



**INTERNATIONAL ASSOCIATION OF JUDGES  
UNION INTERNATIONALE DES MAGISTRATS  
UNIÓN INTERNACIONAL DE MAGISTRADOS  
INTERNATIONALE VEREINIGUNG DER RICHTER  
UNIONE INTERNAZIONALE DEI MAGISTRATI**  
**PALAZZO DI GIUSTIZIA - PIAZZA CAVOUR - 00193 ROMA - ITALY**

**The Central Council of the International Association of Judges,  
convened in Washington D.C. on November 15<sup>th</sup>, 2012  
adopts the following  
Resolution**

The Central Council of the International Association of Judges, convened in Washington D.C. (USA) from 11 to 15 of November 2012, concerned for the independence of Justice:

- Reminds the principles of the United Nations upon the independence of the Judiciary (1985 – principle no 11) and the International Charter of the Judge (IAJ, 1999) which stipulates in its article 13 that “The judge must receive sufficient remuneration to secure true economic independence. The remuneration must not depend on the results of the judges work and must not be reduced during his or her judicial service”;
- Reminds that the international standards repeated by the Recommendation CM/REC(2010)12 of the Committee of Ministers of the Council of Europe, the European Charter on the statute for Judges of 1998 (Ch. 6, art. 6.1) and the opinion n°1 (2001) of the Consultative Council of European Judges (CCJE) ;
- Reminds that the remuneration of Judges and Prosecutors must be fixed in a way to shield them from oppressions which intend to alter their independence and impartiality;
- Underlines with concern the existence of serious economic problems in many countries which justify the efforts of the citizens, principally the reductions of the remunerations;
- Reminds that in 2011 the IAJ has defined that the judges may, before the present economic crisis, participate in the national effort in the same way as the other citizens; still, no reduction of their remuneration can be accepted if this reduction is higher than the reduction imposed to public servants, or if it leads to an inadequate remuneration with regard to their functions (1<sup>st</sup> study commission, 2011);
- Reminds that the reduction of the judges’ salaries, even in the context of a serious economic crisis, must remain exceptional, minimal and proportionate;
- Is concerned about very important reductions decided in some countries which do not respect these principles and jeopardize in unacceptable manner the judges’ independence in these countries;

- Notes that the reduction of the judges' and prosecutors' salaries was judged unconstitutional by the Constitutional Courts of several countries<sup>1</sup>.
- Calls Governments, worldwide, to respect the international principles which ensure the independence of the judiciary.

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<sup>1</sup> See the rulings of the Constitutional Courts of the Lithuanian Republic, of Poland (18/02/2004), of the Czech Republic (14/07/2005), of Slovenia (07/12/2006), of Italy (no. 223 dated 8/10/2012) and, recently, of the Hellenic High Court (7 November 2012) on the new deduction of Greek judges' remuneration (in average of 60%).