



**STATEMENT**  
respecting the  
**REMUNERATION OF JUDGES**  
**AND THE UNDERFUNDING OF COURTS IN**  
**LITHUANIA**

.....

1. At its meeting in Athens on 2 June 2023 the European Association of Judges (EAJ) noted with concern the current situation in Lithuania regarding the remuneration of judges and the funding of courts.
2. The EAJ was informed that judicial salaries, which are composed of a basic amount and supplementary remuneration depending on the position of the judge have not been raised sufficiently for first instance judges and not been raised for all other judges since 2008, whilst the income of civil servants was increased several times especially regarding their supplementary bonuses. This led to a situation where some members of the court staff have a higher income than judges.
3. The EAJ was also informed that, regardless of the high inflation, which recently hit Lithuania, the budget of the courts was not increased sufficiently. The result is that the Courts are now seriously underfunded.
4. The EAJ points out that proper remuneration for judges is an essential element of an independent judiciary and the rule of law. The remuneration of judges “*should be commensurate with their profession and responsibilities, and be sufficient to shield them from inducements aimed at influencing their decisions.*”<sup>1</sup> This requirement is recognised also by several other standard-setting documents.<sup>2</sup>
5. These principles are contained in settled case law of the Court of Justice and therefore binding for all European Union’s member states. The Grand Chamber in its landmark decisions in the case Associação Sindical dos Juizes Portugueses stated: “Like the protection against removal from office of the members of the body concerned (...), the receipt by those members of a level of

---

<sup>1</sup> Council of Europe: Recommendation CM/Rec (2010) 12 of the Committee of Ministers to member states on judges: independence, efficiency and responsibilities para 54

<sup>2</sup> CCJE Magna Carta of Judges, principle 7; CCJE Opinion No.1 para 61; Universal Charter of the Judge Article 8 et alt.

remuneration commensurate with the importance of the functions they carry out constitutes a guarantee essential to judicial independence.”<sup>3</sup>

6. The EAJ is convinced that the unbalanced and insufficient state of remuneration of judges in Lithuania does not meet the mentioned requirements.

7. Whilst the referred cases *Associação Sindical dos Juizes Portugueses* and *Carlos Escribano Vindel* both deal with situations, where reduction of remuneration was applied to all civil servants and public officials this is not the case in Lithuania. This again violates European standards which say that safeguards should be provided “against a reduction in remuneration aimed specifically at judges”<sup>4</sup>. Under this aspect the EAJ also observes an infringement of the principle of non-discrimination, which is protected by Article 14 ECHR and Article 21 of the Charter of Fundamental Rights.

8. Regarding the budgets of the courts the EAJ reminds Governments that there is an obligation to adequately staff the judiciary with the necessary financial resources in transparent and objective way.<sup>5</sup>

9. The EAJ therefore urges the Lithuanian government and its authorities to proceed speedily with reviewing and improving the salaries paid to members of the judiciary and to ensure that the courts in Lithuania are sufficiently funded.

---

<sup>3</sup> Judgment of 27 February 2018 in Case C-64/16 *Associação Sindical dos Juizes Portugueses*, paras 44 and 45; see also: Judgment of 7 February 2019 in Case C-49/18 *Carlos Escribano Vindel*, para 66.

<sup>4</sup> Council of Europe: Recommendation CM/Rec (2010) 12 of the Committee of Ministers to member states on judges: independence, efficiency and responsibilities para 54

<sup>5</sup> *Ibid* para 35 and 33