office, Cour de cassation, France

**Q&A (20 min)**

**16.50 – 17.00**

**Concluding remarks**

- **Frédéric Dolt**, Head of Department, Implementation of Human Rights, Justice and Legal Co-operation Standards, Directorate General Human Rights and Rule of Law (DGI), Council of Europe