



European Network of Councils
for the Judiciary (ENCJ)

Réseau européen des Conseils
de la Justice (RECJ)



REPUBLIKA SLOVENIJA
SODNI SVET

Ljubljana Declaration

Courts fit for the future

9 June 2023

Ljubljana

1. Societies face new and increasingly complex problems and issues and the courts must respond appropriately to the new challenges arising. On the one hand, the function of the judiciary is to resolve disputes between parties and to defend the rights of citizens. On the other hand, political decisions are a matter for government and the legislature, and not the courts. In any case, courts remain committed to the duty to uphold fundamental rights of citizens and the rule of law.
2. This duty requires sympathetic understanding of various and possibly conflicting attitudes of members of society by the judiciary. In order for the judiciary properly to meet this challenge, continuous promotion of diversity, inclusion and equality among the judicial ranks is necessary. The composition of society should be reflected in the judiciary as much as possible.
3. Education of judges is vital to enable them to fulfill this task, both in respect of new developments in law and to enable judges to conduct trials in a manner, which ensures that the participants feel that they have had a fair trial and have been genuinely heard.
4. The expense and length of court proceedings is a factor which results in a less positive perception of the judiciary. Therefore, various possibilities offered by new digital resources and products should be explored and utilized. They could support judicial work, contribute to a higher quality of justice and increase access to justice.
5. We are witnessing developments of sophisticated tools of Artificial intelligence (AI), including machine learning. The use of such tools should be well understood and carefully considered. The risks of such use and possible impact on rights of individuals should be assessed. If used by the judiciary AI tools must be ethical-by-design, prohibiting direct or indirect violations of the fundamental human rights and values. The use of such tools should never undermine the ethical standards by which judges are bound and the right to make the decision should remain reserved to a human judge.
6. Finally, in the modern age, the formal practice of simply communicating the role of the judiciary through court decisions should be carefully reconsidered. The institutional use of

both traditional and social media should be evaluated as a means to inform the general public about the purposes and activities of the judiciary.