



NETWORK OF THE PRESIDENTS
OF THE SUPREME JUDICIAL COURTS
OF THE EUROPEAN UNION



RÉSEAU DES PRÉSIDENTS
DES COURS SUPRÊMES JUDICIAIRES
DE L'UNION EUROPÉENNE

Contribution of the Network of the Presidents of the Supreme Judicial Courts of the European Union to the 2025 Rule of Law Report

(<https://network-presidents.eu/>)

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Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

The Network of the Presidents of the Supreme Judicial Courts of the European Union highly values the commitment of the European Commission to upholding the rule of law in the Union and is glad to contribute to the 2025 Rule of Law Report.

The Network, which brings together the Presidents of Supreme Courts of 35 countries (27 EU Member States as full Members; Iceland, Liechtenstein, Norway and the United Kingdom as Associate Members and Albania, Montenegro, Serbia and Ukraine as Observers) has tasked itself with promoting exchanges of views and experience on matters concerning the case law, organisation and functioning of the Supreme Courts in the performance of their judicial and/or advisory functions.

Developments in members states, further confirmed by discussions within the Network, reveal that the rule of law and the independence of the judiciary cannot be taken for granted. The Network has previously observed that inadequate funding – a critical aspect of judicial independence – has begun to hamper the work of the court systems in several member countries.

One of the working sessions of the Conference of the Network, held on 4 October 2024 in Athens, Greece, focused on the topic of “*Attractiveness of the Judiciary*”. Under the auspices of Mr Petr Angyalossy, President of the Supreme Court of the Czech Republic, Ms Danguolė Bublienė, President of the Supreme Court of Lithuania and Mr Miodrag Đorđević, President of the Supreme Court of Slovenia, a comparative study was carried out of challenges, best practices and common trends across the member countries of the Network. Participants in the study were invited to provide information on remuneration policies, material and non-material benefits, guarantees, health and social security policies, special obligations related to the profession, selection and promotion procedures. Data was collected separately on judges and court staff (including judicial as well as administrative staff).

The part of the study focusing on judges analysed in depth how salaries of judges are determined and adjusted as well as the competitiveness of the salaries of judges compared to the average national salary as these are key aspects contributing to the attractiveness of the judiciary. The data indicated a considerable difference in salary across member countries of the Network as well as considerable differences in salary ratios when compared to the average national salaries. The comparison underscored the need for judicial salaries to remain competitive, not only relative to the average national wage but also in relation to other high-skilled professions. Maintaining this balance is essential to attract and retain talented legal professionals, ensuring that the judiciary is composed of qualified and impartial professionals capable of upholding justice. The study highlighted that Constitutional Courts, where they exist, have played a critical role in maintaining the balance between economic constraints and the protection of judicial independence.

The study confirmed that in all respondent judiciaries, the selection process for judges is generally viewed as transparent, ensuring fairness and public trust in judicial appointments. However, in about 30% of jurisdictions, the selection process is criticized for its lack of promptness, often due to the lengthy duration of the procedure. These delays can hinder the overall efficiency of the judicial system, despite the transparency of the process itself. Promotion procedures for judges are not standardized across member countries of the Network. While the process is generally regarded as transparent and efficient, approximately 20% of the respondents reported delays due to the lengthy nature or bureaucratic complexity of the procedure. These delays can negatively impact the timeliness of promotions, even in systems where transparency is otherwise well regarded, indicating that procedural inefficiencies remain a challenge. The study showed that there has been significant progress in achieving gender diversity, particularly in lower court positions. However, while female representation is growing among judges, women continue to be underrepresented in leadership roles across many European countries. According to the comparison the adequacy of the pool of candidates for judicial appointments varies across the respondent countries. Most of the countries have more candidates than they can accommodate. However, some face significant shortages that threaten the functioning of their judiciaries. The challenges often stem from a combination of demographic factors, procedural inefficiencies, and geographical disparities.

For court staff the study concluded, *inter alia*, that public discussions concerning remuneration of court personnel were taking place in more than half the respondent countries. In the majority of countries, the starting salaries of both the judicial and administrative staff in the first instance courts were lower than the average gross salary of the country. In nearly all countries the starting salaries of the judicial staff in the Supreme Courts were higher than the average gross salary of the country. However, salaries of the administrative staff in the majority of the Supreme Courts were lower than the average gross salary of the country. 40% of the respondents indicated a lack of candidates both for judicial and administrative posts and 26% of the respondents indicated that in comparison to previous years there has been a decrease in both the quality and the number of candidates applying to become court personnel.

The second working session of the Athens Conference entitled “*The influence of European law on the Supreme Courts*” was prepared by Mr Christophe Soulard, First President of the French *Cour de cassation*. The introductory report for the session, based on contributions from members of the Network, dealt with the assimilation by Supreme Courts, in various ways and at varying speeds, of European law (understood as the law of the European Union and the law of the European Convention on Human Rights), as well as the institutional, jurisdictional and normative impact of European law on the working methodologies of the courts and the role of the judge.

The report highlighted how European legal provisions, the case law of supranational courts and European programmes have led to significant reforms within supreme courts. One of the direct effects of these reforms has been the emergence of common standards. These reforms mainly concern digitalisation, the administration of justice (in other words access to justice, requiring the presence of an independent and impartial judiciary) and the guarantees of a fair trial. In their replies to the questionnaire, several supreme courts mentioned reforms carried out in their countries in response to the Commission's previous reports on the rule of law, with regard to judicial independence. In addition, 19 out of 33 courts mentioned a change in the reasoning given for their decisions as a result of the requirements imposed by European law as to equality before the law, foreseeability and accessibility.

The report also presented, *inter alia*, the good practice guides and internal tools deployed by the Supreme Courts regarding European law (human resources policies, judicial practices and information tools).

This introductory report has given Network members an overview of the reforms implemented in European countries to strengthen the rule of law.

The Network operates the exchange programme of Supreme Court judges, the aim of which is to strengthen cooperation and formation of personal ties as well as exchanges of information and best practices between colleagues with similar tasks and responsibilities within their respective national systems. The programme continued in 2024 with 22 individual exchanges completed. In total, 17 Supreme Courts were involved in the programme, either seconding or receiving colleagues for a period of one or two weeks. The exchange programme is open to all Members, including Associate Members and Observers of the Network. The Network notes with great satisfaction that despite Russia's brutal war of aggression against Ukraine, two judges of the Ukrainian Supreme Court were nevertheless able to participate in the exchanges organised by the Supreme Court of the Czech Republic and the Supreme Court of Ireland.