

RESOLUTION CONCERNING THE REMUNERATION OF JUDGES IN SWEDEN

- (1) The EAJ notes with concern the new system for the remuneration of Swedish judges, in particular the individualisation of judges' salaries.
- (2) The EAJ further notes that international standards of judicial independence set in Recommendation No. R (94) 12 of the Committee of Ministers of the Council of Europe "On the independence, efficiency and role of judges", UN Basic Principles on the Independence of the Judiciary, The Universal Charter of the Judge and the European Charter on the Statute for Judges, clearly prohibit any link between a judge's remuneration and the results of his or her judicial work. Such an interconnection creates the possibility of pressure on judges, which might either have the aim, or the effect, of influencing the judge's decisions and behaviour.
- (3) The EAJ has concluded that the introduction of variations in judicial remuneration based on non-objective or subjective criteria, which are linked to performance of judicial activities, is contrary to well-established international standards of judicial independence.
- (4) The EAJ urges that all national legislation concerning judicial remuneration and all national government officials and executives with the responsibility for determining judicial salaries accord full respect to the fundamental and universally recognized principles of judicial independence.
- (5) The EAJ observes that no other member state of the Council of Europe has introduced a system whereby the salaries of individual judges are separately determined according to the performance of judicial duties and activities.
- (6) The EAJ therefore urges the Swedish government to ensure that the system for determining the salaries of Swedish judges is entirely consistent with the well-established international standards of judicial independence referred to above.