



Palazzo di Giustizia - Piazza Cavour - 00193 Roma - Italia

The European Association of Judges

at the meeting in Vilnius on 20th May 2006

unanimously adopted the following

RESOLUTION

The European Association of Judges notes with concern the practice in some jurisdictions of subjecting the remuneration of Judges to a discretionary element in the form of a performance bonus.

It is the view of the Association that this practice is objectionable on various grounds. In addition it conflicts with European standards and presents a real threat to the independence of judges.

In the first place, the criteria by which the eligibility of a particular judge for a performance bonus is assessed are not objective and transparent.

In the second place, the practice creates a temptation to give greater weight to quantity rather than to quality. Criteria of productivity, based on cost and speed, cannot be applied to the specific jurisdictional function of judges. The quality of judicial decisions depends on the ability of judges to do justice in individual cases and not on the number of judgements they are able to deliver in a given time. Subjecting the remuneration of judges to criteria of so-called "efficiency" (such as cost and time) creates the danger of a deterioration in the quality of justice: quality will be sacrificed on the altar of quantity.

In view of these considerations the European Association of Judges strongly opposes the principle that a part of the remuneration paid to judges should consist of a performance bonus.