

Finland - Rule of Law Report regarding the Stakeholder-Consultation of the EU Commission 2024

I. JUSTICE SYSTEM

A. Independence

1. Appointment and selection of judges and prosecutors and court presidents (including judicial review)

Positive developments since 21.12.2023:

There has been positive development during year 2023 concerning the budget of the Judiciary. For the Year 2024 an additional allocation of 30 million euros was presented to correct the funding shortfall noted in the report on the administration of justice, distributed among the authorities of the Ministry of Justice's administrative branch. In addition, in order to reduce congestion and speed up the processing of cases, an increase of 7 million euros is proposed for the courts and 1 million euros for the Prosecutor's Office. An additional allocation for the courts is mainly planned to be used to make non-permanent judges positions permanent. Association of Judges warmly welcomes and encourages to carry out this plan. At the same time, we are deeply concerned about the savings program targeted at the Ministry of Justice, which means savings of 18 million euros starting in 2025 (<https://www.eduskunta.fi/FI/tiedotteet/Sivut/Lakivaliokunta-pit%C3%A4%C3%A4-oikeudenhoidon-resurssien-lis%C3%A4yksi%C3%A4-eritt%C3%A4in-my%C3%B6nteisin%C3%A4.aspx>).

Negative developments since 21.12.2023:

Lay judges -system and the election system of lay judges

In criminal cases in district courts there is the lay judge system widely in use. **The lay judges are elected and selected based on political nominations and the lay judges use to same full authorities as the professional judges.** In February 2023 the former government launched a memorandum that stressed that the use of lay judges will not be abolished, but the system how the lay judges are elected could be reorganized. In current system, the municipal council elects board members for the duration of the council's term of office. Board members elected from the municipality must represent the age, occupation, gender and language distribution of the municipality's population.

Government program for the years 2023 - 2027 stated that alternatives are being sought for the current selection procedure of district court lay judges in such a way that the political parties are separated from the selection procedure. Government has stated that the system

of lay judges will not be abolished. **The government has still not yet decided or even how the selection system of lay judges will be reorganized or will the system be reorganized.** This is a major concern of the Association of Judges. No funding has been earmarked for reforming the selection procedure of the lay judges. There is no working group even organized to prepare the reforming of the selection procedure.

The one-time costs of creating the selection procedure and the needed information system are several million euros, the permanent costs are about 2 million euros per year. There is no money set aside for this. According to the productivity program, at the same time the pressure for budget cuts is also directed at the courts.

This current system is extremely problematic in terms of the requirement of judicial independence. Abolishing the lay judge system does not weaken citizens' legal security/rule of law, but the opposite. Association of Judges demands abolition of the lay judge system and the money saved to be used to use professional judges handling the cases.

2. Irremovability of judges, including transfers (including as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

Positive and negative developments since 21.12.2023:

Judges appointed to the permanent positions/office are irremovable. The amount of non-permanent judges in Finland is significant which is a threat to the independence of judges. There has not been any negative developments concerning irremovability of judges. Amount of non-permanent judges f. e. in Helsinki District Court has decreased slightly due to the additional allocation of 30 million euros was presented to correct the funding shortfall for the year 2024.

The retirement age of the judges has been raised the same way as the retirement age of other public servants.

3. Promotion of judges and prosecutors (incl. judicial review)

No positive or negative developments since 21.12.2023:

The number of judges has been increased during the year 2024. The retirement of judges has also increased. Especially due to the retirement the appointment of judges has been rapid and the appointment age of judges is reasonably low. Retirement of judges has opened possibilities to judges to be promoted faster than before in higher positions.

4. Allocation of cases in courts

Positive developments since 21.12.2023:

The allocation of court cases is designated according to the Forum rules and legislation. Because of the legislation of the Forum quantitatively cases are centered to the courts with most residents in the district. Cases are allocated arbitrarily among judges in general courts, administrative courts and collegial courts (handling the cases in composition of judges). Cases related to family matters (statistics of the Helsinki district court) has increased 20 percents since the beginning of the pandemic. During the year 2024 the number of family related matters has not increased.

