

THEMATIC REVIEW FOCUSED ON THE CAREER AND TRAINING OF JUDGES

ON THE CAREER AND TRAINING OF JUDGES



CONSEIL DE L'EUROPE

Follow-up to the Council of Europe Plan of Action on strengthening judicial independence and impartiality (Sofia Action Plan)

THEMATIC REVIEW FOCUSED
ON THE CAREER AND TRAINING OF JUDGES

Report

**As adopted by the European Committee
on Legal Co-operation (CDCJ)
at its 106th plenary meeting
(2-4 June 2026)**

French edition:

*Suivi du Plan d'action du Conseil de
l'Europe pour renforcer l'indépendance et
l'impartialité du pouvoir judiciaire (plan
d'action de Sofia) - Examen thématique axé
sur la carrière et la formation des juges*

The reproduction of extracts (up to 500 words) is authorised, except for commercial purposes, as long as the integrity of the text is preserved, the excerpt is not used out of context, does not provide incomplete information or does not otherwise mislead the reader as to the nature, scope or content of the text. The source text must always be acknowledged as follows: "© Council of Europe, year of the publication". All other requests concerning the reproduction/translation of all or part of the document should be addressed to the Directorate of Communications, Council of Europe (F-67075 Strasbourg Cedex) or publishing@coe.int.

All other correspondence concerning this document should be addressed the Division for Legal Co-operation, Directorate General Human Rights and Rule of Law (DGI-CDCJ@coe.int).

Cover design and layout:
Publications and Visual Identity
Division (DPIV), Council of Europe

Cover photo: Council of Europe

This publication has not been copy-edited by the DPIV Editorial Unit to correct typographical and grammatical errors

© Council of Europe, August 2026
Printed at the Council of Europe

Table of contents

FOREWORD	5
BACKGROUND	6
THEMATIC REVIEW	11
CAREER	11
Selection and appointment of judges	11
Term of office of judges / Irremovability	19
Dismissal, relocation and reappointment of judges	21
Judges' remuneration	24
Promotion of judges	26
Judges' assessment	27
TRAINING	30
Institutions responsible for the training of judges	30
Admissions to judicial training	30
Initial and in-service training programmes	31
The role of training in judges' careers	38
CONCLUSIONS	39

Foreword

At the heart of any society governed by the rule of law lies an independent and impartial judiciary. Without this cornerstone, the fair resolution of legal disputes, not least those between individuals and the state, cannot materialise. Judicial independence and impartiality must not only be anchored in law but also reflected in practice. Public trust in the judiciary depends on it and, whenever confidence wavers, the very foundation of justice is at risk.

To this end, the Council of Europe Plan of Action on strengthening judicial independence and impartiality (known as the Sofia Action Plan), adopted by the Committee of Ministers on 13 April 2016, contains specific recommendations and proposals to member states on measures to be taken to safeguard independent and impartial judiciaries.

The Sofia Action Plan provides for a regular review of progress made in its implementation, with examples of good practice identified and made available to member states. As a result, a report on the review of the implementation of the Action Plan was prepared by the European Committee on Legal Co-operation (CDCJ) in November 2022. It compiled measures taken by member states and highlighted the challenges and negative trends. In order to keep the Sofia Action Plan under review, the CDCJ decided to do thematic reviews of selected aspects of the Sofia Action Plan, the first review focussing on two important areas for the continued independence of judges: career and training.

This report offers an in-depth analysis, based on a wealth of information provided by members of the CDCJ as well as those of the Consultative Council of European Judges (CCJE), that testify to the great interest of states and judges alike in the subject. It provides a comparative overview of national frameworks, highlights best practice and identifies persistent and emerging challenges to judicial independence. In doing so, it analyses the main aspects of judicial careers directly relevant to judicial independence, including selection and appointment, guarantees of irremovability, internal independence, and gender equality, as well as the role of training in strengthening judicial independence and the quality of justice.

Now, more than ever, the protection of the rule of law demands unwavering support for the independence and impartiality of the judiciary. These principles remain vital not only to justice but also more generally to democratic resilience.

Signe Öhman

Chair of the European Committee on Legal Co-operation

Background

1. The Council of Europe Plan of Action on strengthening judicial independence and impartiality adopted by the Committee of Ministers on 13 April 2016 and launched at the High-Level Conference of Ministers of Justice and Representatives of the Judiciary in Sofia (Bulgaria) on 21-22 April 2016 (thereafter referred to as the Sofia Action Plan) sets out a series of expected results:
 - A. Establishing effective mechanisms to fully implement member states' obligations to guarantee access to an independent and impartial tribunal.
 - B. Improving or establishing formal legal guarantees of judicial independence and impartiality and putting in place or introducing the necessary structures, policies and practices to ensure that these guarantees are respected in practice.
 - C. Safeguarding and strengthening the judiciary in its relations with the executive and legislature by taking action to:
 - ▶ ensure the independent and effective working of judicial councils;
 - ▶ ensure an adequate participation of the judiciary in the selection, appointment and promotion of judges, whilst limiting excessive parliamentary or executive interference in this process;
 - ▶ limit excessive parliamentary and executive interference in the disciplining and removal of judges;
 - ▶ ensure that members of the executive and legislature respect the authority of the judiciary and abstain from improper public criticism of individual judges and their judgments, as well as of the judiciary in general;
 - ▶ ensure that the day-to-day administration of courts is executed in an effective and reasonable manner based on legal regulations, and without undue interference from the executive or the legislature.
 - D. Protecting the independence of individual judges and ensuring their impartiality by taking action to:

- ▶ limit interference by the judicial hierarchy in decision making by individual judges in the judicial process and define the powers of the prosecution service in order to ensure that judges are protected from undue pressure and are able to freely follow or reject the motions of prosecutors;
 - ▶ ensure that the rules relating to judicial accountability and the review of court decisions fully respect the principles of judicial independence and impartiality;
 - ▶ effective remedies should be provided, where appropriate, for judges who consider their independence and impartiality threatened;
 - ▶ combat corruption within the judiciary and shield judges from inducement to corruption;
 - ▶ counter the negative influence of stereotyping in judicial decision making;
 - ▶ ensure comprehensive and effective training of the judiciary in effective judicial competences and ethics;
 - ▶ ensure that judges are protected by legal regulations and appropriate measures against attacks on their physical or mental integrity, their personal freedom and safety.
- E. Reinforcing the independence of the prosecution service by taking action to:
- ▶ provide appropriate legal guarantees for the recruitment, career development and security of employment or tenure of prosecutors;
 - ▶ ensure that individual prosecutors are not subject to undue or illegal pressure from outside or within the prosecution service and that, more generally, the prosecution service is governed by the rule of law;
 - ▶ take active measures to prevent and combat corruption within the prosecution service and build public trust in how it works.
- F. Building public trust in the judiciary and broader recognition of the value of its independence and impartiality.
- G. Taking adequately into account society as a whole in the composition of tribunals and the judiciary in order to increase public trust in the judiciary.
2. The Sofia Action Plan is a comprehensive document containing specific recommendations and proposals to member states on measures to address certain issues and concerns. It builds upon [Recommendation CM/Rec\(2010\)12 on judges: independence, efficiency and responsibilities](#). It goes further and lists concrete proposals on how the different bodies of the Council of Europe (the Group of States against Corruption (GRECO), the European Commission for Democracy through Law (Venice Commission), the Steering Committee for

Human Rights (CDDH), the European Commission for the Efficiency of Justice (CEPEJ), the Consultative Council of European Judges (CCJE), the Consultative Council of European Prosecutors (CCPE), and the European Programme for Human Rights Education for Legal Professionals (HELP programme)) can assist member states in addressing their specific needs.

3. The Sofia Action Plan provided for implementation within five years, as well as for a regular review of the progress of its implementation and the good practices identified, compiled and made available to the member states. At the end of this period, in November 2022, the European Committee on Legal Co-operation (CDCJ) drew up a [report on the review of the implementation of the Action Plan](#), compiling the measures taken by the member states and highlighting the problems and negative trends identified.

4. The CDCJ has been tasked by the Committee of Ministers to produce, by 31 December 2027, a focused thematic review of the implementation of certain aspects of the Sofia Action Plan. At its 99th plenary meeting, the CDCJ identified a number of issues for further in-depth examination. These issues include the selection, promotion and training (initial and in-service) of judges, case allocation and distribution among judges, re-assignment of judges to other courts, and disciplinary proceedings for judges and prosecutors. The lines of action in the Sofia Action Plan that address these issues are: “safeguarding and strengthening the judiciary in its relations with the executive and legislature” and “protecting the independence of individual judges and ensuring their impartiality”.

5. Following a decision taken by the CDCJ at its 100th plenary meeting, the first thematic review focuses on the career and training of judges. The issues to be addressed include an outline of the rules and regulations governing the selection, appointment and promotion of judges; terms of office; dismissal; relocation or reappointment; and related safeguards against improper external influence, threat, or interference in these processes; as well as an overview of institutions responsible for the training of judges, admissions to judicial training and the training itself (initial and in-service), and its role in the career of judges.

