



Statement on behalf of the European Union and its Member States

By

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Delegation of the European Union to the United Nations

at the Sixth Committee

on the Agenda item 83:

"The Rule of law at national and international level"

United Nations

New York

16 October 2023

– CHECK AGAINST DELIVERY –

Thank you, Mr/Madam Chair!

I have the honor to speak on behalf of the European Union and its Member States.

The Candidate Countries Türkiye, Montenegro *, Serbia*, Albania*, Ukraine, the Republic of Moldova and Bosnia and Herzegovina*, the potential candidate country Georgia, as well as Monaco and San Marino align themselves with this statement.

As the Secretary-General reminded us earlier this year, the 16th Sustainable Development Goal on ‘access to justice for all’ is a critical enabler for the other SDGs. We thus believe that it is our responsibility to continue to find new means to strengthen equal access to justice for all.

The COVID-19 pandemic has demonstrated the importance, necessity and utility of incorporating new technologies in many areas of our lives, including our justice systems. Technologies and digitalization can provide individuals with the tools to easily and effectively gain access to judicial mechanisms and legal information. Digitalization thus enables an approach that put people at the center of the justice system, as foreseen in the framework of ‘Our Common Agenda’. This empowers individuals to access their rights and freedoms.

Madam/Mr Chair,

While there are many important issues that could be addressed on the sub-topic ‘Using technology to advance access to justice for all’, in the interest of time we will focus on three main aspects.

Firstly, we would like to address the importance of digitalization of justice systems.

The digitalization of judicial systems represents one of the cornerstones of our global endeavors to increase access to justice. We are convinced that technology can be used and harnessed to serve the interest of people and promote access to justice for all. It can be a game changer in ensuring scalable, transparent, innovative and data driven transformation of justice systems so

* Montenegro, Serbia, Albania and Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process.

long as principles of openness, inclusiveness and accountability are built into the design. Digitalization is thus a priority for the EU. We are therefore currently in the process of implementing the EU 2019-2023 Strategy on e-Justice. Two new regulations were adopted that facilitate digital communication as well as evidence and document transmission through protected, decentralized IT platforms. New regulations also endorsed ‘distance communication technologies’, which, for example, allow individuals to participate in cross-border hearings through video-conferencing. These efforts have increased the affordability of judicial processes and rendered them more user friendly for EU citizens and businesses. Additionally, they enhance the transparency of our judicial systems, thus reducing the risk of corruption while simultaneously increasing trustworthiness.

Secondly, we will look into how digitalization can increase inclusivity of marginalized groups.

We recognize that, when undertaken in accordance with human rights and data protection, digitalization can not only enhance the efficacy and transparency of judicial systems but can also enhance their overall accessibility to marginalized groups. Simple online procedures and legal information pools can provide greater clarity on otherwise complicated legal questions and can be adapted to accommodate the needs of persons with disabilities. Moreover, tools, such as digital braille, can enhance the physical accessibility of courtrooms and other criminal procedures. Recent proposals within the EU have also called for new rules on protecting persons with disabilities who need to use videoconferences for judicial proceedings.

Regarding victim and witness participation, digitalization can provide a multifold solution. For instance, claim submission procedures may be facilitated through online mechanisms. Equally, digitalization may provide victims with greater means to ensure comfort and safety when participating in hearings. The legal ability to submit pre-recorded video testimonies or participate through virtual hearings also provides a valuable opportunity to increase the participation of these individuals.

Finally, we would like to turn to the impact and utility of Artificial Intelligence.

Artificial Intelligence, or AI, has been widely lauded for its possibility to render justice systems more equitable and accessible. Indeed, AI programs have the capacity to provide access to complex legal information while also delivering it in simple language. In addition to providing

a tool for individuals, AI also presents a valuable tool for law enforcement agencies and their ability to effectively process large amounts of data and evidence. For example, the International Criminal Court uses AI to filter and search large amounts of video or audio recordings. The EU recently provided the ICC with crisis response funding to help up-scale their digital data storage and processing infrastructure. Nonetheless, while the EU is supportive of these measures, it is imperative that AI programs used in courts and investigations are people-centered and comply wholly with international human rights and data protection standards. The EU welcomes the Secretary General's initiative to create a High Level Advisory Body on Artificial Intelligence and looks forward to the outcome of the Global Digital Compact and the New Agenda for Peace.

Madam/Mr Chair,

In closing, I wish to reiterate the continued commitment of the EU and its Member States to finding new means to promote and protect the rule of law. We firmly believe that taking a people-centered approach in harnessing technology for justice will enhance and promote respect for the rule of law at national and international levels, leading to more peaceful, just and inclusive societies provided that adequate safeguards are in place. We stand ready to find new ways to incorporate them into our justice systems.

I thank you.