Negative developments since 21.12.2023:

There has been negative development concerning the case statistics. At least some of district court judges have not been provided with case statistics during the last three years. This is mainly due to our program/worktool AIPA with which judges are handling the civil cases, applications and applications dealing with coercive measures. The unavailability of statistics is also attributed to the National Court Administration's data protection guidelines, which in their aspect prohibits the sharing of individual judges' statistics with others due to the EU data protection regulation. This has resulted in a lack of transparency regarding fair, equitable and transparent distribution of cases among judges. In Helsingin District Court Judges are not given statistics about handling of the cases and about the time handling the cases. Similar issues regarding the accessibility of case statistics have been observed in other district courts besides Helsinki District Court. However, case distribution lists are publicly available in Helsinki District Court, ensuring transparency in that aspect. **The current situation makes knowledge-based management difficult. It also makes it very difficult to examine whether the cases are distributed among the judges fairly and equally. This can be seen a threat to the legal protection of judges.**

5. Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

Positive developments since 21.12.2023:

The National Courts Administration as an independent central agency has reinforced the independence of Judiciary in general. The Judges Association stresses the budgetary role still lies on state parliament and government because of the budget The National Courts Administration terminated yearly by the parliament.

Negative developments since 21.12.2023:

Big concern about the independence of the Judges concerns the salary system of Judges.

At the moment it is bind to collective bargaining agreement as it is organized in general with public sector government officials salaries. Only the salary system of the Judges in Supreme Court and Supreme Administrative court Judges is regulated in law.

In May 2018, the Ministry of Justice appointed a working group to study the development of the remuneration system for court judges and lawyers. The working group considers that the remuneration of judges can be implemented both as a statutory salary and as a collective agreement. In the case of a possible statutory salary, according to the it would be central to determine how salary revisions would be carried out and what other terms of employment and matters agreed in the collective agreement would be regulated in connection with the statutory salary. The results of the working group were published in the end of 2020.

After that the judges salary system has been prepared by the committee board of the National Courts Administration. **The work of the committee board has been very slow and committee doesn't work openly. Judges don't have a representative in the committee board. Despite the requests, working group hasn't been founded to continue with the preparation of the salary system. Judges Association sees the salary system of Judges as a part of the independence of the judges and would warmly welcome active advocacy work done by the National Courts Administration on behalf of the salary system regulated in law.**

6. Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review).

No positive or negative developments since 21.12.2023:

There is no disciplinary organ or disciplinary functions directed on judges. The Association of judges in Finland has established in 2021 ethical advisory board to assist judges with ethical rules. There hasn't been any concrete work by the board.

10. Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

No positive or negative developments since 21.12.2023:

The general public opinion is very confident of the independence of the judiciary. The independence of the judiciary is on high level. Supreme courts are also evaluated independent. This is in spite of Supreme courts method of appointing the judges is partly made behind the doors and is not open to public evaluation. The length of the legal proceedings are too long and this consist a threat to the perception that the general public has to the judiciary. For individuals to obtain legal safeguards is endangered by the length of

the legal proceedings. The amount of non-permanent judges in Finland is significant which constitutes a threat to the judges independence.

11. Other developments since 21.12.2023, which may have an impact on the independence- please specify

Negative developments since 21.12.2023:

See the additional question number 35.

B. Quality of Justice

12. Accessibility of courts (e.g. court/legal fees, legal aid, language)

Negative developments since 21.12.2023:

The duration of the legal proceedings has still increased in 2024. This is weakening the protection under the law of private persons and entrepreneurs. The duration of the legal proceedings is mainly consequence of insufficient resources. Linguistically the rights of the parties are secured. The interpreters are guaranteed by the state for legal aid customers. The costs of the legal proceedings have increased even more. This aggravates non legal aid customers actual access to the courts.

13. Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors including observed changes (significant and targeted increase or decrease over the past year)

(Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.)

Positive developments since 21.12.2023:

The National Courts Administration has distributed extra resources to the courts for year 2024. The distribution came as a part of normal budgetary process and therefore it has the same safeguards against corruption as process as a whole.