6. The first step of the review is to take stock of the information and resources of other Council of Europe bodies, specifically GRECO, the Venice Commission, the CEPEJ, the CCJE, the Commissioner for Human Rights, and the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), as well as the relevant case law of the European Court of Human Rights:

- ▶ The [4th evaluation round for the prevention of corruption with respect to members of parliament, judges, and prosecutors](#) carried out by **GRECO**, and its recommendations, provide comprehensive information on the

independence of judges in member states, including issues related to selection and appointment procedures, training on ethical and disciplinary matters, and the role of self-governing bodies in these areas. While the evaluation round is complete, monitoring of compliance with GRECO recommendations for each evaluated country is still ongoing and therefore provides information on the evolution of the situation;

- ▶ The **Venice Commission** continues to support member states, according to their needs, by advising them on reforms and the review of legislation and legal frameworks relating to the independence of the judiciary. [Venice Commission opinions](#) provide detailed assessments of proposed legal reforms and contain valuable information on possible problems of non-compliance with European standards on judicial independence. It is therefore important to follow the development of certain draft laws in member states to understand their possible impact on judicial independence;
- ▶ The [evaluation report on European judicial systems](#) and Justice Dashboards for [Eastern Partnership](#) and [Western Balkans](#) countries, being developed by the **CEPEJ**, provide quantitative and qualitative data on the operation of judicial systems, making it easier to measure the results of judicial reform efforts supported in particular by the European Commission in these countries;
- ▶ The ongoing work of the **CCJE**, in particular its [Opinion No. 24 \(2021\) on the evolution of the councils for the judiciary and their role in independent and impartial judicial systems](#), provides further evidence on the development of the role of judicial councils in the protection of judicial independence at international and national levels, and [Opinion No. 4 \(2003\) on training for judges](#);
- ▶ The publications of the **Commissioner for Human Rights**, in particular the reports following country visits, provide valuable information on the independence of the judiciary in these countries;
- ▶ The [mid-term Horizontal Review of GREVIO's baseline evaluation reports](#) provides a panoramic view of promising practices and challenges identified in implementing the [Council of Europe Convention on preventing and combating violence against women and domestic violence](#) (Istanbul Convention), including judicial training to raise awareness of the specificities of violence against women and domestic violence cases, in particular to combat stereotyping.

7. Other sources of information analysed include the [European Commission's annual reports on the rule of law](#), the [EU Justice Scoreboards](#) published by the European Commission, the [annual thematic reports of the United Nations](#)

Special Rapporteur on the independence of judges and lawyers (UN Special Rapporteur), and the publications of the OSCE Office for Democratic Institutions and Human Rights. Finally, the replies to a questionnaire addressed to CDCJ and CCJE members also provided a valuable source of information.¹

1. Replies received from 38 CDCJ members (Andorra, Austria, Belgium, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Republic of Moldova, Monaco, Montenegro, Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, San Marino, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Türkiye, Ukraine, United Kingdom) and 32 CCJE members (Albania, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Italy, Latvia, Luxembourg, Malta, Republic of Moldova, North Macedonia, Poland, Portugal, Romania, San Marino, Slovenia, Spain, Sweden, Switzerland, Ukraine).

Thematic review

Career

Selection and appointment of judges

8. According to the [Magna Carta of Judges](#) (Fundamental principles summarising and codifying the main conclusions of the Opinions adopted by the CCJE), “decisions on selection, nomination and career shall be based on objective criteria and taken by the body in charge of guaranteeing independence.”²

9. The Court of Justice of the European Union (CJEU) has ruled that, in order to guarantee the independence of the judiciary, the substantive conditions and procedural arrangements governing the appointment of judges must be sufficient to rule out any legitimate doubts as to the imperviousness of those judges to external factors and as to their neutrality as judges.³

10. Ensuring adequate involvement of the judiciary in the selection and appointment of judges, while limiting excessive interference by the executive and legislative powers, is one way of reducing the risk of external influence on the judiciary. While arrangements for appointing judges vary from one member state to another, any decision relating to the appointment or career of a judge must be based on **objective criteria** and be taken by an **independent authority** or be accompanied by guarantees that it will not be made on any basis other than those criteria.

An independent authority, including judges, to take decisions on the selection and appointment of judges

11. To guarantee the independence of the judiciary, the authority in charge of judicial recruitment procedures must be independent. The case law of the CJEU recognises that judicial councils are an important guarantor of the

2. [Magna Carta of Judges](#) (2010), para. 5. See also [Recommendation CM/Rec\(2010\)12 of the Committee of Ministers to member states on judges: independence, efficiency and responsibilities](#), para. 44-48; [Warsaw Recommendations on Judicial Independence and Accountability](#) (2023, OSCE/ODIHR); and the Report of the UN Special Rapporteur, Diego Garcia-Sayan, *Judicial Councils*, A/HRC/38/38, 2 May 2018, para. 97-99.

3. See the judgments of the CJEU of 15 July 2021, *Commission v. Poland*, C-791/19, para. 98-108; of 20 April 2021, *Repubblika and Il-Prim Ministru*, C-896/19, para. 66; of 2 March 2021, *AB and Others (Appointment of Judges to the Supreme Court - Action)*, C-824/18, para. 66, 124-125; and of 19 November 2019, *AK and Others*, joined cases C-585/18, C-624/18 and C-625/18, para. 137-138.

independence of the judiciary.⁴ Some states make a distinction between the formal authority, which may be the appointing authority (e.g. the President of the Republic, the Sovereign Prince (in Monaco) or the Minister of Justice), and the authority actually in charge of the recruitment process, which must be independent of the executive to ensure the full independence of the judiciary.

12. In this respect, the Venice Commission and the UN Special Rapporteur have pointed to the risks of politicisation when the decisive power in the appointment of judges is entrusted to a political body and the involvement of that body is not merely formal. As long as the president or parliament is bound by a proposal made by an independent judicial council, appointment by these bodies does not seem to pose a problem, as their role is purely formal. Care should be taken to ensure that the lead role in the process is given to an independent body.⁵ In Latvia, for example, while the *Saeima* retains its role of making formal appointments to the judiciary on the basis of the non-binding opinion of the Judicial Council, it has invariably followed the Council's proposal.⁶

13. According to the conclusions and recommendations of the [CCJE's Opinion No. 24 \(2021\) on the evolution of the councils for the judiciary and their role in independent and impartial judicial systems](#), the following principles apply: members of the council must be selected according to a transparent procedure that promotes the independent and efficient functioning of the council and the judiciary, and avoids any perception of political influence, self-interest, or cronyism (paragraphs 27, 29, 31 and 34). In several states, the selection and appointment of judges are regulated, *inter alia*, by their constitutions (Andorra, Azerbaijan, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Georgia, Greece, Hungary, Italy, Ireland, Latvia, Lithuania, Malta, Republic of Moldova, Monaco, Norway, North Macedonia, Poland, Portugal, San Marino, Serbia, Slovak Republic, Slovenia, Spain, Ukraine, United Kingdom).⁷

14. According to the [2024 CEPEJ evaluation report on European judicial systems \(2024 evaluation cycle - 2022 data\)](#), in the vast majority of member states, an authority composed of both judges and non-judges is responsible for the initial recruitment of professional judges. Only a few member states

4. The CJEU has recognised that when a judicial council participates in an appointment process involving political bodies, it can contribute to the objectification of that process by limiting the room for manoeuvre available to the political bodies in the exercise of their powers, provided that the council is sufficiently independent of the executive and legislative powers and of the body to which it submits an opinion. See, for example, the judgment of 2 March 2021 in Case C-824/18 *AB and Others (Appointment of Judges to the Supreme Court - Action)*, para. 123-125, and the case law cited therein.

5. Venice Commission, *Judicial Appointments* - CDL-AD(2007)028; France - CDL-AD(2023)015; Netherlands - CDL-AD(2023)029.

6. GRECO, *Second compliance report Latvia*, 3 June 2019, para. 28.

7. Based on the replies to the questionnaire (CDCJ and CCJE members).

provide for an authority composed solely of judges or solely of non-judges. In most cases, the competent body is the supreme judicial council (or a similar body). In Germany and Switzerland, all models exist depending on the federated entities.

15. Many states have reformed their procedures for appointing judges to strengthen the role of the judicial council (Armenia,⁸ Cyprus,⁹ Greece,¹⁰ Hungary,¹¹ Latvia,¹² Lithuania,¹³ Malta,¹⁴ Republic of Moldova,¹⁵ Serbia,¹⁶ Ukraine¹⁷). In light of the enactment of the Irish Judicial Appointments Commission Act 2023, and in anticipation of its full commencement, the [2024 Rule of Law report of the European Commission](#) noted that Ireland had made “significant progress on ensuring that the reform of the appointment and promotion of judges, as regards the composition of the Judicial Appointment Commission, is taking into account European standards on judicial appointments.”¹⁸ These reforms aim to enhance the legitimacy of the appointments and strengthen meritocracy within the judiciary.

16. On the other hand, in other states the judicial council is not considered sufficiently involved in the appointment of all categories of judges (administrative and judicial) (Azerbaijan,¹⁹ Slovenia,²⁰ Türkiye²¹) or the appointment

-
8. [Review of the implementation of the Council of Europe Action Plan to strengthen the independence and impartiality of the judiciary](#), CDCJ, November 2022.
 9. GRECO, recommendation x. implemented (*Second Compliance Report Cyprus*, 17 November 2020, para. 56).
 10. Based on the replies to the questionnaire (CDCJ and CCJE members).
 11. GRECO, recommendation viii. partially implemented (*Fourth compliance report Hungary - interim*, 9 June 2023, para. 43); European Commission Rule of Law Report, 5 July 2023.
 12. GRECO, recommendation vii. implemented (*Second compliance report Latvia*, 3 June 2019, para. 28).
 13. GRECO, recommendation vii. implemented (*Second compliance report Lithuania - addendum*, 6 May 2021, para. 32).
 14. [Review of the implementation of the Council of Europe Action Plan to strengthen the independence and impartiality of the judiciary](#), CDCJ, November 2022.
 15. GRECO, recommendation ix. partially implemented (*Second compliance report Republic of Moldova - second interim*, 19 May 2023, para. 48).
 16. GRECO, recommendation v. implemented (*Second compliance report Serbia - interim*, 30 March 2022, para. 28).
 17. See Supervision of the execution of judgments of the Court, H46-38 Oleksandr Volkov v. Ukraine (Application no. 21722/11).
 18. [European Commission Rule of Law Report, 24 July 2024](#), Country Chapter on the rule of law situation in Ireland, p. 2.
 19. GRECO, recommendation vi. partially implemented (*Second compliance report Azerbaijan - Addendum*, 19 May 2021, para. 24).
 20. [European Commission Rule of Law Report, 5 July 2023](#).
 21. GRECO, recommendation ix. not implemented (*Fourth compliance report Türkiye - Interim*, 7 December 2023, para. 19); Country visit report of the Commissioner for Human Rights on Türkiye “The Turkish authorities must restore the independence of the judiciary and stop targeting and silencing human rights defenders”, 19 February 2020.

body or procedure itself is regarded as problematic (Bosnia and Herzegovina,²² Bulgaria,²³ Cyprus,²⁴ Estonia,²⁵ Poland,²⁶ Slovak Republic²⁷).

