



News@JNEU

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I. Activities of JNEU members

1. UNESCO Global Forum on the Ethics of AI

The 2nd UNESCO Global Forum on the Ethics of Artificial Intelligence: *Changing the Landscape of AI Governance*, took place in Slovenia on 5 and 6 February 2024.

This Forum brought together the experiences and expertise of different countries for a focused exchange and for a dialogue with the private sector, academia and a civil society. One of the panels was dedicated specifically to “Artificial Intelligence as a Tool for Judicial Actors: Promoting Access to Justice, Human Rights and the Rule of Law”, the [Global toolkit on AI and the rule of law for the judiciary](#) being one of the items.



During the Forum, Gregor Stojin, the vice-chair of the Council of Europe Committee on AI and, at that time, advisor to Slovenia's Supreme Court President, took part in this panel. He initiated the conversation with the concept of justice, advocating for an operational perspective that prioritises the resolution of pragmatic issues such as access to information, speed, cost, effectiveness, predictability, security, and privacy.

Mr Stojin outlined how AI is already revolutionising the legal sector, for instance, through speech-to-text technologies in court proceedings, AI-enhanced data and case-law analysis, or even simple tasks such as anonymisation. While advances in technology can enhance efficiency, they also pose a risk of undermining traditional legal roles and the credibility of courtroom procedures.

A major concern Mr Stojin highlighted is the 'inequality of arms,' where AI's use by one legal party may unjustly prejudice the other, a concern amplified by judges who are also inclined to use AI to meet their efficiency needs. This intersection of AI's benefits and challenges is further observed in automated dispute resolution systems employed by commercial platforms, which are progressively supplanting conventional courts.

The Forum also delved into the technical and organisational challenges associated with AI implementation, stressing the importance of State responsibility in upholding a fair system of justice through proper governance and regulation. Such oversight is necessary to curb AI misuse in legal contexts and safeguard human rights.

Mr Stojin emphasised the urgency of addressing potential biases in legal AI systems and the difficulties in integrating these technologies into public-sector operations. He warned of the emergence of global monopolies that could, without proper comprehensive oversight, shape dispute resolution practices, pointing to the intricate impact AI has on the judicial system across conceptual, organisational, and technical dimensions.

2. Discussions on legal translation at the Bundesverfassungsgericht

As part of our ongoing contacts with the translation department of the Bundesverfassungsgericht (Federal Constitutional Court, Germany), a delegation from the CJEU English and German translation units visited Karlsruhe in autumn 2023.

During a visit to the Court in 2017, members of the translation department of the Bundesverfassungsgericht met with colleagues from the English and German legal translation units of the CJEU for an exchange on the respective activities of the translation services of the two institutions. A return visit was envisaged at the time but had to be postponed, most notably due to the pandemic, and did not take place until 1 December 2023. The Court's delegation comprised the two heads of the English and German legal translation units and two lawyer-linguists from each of these units.



Following a welcome by the Head of Protocol at the Bundesverfassungsgericht, the visit continued with two working sessions between the delegation and the Bundesverfassungsgericht's translation department on the respective range of activities and working methods employed, in particular concerning quality assurance, terminology and electronic translation support tools.