Negative developments since 21.12.2023:

The problem is that the case load of the courts was remarkable even before pandemic and the extra resources for the year 2022, 2023 or 2024 are not sufficient to change the overall situation. **The duration of the legal proceedings is mainly consequence of insufficient resources. The other problem is to find suitable employees for the courts, since the timetable for recruiting is challenging and there is shortage of qualified applicants for the position of judge. This is due to the fact that the system of trainee judges has been abandoned or diminished since 2010. The court is no longer considered an attractive**

career option due to the low salaries of judges. The processes for recruiting new judges are not adequate. The amount of non-permanent judges in Finland is significant which is not satisfying, since the judges should act independently. The judges should not be dependent on chief judges, who decide the appointments of temporary judges. If the chief judge is not able to maintain proper procedures for recruiting new judges, there is a risk that budgetary resources are used in arbitrary appointments.

14. Training of Justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

Negative developments since 21.12.2023:

The training of Justice professionals is insufficient. Judges have no time to take part of the training. The quantity of training is insufficient and the quality of training is also lacking. This is largely due to the heavy working load of judges and the insufficient resources of the courts and National Courts Administration. **The amount of training available to the judges has even reduced because of the insufficient resources of the National Courts Administration.**

15. Digitalisation (e.g. use of digital technology, including electronic communication and AI tools within the justice system and with court users, procedural rules, access to judgments online)

Positive developments since 21.12.2023:

EU reached an agreement on 2023 to harmonize rules for artificial intelligence (EU Artificial Intelligence Act). Next, the artificial intelligence regulation will go through the approval process of EU legislation. European legislators are expected to approve the artificial intelligence regulation during 2024 and after this organizations have two years time to adapt their operations to comply with the regulation. The European AI Regulation will most likely play a significant role in the regulation of AI within the judiciary.

If AI is used in litigation of cases and presenting and producing evidence to courts, the evaluation of the evidence becomes obviously more challenging for judges. This includes serious threats to the liability of the judgements. Using AI in the judicial process AI could cause threats to the independence of judiciary if AI is used carelessly and not openly based on procedural laws. AI could also cast a shadow to the reliability of judgements.

Negative developments since 21.12.2023:

New aspect on digitalisation was launched during the year 2022. In the future, the oral evidence received in the district court will be accepted in the court of appeals and the supreme court from the video recording made in the district court.

The reform aims to increase the certainty of the trial and people's legal security. Thanks to video recordings, the screen available to the Court of Appeal and the Supreme Court is fresher and better compared to today.

The new procedure was originally said to be launched when the information system to be developed for making and presenting video recordings is ready for use. The goal for this to happen was in the beginning of 2023. **System is not still ready and the money and resources are lacking to provide district courts with appropriate videosystems and tools.** When the system is ready, a separate law will be issued to put the reform into effect. **The Association of Judges wants to underline the concern that the reform should not be seen as a way to save money from the costs of courts. The focus should be to ensure the safeguards of the fair trial and adequate resources for the district courts to be able to perform their duties properly.**

16. Use of assessment tools and standards (e.g. ICT, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

Negative developments since 21.12.2023:

Since the commissioning of the new data processing tool *Aipa* (October 2019), there are no tools to estimate the number and scope of the cases brought to the court. *Aipa* or *Haipa* are not providing adequate information or statistics that would support management in courts or give any tools to assess the budgetary needs of the courts. *Aipa* was launched into criminal cases in the Autumn 2024.

Aipa has still significant deficiencies and reliability issues. *Aipa* does not have any clientportal, which would be crucial to the program to be working properly. Because of the serious deficiencies it has not been possible to launch *Aipa* in criminal cases until now in the Spring 2024. The launching will be done with defective program. *Aipa* project is lacking money to be able to develop *Aipa* and correct the serious defects of the program. Judges Association shares a serious concern that the launching of *Aipa* in criminal cases will lead in extreme to paralyzing the whole court system.

Aipa has not brought any effectiveness to the working methods of the courts, on the contrary it has increased the amount of work for both Judges and secretarial staff. There has not been given any safeguards that the insecurities of the *Aipa* will be abolished. The new data processing tool for administrative courts *Haipa* is so deficient that the legal assistants have stopped using it. Its main failure is the lack of proper clientportal and the portal for authorities. The development of *Haipa* has continued and new versions of *Haipa* has been launched. The new versions have been better and improvements has been made.