Decisions based on objective criteria

17. According to the conclusions and recommendations of [Opinion No. 24 \(2021\) of the CCJE](#), decisions regarding the careers of judges must not be based on loyalty to politicians or other judges, but on a transparent procedure using objective criteria. Such decisions should be reasoned and based solely on merit. Judges who may consider that their rights have been disregarded must have a right to judicial review (paragraphs 20-21 of the Opinion). The UN Special Rapporteur specifies that decisions must take into account the qualifications, skills and abilities of candidates, as well as their integrity, sense of independence and impartiality. In his view, competitions organised at least in part in writing and anonymously can play a significant role in the selection process.²⁸ The [Kyiv Recommendations on Judicial Independence in Eastern Europe, South Caucasus and Central Asia](#) of the OSCE-ODIHR recommend that a separate commission should organise written and oral examinations.²⁹

18. In this respect, new precise and objective criteria have been introduced for the selection, appointment, evaluation and promotion of judges in certain states (Cyprus,³⁰ Georgia,³¹ Czechia³²). Some states guarantee that decisions on

22. Venice Commission, *Bosnia and Herzegovina - Opinion n° 1015/2021*.

23. [Review of the implementation of the Council of Europe Action Plan to strengthen the independence and impartiality of the judiciary](#), CDCJ, November 2022.

24. Ibid.

25. GRECO, recommendation viii. partially implemented (*Second compliance report Estonia*, 23 June 2017, para. 43).

26. Country visit report on Poland by the Commissioner for Human Rights “*Polish authorities should protect judges from pressure, actively protect women's rights and strengthen policies to promote gender equality*”, 28 June 2019; [European Commission Rule of Law Report](#), 5 July 2023.

27. [Review of the implementation of the Council of Europe Action Plan to strengthen the independence and impartiality of the judiciary](#), CDCJ, November 2022.

28. Report of the UN Special Rapporteur, Diego Garcia-Sayan, *Councils for the Judiciary*, A/HRC/38/38, 2 May 2018, para. 98.

29. [Kyiv Recommendations on Judicial Independence in Eastern Europe, South Caucasus and Central Asia](#) (2010, OSCE/ODIHR), para. 3.

30. GRECO, recommendation x. implementation (*Second compliance report Cyprus*, 17 November 2020, para. 56).

31. GRECO, recommendation iv. partially implemented (*Second compliance report Georgia - Addendum*, 13 July 2022, para. 24).

32. GRECO, recommendation vi. implemented (*Second compliance report Czech Republic*, 16 June 2023, para. 38).

appointment are reasoned (Hungary³³) and subject to appeal (Croatia, North Macedonia,³⁴ Georgia,³⁵ Czechia³⁶). In most countries, the general requirements for applicants include being a citizen of the country in question, being of a certain age, having a degree in law, having a certain amount of professional experience, and not having a criminal record. In addition, applicants are assessed on the basis of predetermined criteria, such as work capacity, perseverance, diligence, reliability, decision-making capacity, social skills, communication skills, general conduct in office and with the colleagues and superiors, conduct outside the office that may have consequences on their official duties (Austria), physical and mental well-being (Andorra), quantitative and qualitative results of their work in the last five years (Croatia), possession of theoretical and practical knowledge (Serbia), leadership skills (Finland), open-mindedness and independent thinking (Cyprus), being of high moral character (Estonia) and relevant legal experience, the required length of which varies depending on the judicial position (Slovenia). In Azerbaijan, individuals who are ineligible to serve as judges include, *inter alia*, those with dual citizenship, those with obligations to other states, and religious officials.³⁷

19. On the other hand, the Venice Commission expressed concern about the lack of criteria of seniority or professional competence on the basis of which judges can be appointed to sit exclusively on the Court of Appeal in Bosnia and Herzegovina;³⁸ the lack of transparent and merit-based criteria for the selection, appointment and promotion of judges in Slovenia; and recommended that Bulgaria specify in law or in the Constitution objective criteria for refusal of appointment to a permanent post, with the same procedural safeguards as for the dismissal of permanent judges.³⁹ Criteria were considered vague in Estonia, where there is a growing concern about transparency; the regulation is not immune to arbitrary decisions and subjectivity, especially since the Supreme Court's final decision is not explained.⁴⁰

33. GRECO, recommendation viii. partially implemented (*Fourth compliance report Hungary - interim*, 9 June 2023, para. 43).

34. GRECO, recommendation viii. implemented (*Second compliance report North Macedonia*, 9 August 2018, para. 45).

35. GRECO, recommendation iv. partially implemented (*Second compliance report Georgia - Addendum*, 13 July 2022, para. 24).

36. GRECO, recommendation vi. implemented (*Second compliance report Czech Republic*, 16 June 2023, para. 38).

37. Based on the replies to the questionnaire (CDCJ and CCJE members).

38. Venice Commission, *Bosnia and Herzegovina* - CDL-AD(2023)002.

39. Venice Commission, *Bulgaria* - *Opinion n° 1002/2020*.

40. Based on the replies to the questionnaire (CDCJ and CCJE members).

A formal appointment procedure for all judges

20. GRECO welcomed the reforms guaranteeing formalised, uniform and transparent procedures in Czechia,⁴¹ Georgia⁴² and Austria.⁴³

21. Certain procedures remain problematic, in particular the principle of sequential appointment in Albania,⁴⁴ the procedure for promoting a district court judge to a court of appeals in Georgia⁴⁵ (which takes place without competition and is not governed by clear and objective criteria), and the procedures for electing, appointing and recruiting members of the Labour Court in Iceland⁴⁶ (the selection of judges to the Labour Court, to be nominated by the Supreme Court, was still not considered as adequately regulated).

Appointment to the presidency of courts and other high judicial offices

22. According to the conclusions and recommendations of [Opinion No. 19 \(2016\) of the CCJE on the role of court presidents](#), the minimum qualification to become a court president is that the candidate should have all the necessary qualifications and experience for appointment to judicial office in that court. The skills and abilities required for appointment as court president should reflect the functions and tasks they will have to carry out. The CCJE considers that the procedures for the appointment of court presidents should follow the same path as those for the selection and appointment of judges, in line with the standards established in [Recommendation CM/Rec\(2010\)12](#) and previous CCJE Opinions. Judges of the court in question may be involved in the process of election, selection and appointment of court presidents by casting an advisory or even binding vote.

23. The appointment of judges of constitutional courts usually follows different procedures from those for ordinary judges and is sometimes subject to political involvement. In Italy, for example, one third of constitutional court judges are appointed by the President of the Republic, one third by the Parliament in a plenary session, one third by the high judiciary and the

41. [Review of the implementation of the Council of Europe Action Plan to strengthen the independence and impartiality of the judiciary](#), CDCJ, November 2022.

42. Based on the replies to the questionnaire (CDCJ and CCJE members).

43. GRECO, recommendation x. partially implemented - while regretting the reforms did not apply to administrative court judges (*Second compliance report Austria*, 16 November 2023, para. 39).

44. Venice Commission, *Albania - Opinion n° 978/2020*.

45. GRECO, recommendation iv. partially implemented (*Second compliance report Georgia – second addendum*, 3 July 2024, para. 28).

46. GRECO, recommendation v. partially implemented (*Second compliance report Iceland – second addendum*, 26 April 2021, para. 18).

Council of State, while a quota belongs to the government. In Germany, half of the judges at the Federal Constitutional Court are selected by the Bundestag and half by the Bundesrat, with each vote requiring a two-thirds majority. A similar system applies to the appointment of court presidents in Estonia, where appointments are made by the Minister of Justice.⁴⁷

24. A number of states have undertaken reforms aimed at guaranteeing transparency in the appointment of judges entrusted with judicial administration functions (Austria⁴⁸ - although the reform does not concern the appointment of presidents of administrative courts -, Cyprus,⁴⁹ Croatia,⁵⁰ Greece, Netherlands,⁵¹ Slovak Republic,⁵² Republic of Moldova⁵³) and ensuring equal treatment of candidates (Georgia⁵⁴). GRECO continues to monitor the implementation of reforms in Albania⁵⁵ and Hungary.⁵⁶

25. It has been found that reform was needed to introduce objective criteria and assessment rules for appointments to senior judicial posts (Greece⁵⁷), to depoliticise the appointment of the President of the Supreme Court (Malta⁵⁸) or to minimise the possibility of political influence (Slovenia⁵⁹). The reform of the status of magistrates in Portugal is intended to apply to the Supreme Court of Justice and the Supreme Administrative Court.⁶⁰ Poland was condemned by the European Court of Human Rights in 2021⁶¹ for violating the right to a court established by law due to irregularities in the appointment of judges to

47. Based on the replies to the questionnaire (CDCJ and CCJE members).

48. [European Commission Rule of Law Report, 5 July 2023](#).

49. Ibid.

50. [Review of the implementation of the Council of Europe Action Plan to strengthen the independence and impartiality of the judiciary](#), CDCJ, November 2022.

