



EAJ Working Group *On the Situation of National Member Associations* Autumn Meeting of the EAJ in Baku, 12th of October 2025

Progress Report May to October 2025

1 Introduction

The last report of the WG covered the period from October 2024 to May 2025. The present report covers the period from May to October 2025.

During the period under review, the WG dealt with

- Statements at the meeting of Yerevan/Armenia, 8-10th of May 2025)
- Inquiries from judges' associations

2 Statements made during the meeting of the EAJ in Yerevan (8-10th of May 2025)¹

In its meeting in Yerevan the working party drafted statements on Czechia, Greece, Hungary, and Italy.

a) Czechia

At its plenary meeting on 9 May 2025 in Yerevan the European Association of Judges (EAJ) was informed by its member, the Czech Union of Judges (Soudcovská unie České republiky), that once again a law has been adopted in the Czech Republic which places restrictions on judicial remuneration. The measure now adopted, which entered into force on 5 March 2025, retroactively changes the application of a method of adjusting judicial salaries for the year 2025 by reducing the base level and thereby reducing the expected salaries for about 5%.

Legislative or regulatory provisions brought into force in 2022 and 2024 to prevent any increases in judicial salaries were found to be unconstitutional by the Constitutional Court of the Czech Republic, which in the 2024 case ordered retroactive salary compensation.

The legislative proposal to reduce judicial salaries by altering the mechanism for 2025 was seen as unconstitutional and in conflict with the jurisprudence of the Constitutional Court by the Czech Union of Judges and by several members of the academia.

The EAJ recalls that the importance of financial security for judges is an essential element of their independence. Recently the Court of Justice of the EU ruled that judges' remuneration can be reduced only under strict conditions when extraordinary circumstances exist. The EAJ therefore urges the Czech authorities to end attempts to reduce or freeze the remuneration of judges and to abide by the decisions

¹ cf. Appendix: Resolutions/Statements Yerevan

of the Constitutional Court and encourages the Czech Republic to remedy the recently adopted provision suspending the adjustment of judges' remuneration for 2025 (for details, see appendix).

b) Greece

In its plenary meeting of 9.5.2025 in Yerevan the European Association of Judges (EAJ) was informed by its member the Hellenic Association of Judges and Prosecutors that in Greece there are tendencies to misuse disciplinary procedures against judges. Thus, the President of the Supreme Court and the Prosecutor of the Supreme Court initiated a disciplinary review in two cases against the competent judge and the prosecutor when restrictive conditions instead of detention had been applied and in another case against the members of a panel of judges who granted suspensive effect to a remedy.

Another kind of problems is caused by the initiative of the Minister of Justice, who proposed amendments to the Code of Civil Procedure, setting new and shorter deadlines for issuing court rulings combined with a spontaneous initiation of a disciplinary procedure against the judge who heard the case.

Taking note of these developments the EAJ recalls that a proper, fair, and effective disciplinary procedure is necessary to safeguard the functioning and the accountability of the judiciary. Disciplinary procedures are sensitive and bear possibilities of misuse and by that can infringe the independence of the judiciary and the rule of law if they are not regulated and implemented properly.

The EAJ is convinced that the amendments proposed by the Minister of Justice which will cause undue threat on judges thus endangering their independence which in the end may harm the public trust in the judiciary and its effective accountability and urges the competent Greek authorities to stop the practice of initiating disciplinary procedures on grounds of the merits of decisions and to re-consider the proposal of amendments regarding deadlines in the Civil Procedural Code and corresponding disciplinary regulations, which was put forward by the Minister of Justice (for details see the statement in appendix).

c) Hungary

In Hungary attacks by politicians and the media on the Association and judges generally have intensified. The organizers of the demonstration were slandered and wrongly accused of having financed the event from abroad. Individual judges have been severely attacked, reaching judicial decisions which did not meet the government's expectations. Such attacks not only criticized the decision but advance personal attacks on the judge concerned

Moreover, while the general retirement age in Hungary is 65, a change in the relevant legislation allowed judges and prosecutors to continue in work until the age of 70. But judges who wish to remain in office after 65 require to pass a psychological test and to be given one of the two highest possible grades in a performance assessment by the president of the respective court and may continue after 65 only if it is necessary due to the workload and budget of the court. Prosecutors on the other hand may continue in work unconditionally. Additionally, rules have been introduced stipulating that even the most minor breach of deadlines, which are foreseen in the procedural laws (such as the deadlines for issuing decisions) may require compensation to be paid to the parties to the case. This puts judges under severe pressure.

The EAJ considers this approach by the government to be in breach of international and European standards. Among others the EAJ holds that interpretation of the law, assessment of facts or weighing of evidence carried out by judges to determine cases should not give rise to civil or disciplinary liability, except in cases of malice and gross negligence.

The EAJ considers that the developments regarding the Hungarian Judiciary constitute a clear setback in the development of the independence of the judiciary and the rule of law in Hungary. Once again, the EAJ urges the Hungarian authorities to reconsider the matters and to commit to observing the European standards (for details, see appendix).

d) Italy

At its Meeting on 9 May 2025 in Yerevan, the EAJ was further concerned and greatly disappointed to learn from the Italian National Association of Magistrates (ANM) that despite the serious objections which have also been expressed by the Italian judiciary and by prominent legal scholars, and despite the massive mobilization of individual Italian judges in a national strike, the Italian government continues to proceed with the legislative process without any critical reconsideration of the objectionable features contained in the Bill. The main objections include, among others:

- The fragmentation of the unified Superior Council of the Judiciary into two separate Councils (one for judges, one for public prosecutors), because this may weaken the judiciary and pave the way for influencing criminal procedures
- Disciplinary procedures, which may decisively influence judges' careers, are a core competence of, and are well placed with, the body which is responsible for protecting the independence of the judiciary and which is accountable for the effectiveness of the justice system (e.g. the Superior Council of the Judiciary). A random selection mechanism (selection by lot) for judicial members of the self-governing bodies blatantly contradicts European standards, according to which members of judicial councils must be elected by their peers.

The EAJ urges the Italian government to reconsider the course it is pursuing and to abandon the proposed constitutional reform in its current form (for details, see appendix).

3 Inquiries from judges' associations

There are no requires up to now. However, there is a request submitted by a consistent group of judges from the Republic of Serbia expressing its "great concern for the position of Judiciary in the Republic of Serbia, considering continuous suffocation of the independence and autonomy of the Judiciary." The working group may be entrusted with this request in the near future (or at the Baku meeting).

Binningen/Basel (Switzerland), September 16th 2025

Stephan Gass

Chair EAJ-Working Group *On the Situation of National Member Associations*

Appendix: Statements Yerevan

Czechia



Czechia_EAJ
Statement_Yerevan 2

Greece



Greece_EAJ
Statement_Yerevan 2

Hungary



EAJ Statement on
Hungary.odt

Italy



EAJ_Italy_Statement
.odt