In Spring 2023 the Association of District Court Judges made a complaint to the National Audit Office of Finland (The National Audit Office of Finland, NAOF) about *Aipa* and the use of money constructing *Aipa*. NAOF audits the state's financial management, monitors fiscal policy, and oversees political party and election campaign funding and the use of the transparency register. The main concerns in the complaint were the numerous defects of the *Aipa*, the time taken to build the program during the years 2010 - 2023, the numerous delays the project has been plagued by, the estimated financial costs that have arisen from original

budget 34 million euros to at least 68 million euros and the actual threat that it creates to the rule of law of citizens. **NAOF launched a report in the Spring 2024 based on the complaint made by the Association of District Court Judges. The result of the report didn't give any answers needed concerning the insecurities and serious deficiencies of Aipa-system or the lack of clientportal. Nor did the report give any answers about the use of money constructing Aipa.**

17. Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialization, in particular specific courts or chambers within courts to deal with fraud and corruption cases

Negative developments since 1.1.2022:

The amount of Courts of First Instance and Administrative Courts has been diminished previously significantly in 2019. **The new evaluation was released in January 2023 that concluded that the diminishing of the courts has not resulted in saving of money.** The geographical distances have increased and it has become more complicated for parties to access the courts because of the remote distances and the grown expences. It has also led to complexity concerning the actual court premises and obliged courts to organize court hearings in remote court premises.

C. Efficiency of the justice system

19. Developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings)

Positive and negative developments since 21.12.2023:

According to the statistics of the National Courts Administration the duration and the extent of the average criminal case has increased and the cases have become more difficult. The longest length of the proceeding is with large scale civil disputes, that demand oral hearings. This is the case in majority of civil cases. In Helsinki District Court it takes on average over two years for this kind of dispute to be resolved. **The duration of processing times for extensive disputes has shortened somewhat during 2024 especially in smaller courts. This is likely due to the additional resources granted.** Differences in the duration of the process in district courts are significant in different parts of Finland. In general the duration of the process is longest in the biggest district courts located in the southern parts on Finland. In Helsinki Court of Appeal the average length of large scale civil dispute to be resolved including oral hearing is three years.

II. OTHER INSTITUTIONAL ISSUES RELATED TO CHECKS AND BALANCES

A. The process for preparing and enacting laws

21. Framework, policy and use of impact assessments and evidence based policy-making (which includes also the consultation of social partners), stakeholders/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase

Negative developments since 21.12.2023:

The legislative process is lacking significantly financial resources. There has not been any positive development during 2024 in channelling of the permanent resources to the legislative process by the government. **The quality of legislation is weakened due to the lack of financial resources and pressured time schedule. The level of estimation (financial impact and other impacts) in legislation is unsatisfactory and tendentious.**

22. Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions).

Positive developments since 21.12.2023:

In Finland, the emergency legislation did not concern the court activities. **No changes to the Rules and use of fast-track procedures during the year 2024.**

23. Regime for constitutional review of laws.

There is no individual Constitutional Court in Finland. The political organ consisting of Members of Parliament - The Constitutional Law Committee - examines whether a bill is in harmony with the Constitution. This process executes before the law is passed (checks and balances). **No changes during the year 2024.**

B. Independent authorities

25. Independence, resources, capacity and powers of national human rights institutions (NHRIs), of ombudsman institutions, if different from NHRIs, of equality bodies, if different from NHRIs and of supreme audit institutions;

Conversion law

Ombudsman institutions (control of legality) are considered to be independent. The lack of resources is complicating the effectiveness and independence of the control of legality institutions.

In November 2023, the deputy chancellor of justice Puumalainen stopped and took the government's proposal on the restriction of the eastern border to a new preparation, because at that time there were no legal conditions for closing the border.

The President of the Supreme Administrative Court Kari Kuusiniemi has expressed his concerns, because the deputy chancellor of justice, who oversaw the legality of the government's decisions, was recently proposed by the MP to be fired. It was also considered whether the government could ignore his assessment. The dismissal speeches of the official supervising legality undermine the rule of law structures. According to Kuusiniemi the idea that a legality supervisor whose position does not please the political decision-makers should be dismissed is extremely dangerous. His task is to monitor the legality of the government's decisions. Deputy Chancellor of Justice is an institution. The dismissals were therefore presented to the legal power structure would be scrapped. The task of the chancellor of justice is also to supervise the operation of the courts. From the point of view of the courts, it would be worrying if the chancellor of justice was directed by the political authorities. That would be a serious danger to the independence of the judiciary.