51. Ibid.

52. Ibid.

53. Ibid.

54. Venice Commission, *Georgia - CDL-AD(2023)033*; GRECO, *Second compliance report Georgia - Addendum*, 13 July 2022, para. 30.

55. GRECO, recommendation vi. partially implemented (*Second compliance report Albania - Addendum*, 6 October 2020, para. 33).

56. GRECO, Recommendation viii. partially implemented (*Fourth compliance report Hungary - Interim*, 9 June 2023, para. 43); Venice Commission, *Hungary - Opinion No. 1050/202, Judicial Appointments*; Statement by the Commissioner for Human Rights "Commissioner urges Hungarian Parliament to amend bill threatening independence of judiciary", 28 November 2019; [European Commission Rule of Law Report, 5 July 2023](#).

57. [European Commission Rule of Law Report, 5 July 2023](#).

58. Ibid.

59. GRECO, recommendation v. not implemented (*Second compliance report Slovenia*, 5 July 2018, para. 25).

60. GRECO, recommendation vii. partially implemented (*Second compliance report Portugal - third interim report*, 15 January 2024, para. 45).

61. European Court of Human Rights, *Reczkowicz v. Poland*, No. 43447/19, 22 July 2021.

the disciplinary chamber of the Supreme Court, while the Commissioner for Human Rights expressed concern about the independence and credibility of its Constitutional Court.⁶²

Integrity requirements in appointment procedures

26. Regarding integrity requirements in appointment procedures, better communication between the appointments commission of the Judicial Council and the Inquiry commission of the Council has been noted in Belgium.⁶³

27. In Sweden, the Judges Proposals Board is in charge of the procedure of security clearance for court presidents since 2021, in order to create a system that protects the independence of the courts and judges.⁶⁴

28. In Türkiye, sufficiently clear and precise criteria for assessing the integrity of candidates for judicial office should be established.⁶⁵ In the Slovak Republic,⁶⁶ the Constitutional Court ruled in 2019 that background checks on judges based on information provided by the national security authority were contrary to the principle of judicial independence.

Measures to facilitate gender balance in recruitment and promotion procedures

29. According to the [2024 CEPEJ report](#), one quarter of states have specific provisions in place to facilitate gender equality in the recruitment and promotion procedures of judges. Nine member states have similar targeted provisions for the appointment procedures of court presidents. Austria, Bosnia and Herzegovina, Germany, Montenegro and Spain report policies promoting gender equality in the recruitment and promotion of judges and in the appointment of court presidents. France, Germany, the Republic of Moldova, Spain, as well as England and Wales (UK) are conducting studies to identify the reasons for gender inequalities in the recruitment or promotion of judges. The Spanish General Council of the Judiciary (CGPJ) presented in 2025 a comprehensive study, *"Causes of the low participation of women in discretionary judicial positions"*, examining the obstacles faced by women judges when

62. Country visit report by the Commissioner for Human Rights on Poland *"Polish authorities should protect judges from pressure, actively protect women's rights and strengthen policies to promote gender equality"*, 28 June 2019.

63. *Review of the implementation of the Council of Europe Action Plan to strengthen the independence and impartiality of the judiciary*, CDCJ, November 2022.

64. Ibid.

65. GRECO, recommendation x. partially implemented (*Fourth compliance report Türkiye - interim*, 7 December 2023, para. 22).

66. *Review of the implementation of the Council of Europe Action Plan to strengthen the independence and impartiality of the judiciary*, CDCJ, November 2022.

applying for discretionary posts within the judicial career.⁶⁷ In Ireland, the Judicial Appointments Commission Act 2023 established a new independent Judicial Appointments Commission, with the objective that the composition of the judiciary should reflect the diversity of the population as a whole.⁶⁸

30. There has been notable progress in the average proportion of women among professional judges recruited, rising from 49% in 2012 to 57% in 2022. Gender inequalities persist at the higher hierarchical levels, where the proportion of women remains below 50% in many countries. Nonetheless, the average percentage of female court presidents has increased from 33% in 2012 to 42% in 2022.⁶⁹

Term of office of judges / Irremovability

Irremovability

31. According to the Venice Commission, the irremovability of judges is an essential guarantee of judicial independence. It aims to protect judges from the influence of the political majority of the day.

32. The Venice Commission has regularly been critical of changes to the retirement age or term of office of judges, even when introduced as part of general judicial reforms, where such changes affect judicial independence. International standards on judicial independence explicitly guarantee security of tenure until the mandatory retirement age or the expiry of the term of office, while limiting the grounds for dismissal to cases of incapacity or professional misconduct.⁷⁰ For example, the Commission has suggested abolishing fixed start and end dates for judges' terms of office in Albania.⁷¹

33. According to the [2024 CEPEJ report](#), the principle of lifetime appointment of judges is applied in almost all member states. The CCJE notes that, in European practice, full-time appointments until the legal retirement age are the rule and represent the least problematic approach from the perspective of independence.⁷² The irremovability of judges is generally guaranteed, although exceptions exist. In Switzerland, judges may be elected by the people or parliament depending on the canton, or appointed by the court of appeal, making it an exceptional situation in the European landscape.

67. Based on the replies to the questionnaire (CDCJ and CCJE members).

68. Ibid.

69. [European judicial systems, CEPEJ evaluation report \(2024 evaluation cycle - 2022 data\)](#).

70. Venice Commission, *Armenia - Opinion n° 988/2020*.

71. Venice Commission, *Albania - Opinion n° 978/2020*.

72. CCJE Opinion No. 1 (2001) on standards concerning the independence and security of tenure of judges, para. 48.

Probation period

34. The CEPEJ and CCJE have noted that many civil law systems provide for probation periods for new judges.⁷³ Probation periods exist in 17 member states and vary from three months to a maximum of five years, as in Bulgaria⁷⁴ and Germany.⁷⁵ The Venice Commission has consistently been critical of probation periods for judges, insofar as such a status can undermine their independence.⁷⁶ The three or five-year probation period for new judges has been abolished in some states (Georgia, Republic of Moldova), introducing lifetime appointments. In Ukraine, in cases specified by law, a judge without experience undergoes initial training according to the procedure approved by the High Qualification Commission of Judges of Ukraine, without being a probation period *per se*. Monaco does not apply a formal probation system for judges, but French judges seconded to Monaco serve a non-renewable five-year term.⁷⁷

35. The Venice Commission has specified that, where they exist, probation periods for new judges must include all necessary safeguards, be based on established international standards, and not be unnecessarily long. It added that final appointment after the probation period should be the rule. A positive example is Cyprus, where judges under probation are afforded a status equivalent to that of permanent judges: they possess full jurisdiction, judicial independence is guaranteed, and they are protected against unfair dismissal or arbitrary termination of probation.⁷⁸

36. The irremovability of judges should be strengthened in two states (Estonia,⁷⁹ Türkiye⁸⁰).

73. Ibid. para. 49.

74. GRECO, recommendation vi. partially implemented (*Second compliance report Bulgaria*, 17 January 2020, para. 20) and Based on the replies to the questionnaire (CDCJ and CCJE members).

75. Based on the replies to the questionnaire (CDCJ and CCJE members).

76. Venice Commission, *Bulgaria CDL-AD(2017)018, Bulgaria - CDL-AD(2002)015, Bulgaria - Opinion No. 1002/2020*.

77. Based on the replies to the questionnaire (CDCJ and CCJE members).

78. Ibid.

79. Ibid.

80. GRECO, recommendation xii. not implemented (*Fourth compliance report Türkiye - interim*, 7 December 2023, para. 35).

Dismissal, relocation and reappointment of judges

Dismissal and reappointment

37. According to the Venice Commission, the criteria for removal from office must be clearly defined, leaving no room for ambiguity, both for full judges and court presidents, at all court levels.⁸¹ The Venice Commission has underlined that judges should not be dismissed for repeated minor offences, and that unsatisfactory performance and disciplinary misconduct should not be treated in the same way.⁸² In Cyprus, grounds for dismissal can include incapacity, improper conduct, or disciplinary offences. In Montenegro, the grounds for dismissal are more precise, such as failure to achieve at least 60% of the required workload without a valid reason. Several states reported having an appeal mechanism in place as a safeguard.⁸³ In France, the dismissal decision is made by the Supreme Council of the Judiciary, after an inquiry and a hearing of the judge; it is reasoned and subject to appeal.⁸⁴ In Lithuania, the Constitutional Court clarified the principles relating to the dismissal of superior court judges, reaffirming the role of the Judicial Council.⁸⁵ In Estonia, Finland and Norway, judges cannot be removed from office except by court judgment.⁸⁶

38. The Commissioner for Human Rights expressed serious concerns about the conditions of dismissal and replacement of numerous court presidents and vice-presidents in Poland.⁸⁷

39. In Andorra, where the term of office of judges is not indefinite, their reappointment is automatic except in cases involving disciplinary proceedings or sanctions.⁸⁸ In such cases, the decision on reappointment is taken by the High Council of justice after hearing the judge; the decision is reasoned and subject to appeal.⁸⁹

81. Venice Commission, *Hungary - Opinion No. 1050/2021*.

82. Venice Commission, *Serbia - Opinion No. 1015/2021*; *Serbia - CDL-AD(2022)030*.

83. Based on the replies to the questionnaire (CDCJ and CCJE members): Albania, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Finland, France, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Malta, Republic of Moldova, Monaco, North Macedonia, Poland, Portugal, Romania, San Marino, Slovenia, Spain, Sweden, Switzerland, Türkiye, Ukraine, United Kingdom.

84. Based on the replies to the questionnaire (CDCJ and CCJE members).

85. [European Commission report on the rule of law, 5 July 2023](#).