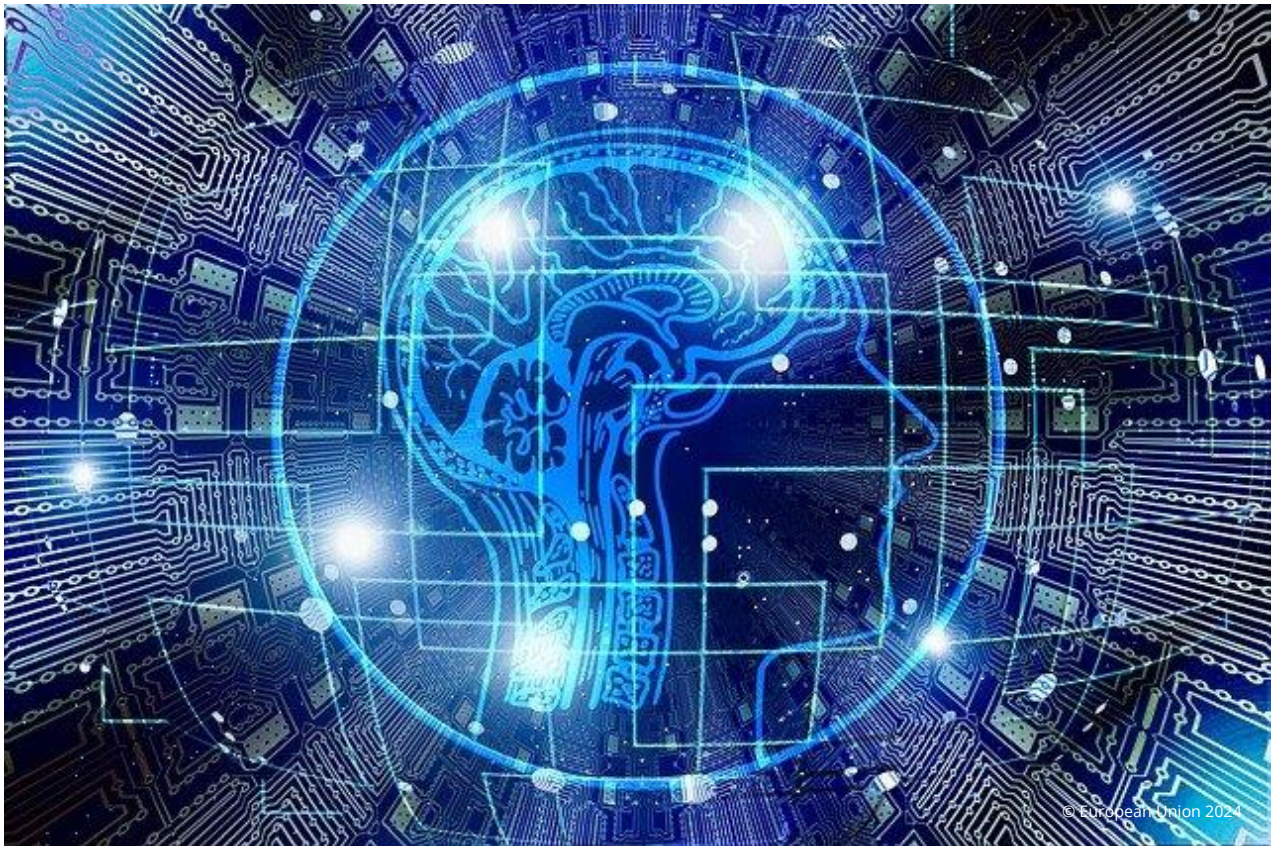
As the Bundesverfassungsgericht deliberates and delivers its judgments in German only, the main task of its translation service is to translate certain important court decisions into English, in order to contribute to the international debate on constitutional law and human rights.

From time to time, translations are also carried out, with the help of freelance translators, into French and, very occasionally, into Spanish. The translation department, which had only one translator until 2012, now has a team of six people (out of a total of approximately 270 staff at the Bundesverfassungsgericht).

The team is composed of translators, interpreters and lawyers, some of whom have dual qualifications. In practice, and in order to ensure quality, translations are always carried out in tandem: translation and revision/proofreading are in most cases shared between a lawyer and a translator whose mother tongue is German or English, as the case may be.

Indeed, one of the translators, on secondment from the Federal Ministry of Justice, is British, and one of the jurists is an American lawyer. At the end of the discussions, which were highly instructive, it was agreed to stay in touch and to plan a future meeting, once again in Luxembourg.

3.The CJEU's Artificial Intelligence Strategy



In the age of digital transformation, artificial intelligence (AI) has become a pivotal element in revolutionising industries across the globe. The CJEU is no exception, as it embraces AI to enhance its judicial and administrative operations. The strategic incorporation of AI aims to improve the quality of judicial decisions and increase efficiency, transparency and accessibility for EU citizens.

This article provides an overview of the CJEU's comprehensive AI strategy, outlining its goals, principles, and the anticipated impact on the future of justice in the European Union.

AI Vision and Strategic Goals

The CJEU's AI strategy is grounded in three primary goals that target the core aspects of its operations:

Goal 1. Improve the efficiency and effectiveness of the administrative and judicial processes: AI technologies are set to transform administrative and judicial processes by automating routine tasks and optimising case management. This includes the application of machine learning algorithms to enhance document handling and data processing, thus reducing human error and expediting judicial procedures.

