

SUMMARY

ECJ 5 June 2025, case C-762/23 (Curtea de Apel București (Suppression d'une indemnité de depart à la retraite des juges)), Pension

RL, QN, MR, JT, VS, AZ – v – Curtea de Apel București), Romanian case

Summary

The repeal of legislation under which judges with 20 years' continuous service in the judiciary received, at the time of their retirement, a severance payment, is compatible with the principle of judicial independence.

Question

Must the second subparagraph of Article 19(1) TEU, read in conjunction with Article 2 TEU, be interpreted as meaning that the principle of judicial independence precludes the repeal, after it had been continuously suspended for a long period, for reasons connected principally with the need to eliminate an excessive budget deficit of the Member State concerned, of the legislation of that State under which judges with 20 years' continuous service in the judiciary received, at the time of their retirement or upon leaving the service for other reasons not attributable to them, a severance payment?

Ruling

The second subparagraph of Article 19(1) TEU, read in conjunction with Article 2 TEU, must be interpreted as meaning that the principle of judicial independence does not preclude the repeal, after it had been continuously suspended for a long period, for reasons connected principally to the need to eliminate an excessive budget deficit of the Member State

concerned, of the legislation of that State under which judges with 20 years' continuous service in the judiciary received, at the time of their retirement or upon leaving the service for others reasons not attributable to them, a severance payment.

Creator: European Court of Justice (ECJ)

Verdict at: 2025-06-05

Case number: C-762/23