86. Based on the replies to the questionnaire (CDCJ and CCJE members).

87. Country visit report by the Commissioner for Human Rights on Poland “*Polish authorities should protect judges from pressure, actively protect women’s rights and strengthen policies to promote gender equality*”, 28 June 2019.

88. GRECO, recommendation viii. implemented (*Compliance report Andorra - interim, 9 December 2021, para. 49*).

89. Based on the replies to the questionnaire (CDCJ and CCJE members).

No relocation, transfer or secondment of judges without their consent in principle

40. The principle of irremovability means that judges cannot be reassigned without their consent. This is the case, for example, in Armenia, Georgia (unless no other judge agrees to be transferred), Portugal,⁹⁰ Luxembourg, the Republic of Moldova, the Netherlands and Norway.⁹¹

41. In Germany, a judge may be seconded to another court to address temporary, exceptional caseloads or to cover for judges who are unable to sit. Such secondment requires the consent of the judge concerned.⁹²

Exceptions to the principle subject to safeguards

42. The CEPEJ indicates in its [2024 report](#) that a transfer may, however, be carried out without the judge's consent, but in such cases, attention should be paid to the conditions of the transfer. Such a transfer may result from a disciplinary procedure before an independent body, which is the case in 37% of states. In addition, more than 59% of states allow judges to be transferred without their consent for organisational reasons (closure, merger, restructuring of courts, etc.). These transfers are governed by safeguards, such as the right to appeal the decision before a court (Andorra, Belgium, Croatia, Cyprus, France, Georgia,⁹³ Hungary,⁹⁴ Italy, North Macedonia,⁹⁵ Poland,⁹⁶ Romania, Slovenia⁹⁷) or salary maintenance (Czechia, France, Germany, Hungary, Italy, Lithuania,⁹⁸ Montenegro,⁹⁹ North Macedonia¹⁰⁰). In Cyprus, the Supreme Council of Judicature considers the judge's city of residence before making a decision, therefore taking personal circumstances into account. In Czechia, a judge may be transferred only to another court of the same level within the same judicial district. In Finland, if a judge is transferred (owing to the closure or reorganisation of the court) and refuses the assigned position without valid

90. [Review of the implementation of the Council of Europe Action Plan to strengthen the independence and impartiality of the judiciary](#), CDCJ, November 2022.

91. Based on the replies to the questionnaire (CDCJ and CCJE members).

92. Ibid.

93. Ibid.

94. GRECO, recommendation x. partially implemented (*Fourth compliance report Hungary - interim*, 9 June 2023, para. 48).

95. Based on the replies to the questionnaire (CDCJ and CCJE members).

96. [Review of the implementation of the Council of Europe Action Plan to strengthen the independence and impartiality of the judiciary](#), CDCJ, November 2022.

97. Based on the replies to the questionnaire (CDCJ and CCJE members).

98. Ibid.

99. Venice Commission, *Montenegro - CDL-PI(2024)007*.

100. Based on the replies to the questionnaire (CDCJ and CCJE members).

reason, the judge may be relieved from office, without a possibility of appeal. In Finland, the matter is considered by the Supreme Administrative Court on the application of the National Courts Administration and is treated as an urgent judicial matter. In Slovenia, judges may be transferred without their consent for organisational reasons, but their consent is required if the court to which they are assigned is more than 70 kilometres or more than one hour's travel by public transport from their previous court, or if the judge is pregnant or caring for a child under the age of three. In Estonia, if a state of emergency or war has been declared, judges may be transferred (permanently or temporarily) without their consent. In Italy, a judge may be transferred without their consent in cases of parental incompatibility, when the presence of a relative in the same office compromises their independence and impartiality.¹⁰¹

43. According to the Warsaw Recommendations on Judicial Independence and Accountability of the OSCE-ODIHR, in the context of closure of a court, all existing members of that court should, in principle, be transferred to another court.¹⁰²

44. According to the [2024 CEPEJ report](#), judges may also be transferred for reasons other than disciplinary or organisational. In Austria, judges must be transferred if non-professional circumstances (through no fault of their own) damage their reputation and ability to perform their duties in such an extent that they can no longer act as a judge in that court. In Germany, in addition to disciplinary and organisational reasons, judges may be transferred without their consent in the context of impeachment proceedings for violation of the constitutional order, or if facts external to their judicial activity imperatively require such a measure to avoid serious harm to the administration of justice. In Poland, judges may be transferred in cases of statutorily defined personal links, i.e. situations where lineal relatives by blood or marriage, adoptive relatives, spouses or siblings are judges, assistant judges or officers of justice within the same division of the court.¹⁰³

45. According to the [2022 CEPEJ report](#), in some states a temporary transfer may be decided without the judge's consent in the interests of the proper administration of justice (e.g. Belgium, Bosnia and Herzegovina, Germany, Iceland, Ireland, Lithuania, North Macedonia and Slovenia). Specific safeguards govern such reassignments, including strict rules on the duration, the competent authorities, the possibility of appealing the decision, and the maintenance

101. Based on the replies to the questionnaire (CDCJ and CCJE members).

102. [Warsaw Recommendations on Judicial Independence and Accountability](#) (2023, OSCE/ODIHR), para. 33.

103. Based on the replies to the questionnaire (CDCJ and CCJE members).

of salary and inherent benefits. In Germany, the individuals concerned must be notified and heard before a planned transfer or discharge.¹⁰⁴

Problematic cases of relocation without consent

46. The principles of irremovability and independence are infringed when the circumstances in which judges may be transferred without their agreement are not limited to exceptional cases and are not justified by a legitimate and transparent reason (Türkiye).¹⁰⁵

47. In *Bilgen v. Türkiye*,¹⁰⁶ the European Court of Human Rights found a lack of access to a court, which resulted in the impossibility for a judge to obtain judicial review of an allegedly unjustified transfer to a lower judicial district without consent. Following this judgment, an action plan and/or report on the measures planned or adopted was expected, with particular focus on legislative measures introducing procedural safeguards to protect the judicial autonomy of judges from undue external or internal influences, thereby strengthening public confidence in the functioning of the judiciary.

Judges' remuneration

48. According to the [Magna Carta of Judges](#), "in order to avoid undue influence, judges shall receive appropriate remuneration and be provided with an adequate pension scheme, to be established by law." (paragraph 7).

49. According to [Recommendation CM/Rec\(2010\)12 of the Committee of Ministers on judges: independence, efficiency and responsibilities](#) (paragraphs 53 and 54), the level of judges' salaries contributes to their independence. Judges should be offered a level of remuneration commensurate with their status and responsibilities. The Venice Commission has reiterated the importance of appropriate salaries both for the attractiveness of a judicial career and for the prevention of corruption.¹⁰⁷

50. The CJEU has mentioned, *inter alia*, that protection against the dismissal of judges and the provision of remuneration commensurate with the importance of their duties are essential guarantees of the independence of the judiciary.¹⁰⁸

104. Ibid.

105. [Review of the implementation of the Council of Europe Action Plan to strengthen the independence and impartiality of the judiciary](#), CDCJ, November 2022.

106. European Court of Human Rights, *Bilgen v. Türkiye*, No. 1571/07, 9 March 2021.

107. Venice Commission, *Serbia - Opinion n° 1088/2022*.

108. CJEU, *Associação Sindical dos Juizes Portugueses*, No. C-64/16, 27 February 2018, para. 45.

51. The UN Special Rapporteur has noted that, in practice, the principle of legally guaranteed and appropriate remuneration for judges is often not respected. In several of his country mission reports, he highlighted the low level of judges' salaries. Even where legal provisions exist, the salaries actually paid to judges are frequently inadequate. The Special Rapporteur recommends that states ensure judges are paid properly and without delay, taking into account the responsibilities and nature of their duties.¹⁰⁹

52. Judges' remuneration is increasingly interpreted and regulated as a guarantee in itself of the status and independence of the judiciary.¹¹⁰ In a number of member states, judges' salaries have been increased and guaranteed in accordance with the principle that their remuneration should be commensurate with their status and ensure their material independence.

53. The question of judges' salaries requires a broader approach that, beyond the purely economic aspect, considers the impact on the efficiency of justice as well as on judicial independence to the context of the fight against corruption within and outside the judicial system. Justice policies should also take into account the salaries of other legal professions in order to make the judicial profession attractive to highly qualified legal practitioners.

54. The CEPEJ compares salaries based on two indicators: firstly, the remuneration of a judge or prosecutor at the beginning of their career, and secondly, the average salary of judges or prosecutors at the supreme court, representing the top of the judicial hierarchy. In some systems, the salaries of judges and prosecutors do not depend on the position held (first instance or highest instance) but rather on experience (years of service). Thus, the salary of a judge working in courts of first instance may be the same as that of a judge working at the highest court level, as is the case in Italy.

55. Judges' remuneration is guaranteed, for example, in Latvia and Germany, and judges' salaries have been increased in certain states (Lithuania, Republic of Moldova, Portugal, Estonia and Ukraine).

56. In some states, the situation regarding judges' remuneration is problematic, either because of the risk of undue influence implied by a system of supplementary remuneration without clear guidance (Bulgaria¹¹¹), underfunding

109. Report of the UN Special Rapporteur, Leandro Despouy, *Guarantees of judicial independence*, A/HRC/11/41, 24 March 2009, para. 73-74 and 99.

110. CCJE Opinion No. 18 (2015) on the position of the judiciary and its relation with the other powers of state in a modern democracy, para. 36.

111. GRECO, recommendation ix. partially implemented (*Second compliance report Bulgaria*, 17 January 2020, para. 26).

of the judicial system (Greece¹¹²), substantial differences between the salaries of judges and other civil servants (Slovenia¹¹³) or a lack of financial independence of the judiciary (Slovak Republic¹¹⁴).