Kuusiniemi brought up his concern that political actors are questioning this delicate balance of the rule of law with flimsy grounds. From the point of view of the courts, the pressure exerted by politicians on the Chancellor of Justice institution raises concerns. The duties of the Chancellor of the Exchequer also include supervising the operation of the courts. If in the future the chancellor of justice does not maintain his independence and integrity but submits to the wishes of political decision-makers, this could also be reflected in the courts.

The constitutional law committee demanded changes to the "conversion law" that would give legal protection to the person being converted. The administrative committee only partially implemented them according to the legal scholars. Five complaints have been made by October to the European Commission regarding the so-called conversion law's violation of EU law.

In summary the legality of the administration is at a high level and there is no open corruption. Trust in the courts is also quite good. Representatives of various state bodies should avoid questioning actors and structures governed by the rule of law.

C. Accessibility and judicial review of administrative decisions

27. Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

No positive or negative developments since 21.12.2023

27a. Judicial review of administrative decisions (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

No positive or negative developments since 21.12.2023

27b. Rules and practices related to the application by all courts, including constitutional jurisdictions of the preliminary ruling procedure (Art. 267 TFEU)

No positive or negative developments since 21.12.2023

28. Follow-up by the public administration and State institutions to final (national/supranational including the European Court of Human Rights) court decisions, as well as available remedies in case of non-implementation.

No positive or negative developments since 21.12.2023

D. The enabling framework for civil society

29. Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration and dissolution rules)

No positive or negative developments since 21.12.2023

30. Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures for protection

from attacks – verbal, physical or online –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services.

No positive or negative developments since 21.12.2023

30a. Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation(incentive/donation systems, measures to ensure a fair distribution of funding)

Negative developments since 21.12.2023:

The Association of Finnish Judges was stripped of funding for international activities by the Ministry of Justice already several years ago. International activities are funded solely by judges' membership fees. No solution has been found to this situation, nor has financial support been granted from the National Courts Administration.

E. Initiatives to foster a rule of law culture

32. Measures to foster a rule of law culture (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives etc.

Positive developments since 21.12.2023:

Chronical lack of financial resources and the insufficient number of Judges is considered a threat to the development of the Rule of Law culture. Also the exhaustion of the Judges under the work load was considered a threat to the due process of the persons. Ministry of Justice launched a report of judicature (oikeudenhoidon selonteko) 17.th of November 2022. The report gives a review of the situation, operational precondition and development trends of the judicature. In report Courts of law were demanded permanent resources of 30 million euros.

For the Year 2024 an additional allocation of 30 million euros was presented to correct the funding shortfall noted in the report on the administration of justice, distributed among the authorities of the Ministry of Justice's administrative branch. In addition, in order to reduce congestion and speed up the processing of cases, an increase of 7 million euros is proposed for the courts and 1 million euros for the Prosecutor's Office.

National Judges Association wants to highlight this positive outcome of the national budget and keeps the report of judicature still a significant tool for the development of the judicature.

Negative developments since 21.12.2023:

Association of Judges demands abolition of the laymen system and the money saved to be used to use professional judges handling the cases. Current system and the method of selection of lay judges on the grounds on political grounds is very problematic in terms of the requirement of judicial independence.

The Association of Finnish Judges was stripped of funding for international activities by the Ministry of Justice already several years ago. International activities are funded solely by judges' membership fees. No solution has been found to this situation, nor has financial support been granted from the National Courts Administration.