Goal 2. Enhance the quality and consistency of judicial decisions: AI tools will support legal research and decision-making, providing CJEU staff with advanced analytical capabilities. These tools

are designed to assist in the correlation and classification of cases, improving the consistency and quality of judicial outcomes.

Goal 3. Increase access to justice and transparency for EU citizens: The strategy emphasises the use of AI to make the CJEU's operations more accessible to EU citizens. This includes developing AI-powered virtual assistants and chatbots to facilitate public interactions with the court, ensuring that information is readily available in multiple languages.



Principles Guiding AI Implementation

To ensure that the integration of AI aligns with the highest ethical and operational standards, the CJEU has established a set of robust principles. The most important key points:

- **Fairness and Impartiality:** AI systems will be designed to avoid bias, ensuring that all judicial processes are fair and equitable.
- **Transparency:** The workings of AI tools will be transparent, with clear documentation and understandable algorithms to foster trust among users.
- **Privacy and Data Protection:** Adhering to strict data protection regulations, AI implementations will prioritise the security and confidentiality of personal and sensitive information.
- **Human Oversight:** Recognising the importance of human judgment, AI tools will complement but not replace the decision-making responsibilities of human staff.

Risks and Mitigation Strategies

The strategic document acknowledges potential risks associated with AI, such as algorithmic bias and data security vulnerabilities. To counter these risks, the CJEU plans to implement rigorous testing and continuous monitoring of AI applications. A governance framework, including an AI Management Board, will oversee the deployment and ensure compliance with ethical standards and operational requirements.

Readiness assessment of the CJEU and other partners such as EU institutions

The readiness assessment of the CJEU and its EU institutional partners outlines several key factors that determine the current and future readiness for adopting AI technologies. It emphasises the importance of evaluating technological infrastructure, human resource capabilities, and the potential for pooling resources and intellectual cooperation across institutions. The assessment recognises the high level of interest and the proactive engagement in AI technologies within the CJEU and among other EU institutions. However, it also acknowledges the challenges in resource allocation, suggesting a need for strategic investments in both infrastructure and personnel training. This evaluation aims to ensure that the CJEU and its partners are well-prepared to integrate AI effectively and responsibly into their operations.

Governance

The AI Governance model proposed for the CJEU outlines a structured approach to ensure the ethical and effective integration of AI technologies. Central to this model is the establishment of an AI Management Board, which is tasked with overseeing AI initiatives and ensuring they adhere to ethical standards and the court's strategic objectives. This board will play a critical role in setting the "red lines" for AI use, defining areas where risks may be too high. Additionally, the existing Informatics Steering Committee will align AI ambitions with available resources to optimise investments. The AI+ Network, formed by representatives from various departments, will identify potential benefits of AI and oversee pilot projects. The architecture and data governance boards will ensure technical consistency and maintain data quality across AI implementations. This comprehensive governance structure aims to foster a controlled and responsible adoption of AI within the CJEU, balancing innovation with accountability and ethical considerations.

Technological and Architectural Framework

The successful implementation of AI requires a robust technological infrastructure. The CJEU intends to develop a high-level AI capabilities map that defines the technical specifications and integration points for AI tools within the existing IT architecture. This approach aims to standardise AI applications across different departments, ensuring consistency and efficiency.

Conclusion

As the CJEU steps into the future with its AI strategy, it sets a precedent for the integration of technology in the judicial domain. This strategic initiative not only aims to enhance the operational capabilities of the court but also strives to uphold the principles of justice and equity in the digital age. By carefully balancing innovation with ethical considerations and human oversight, the CJEU is committed to redefining the landscape of judicial processes within the European Union, making justice more accessible and effective for all its citizens.

II. Activities within the JNEU

1. Correspondents' meeting 2024: Save the date!

The next correspondents' meeting will take place on 22 November 2024 (in the morning) in Brussels, hosted by the Belgian Conseil d'État. It will be held in the form of a hybrid meeting, with the possibility of participating online.

A reception and a welcome dinner will be organised on 21 November.

In order to draw up the meeting's programme, we kindly ask you to send us your **suggestions for the topic** of the second part of the meeting, which is usually dedicated to exchanging member courts' experiences, **before 14 June** to rjue@curia.europa.eu.