Promotion of judges

57. The UN Special Rapporteur and the UN Human Rights Committee recommend that states adopt clear procedures and objective criteria for the promotion of judges. The Special Rapporteur stresses that it is preferable for an independent body responsible for the selection of judges, composed of at least a majority of judges, to take the final decisions on promotion.¹¹⁵

58. According to the [2024 CEPEJ report](#), in 28 member states, the same authority competent for the initial recruitment is also competent for the promotion of judges. In five of these states, it is an authority composed solely of judges; in one state, solely of non-judges; and in 24 states, it includes both judges and non-judges. In Germany, all models exist depending on the Länder. In a number of states, the competent body is the supreme judicial council or a similar body or at least is involved in the decision. In the Slovak Republic, for instance, the evaluation of judges in the regional court circuit is carried out by a three-member evaluation commission composed of judges. The evaluation of a judge of the Supreme Court or of the Supreme Administrative Court is carried out by the president of the college of which the evaluated judge is a member. The president of the college is evaluated by another member of the college designated by the college.¹¹⁶

59. In most states, promotion decisions are based on appraisals. Germany notes that appraisals must comply with the constitutional principle of judicial independence. An appraisal violates the principle of judicial independence if it instructs, either directly or indirectly, the judge on how to proceed or to decide in future. In addition, appraisals cannot take account of a judge's rulings.¹¹⁷ Interviews are also conducted in some cases, and seniority is some-

112. *Review of the implementation of the Council of Europe Action Plan to strengthen the independence and impartiality of the judiciary*, CDCJ, November 2022.

113. Opinion of the Bureau of the CCJE following a Declaration of Protest by the Slovenian Association of Judges concerning the non-execution of a decision of the Constitutional Court of Slovenia aimed at remedying established unconstitutionality concerning substantial differences between the salaries of judges and other civil servants, February 2024.

114. *Review of the implementation of the Council of Europe Action Plan to strengthen the independence and impartiality of the judiciary*, CDCJ, November 2022.

115. Report of the UN Special Rapporteur, Leandro Despouy, *Guarantees of judicial independence*, A/HRC/11/41, 24 March 2009, para. 69-71.

116. Based on the replies to the questionnaire (CDCJ and CCJE members).

117. Ibid.

times required. Only a few states provide for a competition or examination for promotion (internal competition in Andorra and Bulgaria, and open competition in Bosnia and Herzegovina, England and Wales (UK), Northern Ireland (UK) and Ukraine¹¹⁸). In some states, the normal application procedure applies (Denmark, Estonia, Ireland, Iceland, Norway, Sweden, Switzerland).

60. Most states use a wide range of criteria for the promotion of professional judges. The most common are professional competence (and/or qualitative performance) and years of experience, used by 41 and 39 member states respectively. Not a single state uses only subjective criteria (integrity, reputation, etc.), but 30 member states use them among other criteria. Where other criteria are used, these are mainly evaluation results.

61. The procedure for promoting magistrates must meet the necessary guarantees of objectivity and transparency, as in Luxembourg.¹¹⁹ In some countries, GRECO has regretted the absence of clear and objective criteria (Estonia,¹²⁰ Georgia¹²¹). In Hungary, the Commissioner for Human Rights stressed the need to streamline procedures for the promotion of judges, with a greater role to be played by self-regulatory judicial bodies.¹²²

62. In Malta, there is no formal promotion process. All judges – except the Chief Justice – have the same rank and remuneration. A magistrate can only apply for a higher position as a judge.¹²³

Judges' assessment

63. According to the [CCJE's Opinion No. 17 \(2014\) on the evaluation of judges' work, the quality of justice and respect for judicial independence](#) (paragraph 49.6): "Evaluation must be based on objective criteria. Such criteria should principally consist of qualitative indicators but, in addition, may consist of quantitative indicators. In every case, the indicators used must enable those evaluating to consider all aspects that constitute good judicial performance. Evaluation should not be based on quantitative criteria alone".¹²⁴ Assessments

118. Ibid.

119. GRECO, recommendation vi. implemented (*Second compliance report Luxembourg - addendum, 6 December 2023, para. 32*).

120. GRECO, recommendation viii. partially implemented (*Second compliance report Estonia, 23 June 2017, para. 43*).

121. GRECO, recommendation iv. partially implemented (*Second compliance report Georgia - Addendum, 13 July 2022, para. 24 and 29*).

122. Statement by the Commissioner for Human Rights "Commissioner urges Hungarian Parliament to amend bill threatening independence of judiciary", 28 November 2019.

123. Based on the replies to the questionnaire (CDCJ and CCJE members).

124. See also [Warsaw Recommendations on Judicial Independence and Accountability](#) (2023, OSCE/ODIHR), para. 26 and 38.

should be carried out locally, by other judges.¹²⁵ Judges should be informed of the outcome of their assessment and of the possibilities for appeal.¹²⁶

64. Italy notes that the sensitive nature of the functions performed by judges requires constant checks to ensure that the skills assessed at the beginning of the competition remain throughout the period of service. Accordingly, in Italy, all judges undergo in-depth periodic evaluations of their professional abilities every four years, seven times in total, from their entry into the judiciary up to the 28th year of their career. Judges' salaries automatically increase upon completion of each assessment cycle.¹²⁷

65. In Greece, judges are subject to annual inspections by their president or court. In addition, a public lottery annually appoints designated inspectors from the Supreme Court to inspect judges in lower courts. The inspection process assesses the judge's workload, efficiency, decision quality, and conduct. Findings are submitted to the Inspection Council and supervising authority. Judges may appeal reports they consider inaccurate, unjustified, or inconsistent with previous evaluations.¹²⁸

66. In Latvia, an evaluation system aims to promote the continuous professional growth of judges throughout their career, thereby improving the quality of judicial work and court performance. The Judicial Qualification Committee conducts regular assessments of the judges' professional activities once every five years, analysing aspects such as the structure of the prepared rulings, the legal reasoning provided, the application of material and procedural norms, and the use of ancillary legal sources.¹²⁹

67. Some states where judges undergo a probationary period have adopted reforms to improve assessment before lifetime appointment (Bulgaria¹³⁰) or to extend the assessment system to all magistrates (Monaco¹³¹). Other states have reformed the assessment process to place less emphasis on the quantitative

125. CCJE Opinion No. 17 (2014) on the evaluation of judges' work, the quality of justice and respect for judicial independence, para. 36-38.

126. See in particular European Court of Human Rights: *Guðmundur Andri Ástráðsson v. Iceland* [GC], No. 26374/18, § 218 and following, 1 December 2020; *Grzęda v. Poland* [GC], No 43572/18, § 343, 15 March 2022; *Gloveli v. Georgia*, No. 18952/18, §§ 56-59, 7 April 2022. See also Recommendation CM/Rec(2010)12 on judges: independence, efficiency and responsibilities, para. 58.

127. Based on the replies to the questionnaire (CDCJ and CCJE members).

128. Ibid.

129. Ibid.

130. *Review of the implementation of the Council of Europe Action Plan to strengthen the independence and impartiality of the judiciary*, CDCJ, November 2022.

131. GRECO, Recommendation x. implemented (*Compliance report Monaco - Interim*, 8 October 2021, para. 60).

aspects and more on the qualitative performance and have abolished demotions or dismissals in cases of unsatisfactory assessment (North Macedonia,¹³² Serbia¹³³).

68. In other states, GRECO continues to follow developments on the implementation of reforms concerning the evaluation of judges (Azerbaijan,¹³⁴ Bosnia and Herzegovina¹³⁵), the formalisation of the procedure (Portugal¹³⁶) or the evaluation criteria, which must be precise and objective (Türkiye¹³⁷). In Spain,¹³⁸ evaluation criteria are exclusively quantitative. The Venice Commission has considered that the rate of reversal of decisions on appeal is not a satisfactory criterion for judges' assessment.¹³⁹ GRECO has specified that the professional evaluation process and the integrity checks should be two separate processes.¹⁴⁰

69. It should be noted that some states do not have a system for periodically assessing judges (Andorra, Czechia, Denmark, Iceland,¹⁴¹ Luxembourg,¹⁴² Norway, Poland, Sweden, Switzerland, Northern Ireland and Scotland (UK)¹⁴³).

132. GRECO, recommendation ix. implemented (*Compliance report North Macedonia*, 9 August 2018, para. 51).

133. GRECO, recommendation vi. implemented (*Second compliance report Serbia - interim*, 30 March 2022, para. 35).

134. GRECO, recommendation vi. partially implemented (*Second compliance report Azerbaijan - Addendum*, 19 May 2021, para. 26).

135. GRECO, recommendation ix. partially implemented (*Second compliance report Bosnia and Herzegovina - second interim*, 8 June 2023, para. 47).

136. GRECO, recommendation viii. partially implemented (*Third compliance report Portugal - interim*, 15 January 2024, para. 50).

137. GRECO, recommendation xi. not implemented (*Fourth compliance report Türkiye - interim*, 7 December 2023, para. 28).

138. Based on the replies to the questionnaire (CDCJ and CCJE members).

139. Venice Commission, *Montenegro - CDL-PI(2024)007*.

140. GRECO, recommendation vi. partially implemented (*Second compliance report Albania - Addendum*, 6 October 2020, para. 34).

141. Based on the replies to the questionnaire (CDCJ and CCJE members).

142. Ibid. and GRECO, *Second compliance report Luxembourg - addendum*, 6 December 2023, para. 32.

143. Based on the replies to the questionnaire (CDCJ and CCJE members).

Training

70. According to the [Magna Carta of Judges](#), “initial and in-service training is a right and a duty for judges. It shall be organised under the supervision of the judiciary. Training is an important element to safeguard the independence of judges and the quality and efficiency of the judicial system.” (paragraph 8).