Additional questions to help EAJ to draft a comprehensive over-all report:

34. Has the over-all situation of the justice system in your country during the last year

☐ improved

☒ deteriorated

☐ remained the same

35. What are the three most urgent challenges/needs to improve regrading the justice system at the moment:

In general

The National Courts Administration (tuomioistuinvirasto) is an independent central agency founded in 2020 that serves the entire judiciary. The agency operates in the administrative branch of the Ministry of Justice. The role of the National Courts Administration is to ensure that independent courts are able to exercise jurisdiction in a high quality and that the administration of the courts is organized efficiently and appropriately. The highest decisionmaking power of the National Courts Administration is exercised by an eight-member board. The National Courts Administrations task is to handle the safeguard the judiciary and to protect the independence of judiciary in general and in relation to the ministry of justice. The National Courts Administration as an independent central agency has reinforced the independence of Judiciary in general. The Judges Association stresses the budgetary role still lies on state parliament and government because of the budget The National Courts Administration terminated yearly be the parliament. Budgetary guidance by the government has de facto influence on which cases the courts are handling and on what time frame the cases are handled.

Working Group to strengthen the rule of law and develop the Judiciary

The Ministry of Justice appointed in the beginning of the 2023 a working group to strengthen the rule of law and develop the Judiciary. The goal is to promote the independence of the administration of justice and the quality of legal protection, as well as the user-orientation of the judiciary's services. The task of the working group is to monitor and evaluate the development and productivity of the judiciary and to make proposals to promote these. The working group must also evaluate the cooperation of the various actors of the so-called criminal chain and make proposals for developing cooperation. In addition, based on its assessment, the working group can make proposals to improve the service capacity of the judiciary, to streamline operations and to promote access to rights. The term of office of the working group lasts until the end of 2027. However, by February 2025, the working group must assess the necessary changes to the constitution and other legislation from the point of view of the strong independence of the judiciary, and make proposals for the necessary legislative changes. One main concern of Association of Judges is that judges don't have an representative in this working group.

In April 2020⁴ the minister of justice has unexpectedly changed the mandate if the working group investigating the independence of courts and prosecutors. Initially, the task of the working group of the Ministry of Justice was to prepare a proposal in the form of a bill, in which the independence provisions concerning courts, judges and prosecutors are concretized into the constitution. After the intervention of the Minister of Justice, the working group may not prepare a proposal in the form of a bill, but only prepares a background report, a memorandum. In practice the change watered down the fact that the government would issue a proposal on securing the independence of courts and prosecutors in the constitution during this government term.

Salary of Judges

Big concern related the independence of the Judges concerns the salary system of Judges. At the moment it is bind to collective bargaining agreement as it is organized in general with public sector government officials salaries. Only the salary system of the Judges in Supreme Court and Supreme Administrative court Judges is regulated in law. It has been Judges Associations aim to get a salary system regulated in law for all the Judges since over 10 years now. One concern is the low level of salaries and the other big concern is that the judges (excluded Supreme Court and Supreme Administrative Court) are paid two separate salaries even tough they have the same position and their duties as a judge are the same.

In May 2018, the Ministry of Justice appointed a working group to study the development of the remuneration system for court judges and lawyers. The working group considers that the remuneration of judges can be implemented both as a statutory salary and as a collective agreement. In the case of a possible statutory salary, according to the it would be central to determine how salary revisions would be carried out and what other terms of employment and matters agreed in the collective agreement would be regulated in connection with the statutory salary.

The results of the working group were published in the end of 2020. After that Judges salary system has been prepared by the committee board of the National Courts Administration. The work of the committee board is not open and judges don't have a representative in the committee board. Despite the requests, working group hasn't been founded to continue with the preparation of the salary system. Judges Association sees the salary system of Judges as a part of the independence of the judges and would warmly welcome active advocacy work done by the National Courts Administration on behalf of the salary system regulated in law.

Lay judges

In criminal cases in district courts there is the lay judge system widely in use. The lay judges are elected and selected based on political nominations and the lay judges use to same authorities as the professional judges. In February 2023 the former government launched a memorandum that stressed that the use of lay judges will not be abolished, but the system how the lay judges are elected could be reorganized. This current system is problematic in terms of the requirement of judicial independence. Abolishing the lay judge system does not weaken citizens' legal security/rule of law, but the opposite. Association of Judges demands abolition of the lay judge system and the money saved to be used to use professional judges handling the cases.

Helsinki, 20. th of January 2025

On behalf of the Association of Judges in Finland,

Veera Kankaanrinta

Head of International Affairs