Further indications regarding the content of the meeting and practical arrangements will be sent in the coming weeks.



2. New avenues for cooperation between the JNEU and the EJTN

The European Judicial Training Network (EJTN) brings together judicial training institutions from all EU Member States to pursue an aim of general European interest: developing and implementing training and exchange activities for European Judges, Prosecutors and Court staff. To that end, it develops initial and continuous training courses.



New paths of increased cooperation between the EJTN and the JNEU have recently been opened. In particular, a training session on the preliminary ruling procedure aimed at administrative law judges (EJTN ADMINISTRATIVE LAW TRAINING EU Preliminary Ruling Procedure) took place at the CJEU on October 25th and 26th. This dealt inter alia with 'the Curia webpage and its search engine'. Part of the contents of this session will be available soon in the form of a video clip for EJTN members.

This has been followed by the participation of CJEU representatives in the 'Meeting on Training needs assessment and cooperation between judicial stakeholders concerned by European judicial training', organised by the EJTN in Brussels on January 23rd. This meeting was the occasion for the CJEU representatives to acquire a better understanding of the functioning of the EJTN and to put forward suggestions for further cooperation between both networks, mainly on the topics of legal language training and digitalisation of training methods.

Earlier in April, another meeting was held between CJEU and EJTN representatives. The main object of discussion was the setting up of a working group for examining how to strengthen the cooperation between the EJTN and the JNEU.

All developments on this cooperation will be shared in News@JNEU.

3. Legal Research



The Legal Research Working Group, established within the framework of the Judicial Network of the European Union, held two meetings so far in 2024. These meetings, the seventh and eighth meetings respectively of the working group, took place in a hybrid format.

The main topic of the first meeting, held on February 1st, was the use of Eurovoc, the multilingual, multidisciplinary thesaurus covering the activities of the European Union. This covered, in particular, its legal dimension and the indexing policy applied with regard to EUR-lex. Among the participants were six representatives of the Publications Office of the EU (OP), who provided a comprehensive overview of the topic. They described the thesaurus, its structure and development as well as its practical use for indexing legal documents. In this meeting, the CJEU drew attention to its work in the field of terminology, its forthcoming legal thesaurus and the work conducted by CJEU terminologists within IATE. Pieterjan Montens, from the OP and former member of staff of the CJEU, provided a description of this.

The second meeting, held March 6th, aimed, inter alia, at discussing the ongoing preparation of a collaborative Factsheet on Protection of Personal Data including contributions from national member courts. Among the topics discussed were the structure and content of national contributions for the factsheet. Contributions are welcome until 30 June 2024. Courts not yet involved but interested in participating are kindly asked to send a mail to rjue@curia.europa.eu showing such interest. The JNEU Team is available to answer any questions related to this matter.

III. Network News

1. New CJEU Case-Law & The Month Ahead @ CJEU



JUDICIAL NETWORK OF THE EUROPEAN UNION

As previously announced, correspondents have been receiving two new communications as of January this year. These communications are intended to allow member courts to follow with greater ease the rhythm of CJEU decisions.

The Month Ahead @ CJEU provides a preview of the judicial activities of the Court for selected cases for the following month. In turn, New CJEU Case-Law gives real-time information on the most important decisions. Both communications follow-up on the interest of members expressed in the 2023 JNEU Survey for greater dissemination of EU case-law and information on pending cases.



JUDICIAL NETWORK OF THE EUROPEAN UNION

The Month Ahead @ CJEU

27 March 2024

Hearings

Competition: Dominant position

23 April [Case C-233/23](#), Alphabet and Others
Request for a preliminary ruling from the Consiglio di Stato (Council of State, Italy)
Competition – Dominant position – Digital sector – Refusal of an undertaking in a dominant position to access a product or a service necessary for its activity

Free movement of capital

30 April [Case C-295/23](#), Halmer Rechtsanwaltskanzlei
Request for a preliminary ruling from the Bayerischer Anwaltsgerichtshof (Higher Lawyers' Court, Bavaria, Germany)



JUDICIAL NETWORK OF THE EUROPEAN UNION

New CJEU Case-Law

8 February 2024

Border controls, asylum and immigration

A judgment of the Court of Justice can constitute a new element justifying a fresh examination of the substance of the asylum application