Institutions responsible for the training of judges

71. According to the [2024 CEPEJ report](#), 40 member states have specific training institutions. Almost all of these institutions offer both initial and in-service training. Half of the states have common institutions for judges and prosecutors. Some states do not have their own training institutions due to the small number of judges and prosecutors. Luxembourg, for example, makes arrangements for judges to attend training courses at the French ENM (*École nationale de la Magistrature*), the Belgian IFJ (*Institut de formation judiciaire*) and the international ERA (Academy of European Law) in Trier, Germany. In Greece, judicial unions and bar associations also play a role in training judges, organising seminars, conferences, and events that are freely accessible, aiming both to inform judges about legal developments and to enhance their professional skills. Some states, such as Finland, allow courts themselves to provide training for their judges.¹⁴⁴

Admissions to judicial training

72. According to the [2024 CEPEJ report](#), the majority of states provide for mandatory initial training for judges. Initial training is optional only in Cyprus, Finland, Malta, Serbia, Sweden and Switzerland. In Cyprus, initial training takes place during the two years following a judge’s appointment. In Serbia, training is mandatory under law or a decision of the High Judicial Council, particularly in cases of changes in specialisation, significant legal developments, the introduction of new working techniques, or to address deficiencies identified in a judge’s evaluation. Participation in training is one of the criteria considered in the election of judges.¹⁴⁵ The Venice Commission encourages authorities to facilitate access to training for young professionals from all regions of the country,¹⁴⁶ bearing in mind that access to the judiciary should be guaranteed to all qualified persons from all sectors of society, since diversity within the judiciary strengthens public confidence in it.¹⁴⁷

144. Based on the replies to the questionnaire (CDCJ and CCJE members).

145. Ibid.

146. Venice Commission, *Montenegro - CDL-PI(2024)007*.

147. Venice Commission, *CDL-AD(2010)004, Report on the independence of the judiciary Part I: The independence of judges*, para. 26.

73. In-service training is mostly optional, as mandatory in-service training has sometimes been viewed as problematic in terms of judicial independence. The CCJE recommends that in-service training should normally be voluntary for judges and mandatory only in exceptional cases.¹⁴⁸ For instance, in Latvia, judges are required to complete training on child rights protection to handle cases involving minors. In Belgium, training in sexual and domestic violence is compulsory for certain judges, as is training in conciliation and mediation. In Lithuania, judges must attend training when appointed or transferred from a court of general jurisdiction to a court of special jurisdiction, or when their specialisation changes. In Serbia, training is mandatory in cases of specialisation changes, significant legal changes, the introduction of new working methods, or to remedy shortcomings identified by the judge's assessment. In England and Wales (UK), judges must attend induction training before sitting in a new jurisdiction, followed by regular continuation training, with some courses and modules being mandatory. Several states provide in-service mandatory training (Albania, Andorra, Armenia, Austria, Bosnia and Herzegovina, Croatia, Estonia, Finland, France, Georgia, Republic of Moldova, Monaco, North Macedonia, Poland, Slovak Republic, Türkiye).¹⁴⁹

Initial and in-service training programmes

74. The [Kyiv Recommendations on Judicial Independence in Eastern Europe, South Caucasus and Central Asia](#) of the OSCE-ODIHR provide that training programmes should complement university education by focusing on what is needed in the judicial service.¹⁵⁰ They should include aspects of ethics, communication skills, dispute resolution, management skills and legal writing.

75. The European Commission points out that judicial training makes an important contribution to the quality of judicial decisions and justice services provided to citizens.¹⁵¹ In its [2024 EU Justice Scoreboard](#), the Commission notes that, to improve communication with vulnerable groups, all EU member states offer training on communicating with asylum seekers and/or people from different cultural, religious, ethnic or linguistic backgrounds. In addition, 20 member states offer training on the use of social media and communication with the media (a slight increase compared to 2023), and 13 provide awareness-raising and training on combating disinformation (a slight increase compared

148. Opinion No. 4 (2003) of the CCJE on appropriate initial and in-service training for judges at national and European levels, para. 37.

149. Based on the replies to the questionnaire (CDCJ and CCJE members).

150. [Kyiv Recommendations on Judicial Independence in Eastern Europe, South Caucasus and Central Asia](#) (2010, OSCE/ODIHR), para. 19.

151. [Scoreboard on Justice in the EU](#), 12th edition, European Commission, 11 June 2024.

to 2023). The Commission has also identified the usefulness of training courses on communicating with victims of violence, including violence against women and domestic violence, as well as older persons, LGBTIQ persons and children.

76. The replies to the questionnaire provide an overview of the training programmes offered in the member states of the Council of Europe:

Training programmes	Initial training	In-service training
Communication skills, particularly with vulnerable persons (e.g. asylum seekers, children, victims of domestic violence, victims of trafficking, etc.)	Andorra, Austria, Belgium, Bosnia and Herzegovina, Czechia, Denmark, Estonia, France, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Republic of Moldova, Netherlands, North Macedonia, Poland, Portugal, Romania, Spain, Sweden, Ukraine	Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Republic of Moldova, Montenegro, Netherlands, North Macedonia, Poland, Portugal, Romania, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Türkiye, Ukraine, United Kingdom

Use of social media and communication with the media, fight against disinformation	Austria, Belgium, Bosnia and Herzegovina, Cyprus (only on use of social media), Czechia, Denmark, Estonia, France, Italy, Latvia, Lithuania, Republic of Moldova, Montenegro, Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, Spain, Sweden, Ukraine	Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Malta, Republic of Moldova, Montenegro, Netherlands, North Macedonia, Poland, Portugal, Romania, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Ukraine
Ability to resolve disputes	Austria, Belgium, Bosnia and Herzegovina, Czechia, Denmark, Estonia, France, Greece, Hungary, Italy, Latvia, Lithuania, Republic of Moldova, Netherlands, North Macedonia, Poland, Portugal, Romania, Spain, Sweden, Ukraine	Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Malta, Republic of Moldova, Montenegro, Netherlands, North Macedonia, Poland, Portugal, Romania, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Ukraine

Management skills	Belgium, Bosnia and Herzegovina, Cyprus, Czechia, Denmark, Estonia, France, Greece, Italy, Latvia, Lithuania, Republic of Moldova, North Macedonia, Norway, Poland, Portugal, Romania, Spain, Sweden, Ukraine, United Kingdom	Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Republic of Moldova, Montenegro, Netherlands, North Macedonia, Poland, Portugal, Romania, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Ukraine, United Kingdom
Preventing discrimination and improving objectivity in judicial decision making	Austria, Belgium, Bosnia and Herzegovina, Cyprus, Denmark, Estonia, France, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Republic of Moldova, Montenegro, Netherlands, North Macedonia, Poland, Portugal, Romania, Spain, Sweden, Ukraine, United Kingdom	Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Republic of Moldova, Montenegro, Netherlands, North Macedonia, Poland, Portugal, Romania, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Ukraine, United Kingdom

77. In the context of the increasing digitalisation of justice systems, training programs for judges should also focus on developing digital competencies, including those related to artificial intelligence (AI) and an understanding of new technologies used in case law. These training sessions should enable

judges to critically assess digital tools, identify potential biases in algorithmic systems, address lack of transparency, and prevent over-reliance on automated systems. Additionally, they should foster judicial independence and human-centric decision making. Immersive and simulation-based training methods, including those utilising virtual reality environments, can complement traditional forms of education. These methods allow judges to experience complex procedural, ethical, and communicative situations in controlled and reflective environments. They can significantly enhance training effectiveness, particularly in sensitive areas such as communicating with people in difficult situations, resolving ethical dilemmas, and identifying biases in the process of making judicial decisions.

Strengthen effective training in judicial skills and ethics

78. According to the [Magna Carta of Judges](#), “deontological principles, distinguished from disciplinary rules, shall guide the actions of judges. They shall be drafted by the judges themselves and be included in their training.” (paragraph 18).

79. Training in codes of conduct should be part of both initial and in-service training. GRECO has emphasised the need to align training regulations and practices with Council of Europe standards.

80. Ethical issues are largely integrated into in-service training for judges. In-service training in ethics should cover the norms and standards that prescribe how judges should behave to preserve their independence and impartiality and avoid any irregularities. Such training is available in almost all states (including Cyprus,¹⁵² Finland,¹⁵³ France,¹⁵⁴ Ireland,¹⁵⁵ Luxembourg,¹⁵⁶ North Macedonia,¹⁵⁷ Monaco,¹⁵⁸ Poland¹⁵⁹), mainly on a voluntary basis and less often as a mandatory subject (Estonia¹⁶⁰).

152. GRECO, recommendation xii. implemented (*Second compliance report Cyprus*, 17 November 2020, para. 70).

153. GRECO, recommendation vi. implemented (*Second compliance report Finland*, 23 June 2017, para. 30).

154. Based on the replies to the questionnaire (CDCJ and CCJE members).

155. GRECO, recommendation x. implemented (*Second compliance report Ireland - addendum*, 30 January 2024, para. 40).

156. GRECO, recommendation xii. implemented (*Second compliance report Luxembourg*, 20 October 2017, para. 67).

157. GRECO, recommendation vii. implemented (*Second compliance report North Macedonia - interim*, 2 October 2020, para. 38).