Judgment in Case C-216/22, Bundesrepublik Deutschland (Admissibility of a subsequent application)
Request for a preliminary ruling from the Verwaltungsgericht Sigmaringen (Administrative Court, Sigmaringen, Germany)

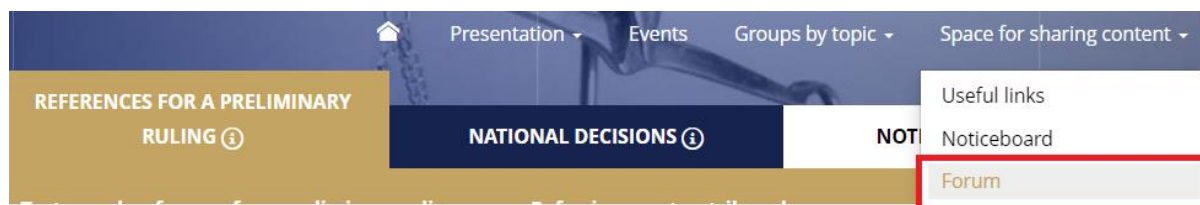
Reference for a preliminary ruling – Common procedures for granting and withdrawing international protection – Directive 2013/32/EU – Article 33(2)(d) and Article 40(2) and (3) – Subsequent application – Conditions for rejecting such an application as inadmissible – Concept of 'new elements or findings' – Judgment of the Court on a question of interpretation of EU law – Article 46 – Right to an effective remedy

2.Spotlight on: The Forum

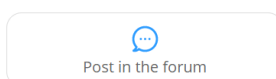
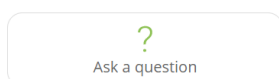
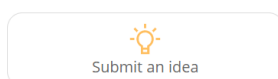
Since last year, the JNEU's internal platform has included a content-sharing space. This comprises three sections:

- "useful links", containing relevant links for network members;
- a "noticeboard", where contributors can share articles on topics of interest to the network;
- the "forum", which is a discussion space where contributors can ask questions, start conversations or suggest ideas.

To enter this area, please select the tab "space for sharing content" and then click on Forum:



This page will allow you to see ideas, questions and discussions shared by network members who have 'editing' rights.



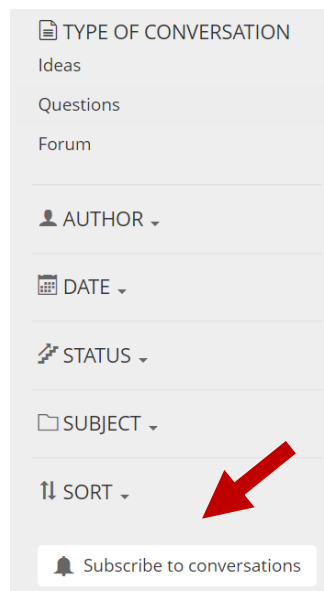
Most notably, the page can be used to ask questions to the other members so as to have

their collaboration to provide national law or EU law insight on specific issues.

Here is an example of a question recently shared among all members:



You can receive notifications of new content by clicking on the icon "subscribe to conversations":



IV.Call for contributions

1.Artificial Intelligence

In upcoming projects, the Court of Justice will propose a research project covering a brief overview of a selection of existing national case-law and legislative proposals on artificial intelligence. Further information will follow in future correspondence. In the meantime, if you are interested in this project, please do not hesitate to contact the JNEU team at rjue@curia.europa.eu. We would like all contributions to be provided by the end of September.



COUR DE JUSTICE
DE L'UNION EUROPÉENNE

FR

DIRECTION DE LA RECHERCHE ET DOCUMENTATION

Flash News n° 1/2024 – Édition spéciale :


Intelligence artificielle





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The Judicial Network of the European Union was created on the initiative of the President of the Court of Justice of the European Union and the Presidents of the Constitutional and Supreme Courts of the Member States.

President of the Court of Justice of the European Union and the Presidents of the Constitutional and Supreme Courts of the Member States.

One of the objectives of the JNEU is to share and centralise information and documents relevant to the application, dissemination and study of EU law, as interpreted and applied not only by the Court of Justice of the European Union but also by national courts and tribunals.

It also aims to promote mutual knowledge and understanding of the laws and systems of the Member States from a comparative law perspective.

Share with us

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