158. GRECO, recommendation xv. implemented (*Compliance report Monaco - interim*, 8 October 2021, para. 75).

159. GRECO, recommendation xi. implemented (*Second compliance report Poland*, 28 March 2017, para. 39).

160. Based on the replies to the questionnaire (CDCJ and CCJE members).

81. Some member states (Armenia,¹⁶¹ Bulgaria,¹⁶² Ukraine¹⁶³) have set up online training courses on judicial ethics and integrity. These are complemented by the Council of Europe's HELP programme. The inclusion of these aspects in training programmes and the provision of increased support for judges on ethical matters still need to be strengthened in Greece,¹⁶⁴ Malta,¹⁶⁵ the Slovak Republic¹⁶⁶ and Türkiye.¹⁶⁷

82. GRECO has also called for the provision of more concrete assistance to newly appointed judges in resolving ethical dilemmas, targeted guidance and advice on corruption prevention, conflicts of interest, rules on gifts and other benefits, relations with third parties, and all other measures to prevent corruption and preserve integrity. In Albania, for example, a post of ethics advisor has been created within the High Council of Judges.¹⁶⁸ In Serbia, the Ethics Committee of the Council of Justice has been set up to provide confidential advice to all categories of judges through an advisor.¹⁶⁹ This point still needs to be developed in certain states (Andorra,¹⁷⁰ Georgia¹⁷¹), bearing in mind that GRECO considers a combined system of confidential advice for judges and prosecutors inappropriate, as the professions are fundamentally different and must remain independent.¹⁷²

161. Ibid.

162. GRECO, recommendation xi. implemented (*Second compliance report Bulgaria*, 17 January 2020, para. 34).

163. *Review of the implementation of the Council of Europe Action Plan to strengthen the independence and impartiality of the judiciary*, CDCJ, November 2022.

164. GRECO, recommendation xvii. partially implemented (*Second compliance report Greece - addendum*, 1 June 2022, para. 45).

165. GRECO, recommendation vi. partially implemented (*Second compliance report Malta - second addendum*, 6 June 2023, para. 30).

166. GRECO, recommendation viii. partially implemented (*Second compliance report Slovak Republic - Second Addendum*, 3 February 2021, para. 33).

167. GRECO, recommendation xviii. partially implemented (*Fourth compliance report Türkiye - interim*, 1 June 2022, para. 60).

168. GRECO, recommendation vii. implementation (*Second compliance report Albania - addendum*, 7 December 2023, para. 39).

169. GRECO, recommendation vii. implementation (*Second compliance report Serbia - interim*, 30 March 2022, para. 41).

170. GRECO, recommendation x. not implemented (*Second compliance report Andorra*, 14 June 2023, para. 37-41).

171. GRECO, recommendation vii. partially implemented. (*Second compliance report Georgia - Addendum*, 13 July 2022, para. 35).

172. GRECO, recommendation xi. partially implemented (*Second compliance report Bosnia and Herzegovina - interim*, 8 June 2023, para. 59).

Combating the damaging influence of stereotypes in judicial decision making - including through training

83. An effective judicial training framework must incorporate both foundational and specialised courses to address complex issues, such as violence against women. The [mid-term horizontal review of GREVIO's baseline evaluation reports \(2022\)](#) emphasised the need for mandatory, continuous training for judges to combat stereotypes in judicial decision making and to ensure an informed response to gender-based violence and its underlying causes. GREVIO has stressed that training should be supported by up-to-date and clear protocols and guidelines based on a gendered understanding of violence against women. This was particularly highlighted in Malta, where the number of prosecutions and convictions for all forms of violence against women was alarmingly low. Factors contributing to these low rates include a lack of awareness, professional capacity and specialised training for judges.

84. A similar lack of understanding has been criticised by GREVIO in relation to domestic violence. According to GREVIO, it is often considered by the judiciary as a mere disagreement between parents (Belgium, Italy, and Portugal). Accordingly, GREVIO has regularly stressed the need for adequate training to overcome the prejudices and assumptions of professionals and to ensure more effective support for victims.

85. Gender equality training is available to judicial staff in Sweden, where workshops on gender mainstreaming are also organised. A seminar on gender equality has been developed in Slovenia in co-operation with ERA.¹⁷³ In Armenia, the Academy of Justice implements a Mentoring Program involving 11 judges organised in the framework of the “Women’s Access to Justice: implementing Council of Europe gender equality and violence against women standards” Project under the joint programme of the EU and the Council of Europe “Partnership for Good Governance”.¹⁷⁴ Training sessions are organised in Austria, Belgium,¹⁷⁵ Spain and Georgia, where judges take part in training on violence against women and domestic violence. In Belgium, this training is compulsory for certain categories of judges. Training sessions on issues such as negative stereotypes, non-discrimination and equality are organised in Croatia, Cyprus, Germany, the Republic of Moldova and Montenegro. In England and Wales (UK), diversity is integrated into all training offered by the Judicial College. In Monaco and Andorra, legal provisions have established compulsory training for all professionals dealing with victims of violence, including the judiciary.

173. Based on the replies to the questionnaire (CDCJ and CCJE members).

174. Ibid.

175. Ibid.

86. However, according to the [2024 CEPEJ report](#), in-service training on gender equality is mandatory in only five countries and optional in 37 others. GREVIO noted in its evaluation report on France that the number of participants was relatively low. Several other evaluation reports have emphasised the need to improve the impact of judicial training, even in countries where it is mandatory. For example, while Spain has introduced compulsory training for judges, GREVIO recommended to improve the training of all professionals dealing with victims and perpetrators of violence against women, including in the judiciary, on all forms of violence covered by the Istanbul Convention.¹⁷⁶

The role of training in judges' careers

87. In many states, attendance in training programs is strongly considered in the evaluation process for promotion (Austria, Croatia, Germany, Hungary, Montenegro, Poland, Portugal, San Marino, Serbia, Slovenia, Spain, Türkiye, United Kingdom). Some states require in-service training for career advancement (Andorra, Ireland, North Macedonia). In Andorra, in-service training is compulsory and each year the High Council of Justice establishes the minimum number of credits to be completed by judges and those seeking promotion.¹⁷⁷

88. Some states require specific training, such as gender perspective training, which is a prerequisite for judges and magistrates who wish to specialise in this area in Spain.¹⁷⁸

176. GREVIO, *First thematic evaluation report Spain*, 21 November 2024, para. 65-67 and 74.

177. Ibid.

178. Ibid.

Conclusions

89. This report shows that Council of Europe member states have made progress in implementing the Sofia Action Plan, including by strengthening institutional and procedural arrangements intended to support judicial independence and the integrity of judicial careers.

90. The examples presented show that many states have reinforced the role of self-governing judicial bodies in career decisions – particularly in the selection and appointment of judges – and have developed or refined legal frameworks aimed at reducing the risk of undue influence in selection, appointment, promotion and conditions of service for the judiciary. In a number of instances, this has involved more formalised procedures, greater reliance on objective and transparent criteria, and clearer rules on matters such as codes of conduct frameworks, evaluation and avenues for review, with a view to limiting the scope for arbitrary interference.

91. At the same time, challenges remain. These relate in particular to the consistent application of appointment procedures to all categories of judges; the continued need, in some contexts, to further consolidate objective and transparent criteria across the full career cycle (including selection, appointment, assessment, promotion and dismissal); and the effective protection of irremovability and secure tenure of judges. Differences in approaches to remuneration and making the relevant resources available for the judiciary, underfunding in some states continue to pose risks to judicial independence. Progress on gender equality is visible overall, but imbalances remain, especially at senior levels, suggesting scope for further improvement. Evaluation systems also vary: some states employ qualitative and quantitative indicators with safeguards for appeals and development; others rely excessively on quantitative criteria or lack formalisation. Separating evaluation from disciplinary proceedings remains a challenge. Initial and in-service training is widely recognised as essential to the quality and effectiveness of justice and further developing high-quality training frameworks so that judges have the necessary support to maintain and deepen their professional skills and legal knowledge throughout their careers. While approaches may legitimately differ across member states, continued attention to the relevance, accessibility and practical effectiveness of both initial and in-service training – so that it keeps pace with evolving professional and societal challenges – is of particular importance at present. Training addressing ethics, corruption prevention, stereotypes, gender-based violence, and diversity is increasingly recognised as crucial but remains limited in some jurisdictions.

92. Priority areas for further work include strengthening mechanisms that allow independent oversight in judicial career decisions, and ensuring that protections related to irremovability, transfers, and dismissal are well defined and consistently applied to prevent excessive or arbitrary discretion. Other priority areas include reinforcing the use of objective and transparent criteria at all stages of judicial careers, continuing efforts to improve gender balance, including at senior levels, and further developing high-quality training frameworks to ensure consistency in content and participation. Progress in these areas can help support the effective functioning of justice systems and maintain public trust in their independence and impartiality across Council of Europe member states.

93. In conclusion, the findings confirm the continued relevance of the principles contained in the Sofia Action Plan and point to priority areas where further refinement, documentation and exchange of practice could support their more consistent implementation across member states.

This thematic review of the Council of Europe Plan of Action on strengthening judicial independence and impartiality (Sofia Action Plan), focused on the career and training of judges, was prepared by the European Committee on Legal Co-operation (CDCJ) and adopted in June 2026.

The report is based on information from the monitoring and advisory activities of various Council of Europe bodies and other sources of information, as well as on the responses of members of both the CDCJ and the Consultative Council of European Judges (CCJE) to a questionnaire on the career and training of judges across member states. It aims to encourage states to draw inspiration from examples of good practice to better safeguard judicial independence and the integrity of judicial careers.

It is divided into two sections that are essential to judicial independence. The first section on the career of judges deals with selection and appointment, guarantees of irremovability, dismissal, relocation and reappointment, remuneration, promotion and assessment. The second section concerns training and its role in strengthening judicial independence and the quality of justice, including the institutions responsible for training, admissions to judicial training, initial and in-service training programmes and the role of training in judges' careers.

The findings of the report confirm the continued relevance of the principles contained in the Sofia Action Plan and point to priority areas where further refinement, documentation and exchange of practice could support their more consistent implementation across member states of the Council of Europe and beyond.



www.coe.int/cdcj

PREMS 145126

ENG

www.coe.int

The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE