

Anti-Corruption Helpdesk Answer

Transparency in remuneration of judges and prosecutors

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Public scrutiny of judicial and prosecutorial remuneration is vital for integrity and independence, yet international standards do not oblige disclosure. Countries adopt very different models, from publishing scales to maintaining secrecy, and forms of supplemental benefits often go unreported. The challenge is to achieve transparency without placing judicial actors' security or privacy at risk. Anonymised pay scales and automatic adjustment mechanisms may help reconcile independence, public trust and fairness.



Query

Please provide a summary of the debates on transparency of remuneration of judges and prosecutors.

Main points

- International instruments consistently protect judicial and prosecutorial remuneration as a guarantee of independence, but none expressly requires states to make that remuneration public.
- Transparency obligations applicable to judges and prosecutors arise indirectly, through anti-corruption frameworks, asset declaration regimes and open government standards developed for the public sector.
- Remuneration transparency and asset disclosure are complementary, not alternative tools: salary disclosure captures only what the state pays, while asset declarations should reveal the official's complete financial landscape.
- The absence of a comprehensive, judiciary specific international standard on remuneration transparency leaves states without guidance on what to disclose, to whom, in what form and subject to what safeguards.
- There is a wide range of models across domestic legislation. This includes jurisdictions where obtaining information on remuneration is virtually impossible, due to the absence of freedom of information legislation, to those where information on salary scales is proactively disclosed and regularly updated.
- The main counterargument to disclosure concerns potential infringement of judges' rights to privacy; however, international jurisprudence emphasises that privacy should be subject to proportionality tests and weighed against the public interest.

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Introduction

In democratic societies, the judiciary constitutes the third branch of government and acts as an essential check on legislative and executive power. According to the CATO Institute (2020), judicial independence is therefore not an institutional luxury but a constitutional necessity. Adequate, stable and legally protected remuneration is widely acknowledged as a structural component of judicial independence: adequate resources, including competitive salaries and secure pensions, help ensure that judges are insulated from economic inducements and can concentrate on adjudicating impartially (Transparency International 2007).

Despite formal guarantees, controversies over judicial and prosecutorial pay remain common. In Hungary, for instance, judges protested an agreement linking salary increases to wider judicial reforms, arguing that remuneration is a fundamental pillar of judicial independence and must not become a bargaining chip. They called for an objective, automatic salary mechanism free from political negotiation (Hungarian Helsinki Committee 2024). Conversely, in Brazil, debates focus on the opposite problem: the perception of privilege. Investigative reporting revealed that more than 53,000 public employees, most of them judges, receive salaries above the constitutional limit through bonuses and allowances, prompting public outrage at a “predatory civil service elite” and undermining confidence in state institutions (El País 2025; The Rio Times 2025).

Thus, both inadequate pay and excessive pay can erode public trust and destabilise the legitimacy of the judiciary, making transparency in remunerations a key instrument for democracy. This legitimising function is particularly acute in the judicial context: in a system where judges and prosecutors hold the power to determine citizens’ liberty, property and fundamental rights, insufficient transparency regarding their financial situation risks undermining the public trust on which the authority of the law ultimately depends (UNDP & U4 Anti-Corruption Resource Centre 2016).

Beyond individual disclosure mechanisms, transparency in judicial remuneration should also be understood within the broader framework of budgetary transparency and public financial management. Public access to information on how judicial salaries and benefits are financed and structured enhances accountability, strengthens public trust and reduces opportunities for corruption or abuse of authority (Irvita 2025). In this sense, remuneration transparency is not only an instrument of personal integrity but a structural component of sound financial governance. At the same time, the adequacy of

judicial pay is constitutionally significant: salaries that fail to ensure a dignified and secure standard of living may weaken motivation, diminish professional attractiveness and increase vulnerability to improper influence. Adequate and transparent remuneration is therefore a critical measure for effectively safeguarding judicial independence and the proper administration of justice (Böröcz 2025, p. 442 ff.).

In response to these challenges, modern transparency mechanisms, especially financial disclosure regimes, were developed to strengthen accountability and prevent conflicts of interest (StAR & World Bank 2017). The Watergate scandal led the US Congress to enact the Ethics in Government Act in 1978. The law sought to rebuild public trust by requiring senior officials to disclose their financial assets. Officials must report their financial interests and those of their families. Ethics officials review these disclosures to identify and prevent conflicts of interest. The reports are also made public, enabling citizens to judge whether officials' decisions could be influenced by private interests. Similar disclosure regimes now exist in many jurisdictions for judges and prosecutors. They serve as anti-corruption tools by deterring illicit enrichment and exposing potential conflicts between public duties and private wealth.

At the turn of the millennium, transparency evolved beyond reactive disclosure to include proactive publication of information under open government and open-data frameworks. Scholars of open government observe that open data represents a radical departure from traditional freedom of information (FOI) systems because it emphasises the systematic, proactive release of whole classes of information. Open-data initiatives call for public access to high value information, such as budgets, salaries and public expenditure, to be posted online in machine-readable formats (Noveck 2016, p. 274). Government directives define high-value data as information that increases agency accountability, furthers core missions and improves public knowledge. The availability of salary and spending data through "open chequebook" portals¹ enables journalists, researchers and citizens to scrutinise remuneration structures across the public service. In the judicial context, open data can demystify salary scales, highlight disparities and allow informed debate about remuneration.

At the same time, the public profile of judges and prosecutor – heightened by open government initiatives – carries security and privacy risks that extend beyond salary disclosure. In some context, judicial actors have faced increasing level of threats in recent years. In the United States, the US Marshals Service reported that serious threats against federal judges more than doubled between 2021 and 2023, rising from 224 to 457 investigated incidents, while threats against federal prosecutors more than doubled

¹ "Open chequebook" portals are online databases that provide residents with access to government expenditure with "chequebook-level" detail, allowing them to search spending by vendor name or type of service purchased (US PIRG Education Fund 2010).

over the same period, from 68 to 155 (CNN 2024). Although these threats are not attributable directly to salary disclosure, they reflect a climate in which any increase in the public visibility of judicial actors, especially personal information, beyond what is strictly professional or financial, warrants careful calibration.

Balancing the public interest in institutional transparency against the security and privacy risk borne by individual judicial actors is the organising challenge of any transparency framework applied to the judiciary. Pay transparency matters because remuneration debates are often proxies for deeper questions about privilege and fairness: transparent remuneration schemes, showing how salaries are determined by law, what allowances and benefits are available and how they relate to societal averages, help to correct misinformation and explain the rationale for judicial compensation, thereby strengthening institutional legitimacy. On the other hand, debates persist on how granular the disclosure of remuneration should be, and where the balance lies between meaningful transparency and adequate privacy and security safeguards.

This Helpdesk Answer provides an overview of this topic, first by exploring the conceptual argument that remuneration disclosure can have anti-corruption effects. It then considers how remuneration disclosure has been treated in international and regional legal frameworks and soft law standards. This is followed by outlines of models adopted in select jurisdictions, and then an overview of relevant jurisprudence.

Transparent remuneration as an anti-corruption tool

Conceptual framework

The concept of remuneration in judicial and prosecutorial settings goes far beyond an employee's base salary (ENCJ 2024). It can also encompass:

- Core salary: a permanent component set by law and not dependent on performance.
- Pension entitlements: retirement benefits designed to maintain a judge's material security after leaving office.
- Allowances and benefits: reimbursement of expenses or in-kind advantages attached to office.
- Bonuses and productivity payments: some systems grant bonuses for seniority, leadership roles or productivity. France, for instance, operates a modifiable bonus (prime modulable) attributed on the basis of specific responsibilities and excess workload, though critics have noted the absence of objective, clearly defined criteria for its allocation (Gazette du Palais 2023). The Association of European Administrative Judges (AEAJ) has emphasised that bonus schemes should be excluded because they undermine independence and objectivity (AEAJ 2025).
- Representation expenses and per diems: payments to cover costs of official representation or participation in conferences.
- Health and insurance coverage: judges and prosecutors usually enjoy health insurance, disability coverage and survivor benefits.

Defining the precise scope of judicial and prosecutorial remuneration is a threshold question for any transparency framework: without a clear understanding of what counts as remuneration, it is impossible to assess whether a disclosure regime captures what the public genuinely needs to know or if it merely addresses a fraction of the picture. For example, in 2012, the Philippine Center's investigative reporting showed that justices obtained numerous allowances (representation, productivity, clothing and rice allowances) from electoral tribunals, which effectively doubled or tripled their core salary and were not included in asset declarations (PCIJ 2012). Similarly, a study of California judges found that county-level benefits, including cash supplements, insurance, retirement contributions and car or gym allowances, added tens of thousands of dollars to their annual pay (Capitol Weekly 2009).

Such practices have been expressly discouraged by the Venice Commission in its [Report on the Independence of the Judicial System](#) in 2010. In paragraph 51, the commission states that judges' remuneration should be guaranteed by law at a level commensurate with the dignity of their duties, and that bonuses and non-financial benefits whose distribution involves any discretionary element ought to be phased out.

Adequate remuneration as an anti-corruption and independence safeguard

International doctrine treats adequate remuneration not as a privilege but as a structural guarantee of independence. To understand what constitutes "adequate", one must look beyond slogans and examine the substance of judicial and prosecutorial pay regimes.

Adequate remuneration first and foremost means material security sufficient to preserve the judge or prosecutor's freedom from external pressures (MEDEL 2024). Adequate remuneration must be grounded in law rather than at the discretion of the executive. Prosecutorial pay follows a similar logic. The OSI/Justice Initiative emphasises that prosecutorial budgets and conditions of service, including remuneration and pension rights, must be determined through legislative processes, insulated from political interference, and that adequate pay is essential to the independence of prosecutors (Open Society Institute Sofia 2008).

Adequate remuneration is a relative concept: it must reflect the socio-economic context of a given country (Venice Commission 2010, p. 10). In [Joined Cases C146/23 and C374/23](#), the Court of Justice of the European Union (CJEU) clarified that, while the executive and legislature may set judicial pay, the process must satisfy stringent conditions. The court held that remuneration must be provided by law and that the lawmaking process must be objective, foreseeable, stable and transparent and include consultations with the judiciary and other relevant actors. It also ruled that there should be a possibility of judicial review of remuneration laws. The court determined that pay should be sufficiently high in relation to the domestic average salary, considering inflation, the minimum wage and the average public sector salary, and that reductions are permissible only in exceptional circumstances.

Periodic review and indexation are equally essential. The AEAJ argues that salaries must be regularly adjusted to reflect inflation and socio-economic conditions and that the judiciary should be involved in these decisions (AEAJ 2025, pp. 1-2).

The link between inadequate remuneration and corruption risk is well documented. Transparency International has highlighted that insufficient judicial pay increases susceptibility to bribery, and has called on states to protect remuneration by law as a preventive integrity measure (Transparency International 2014). Empirical observations

support this view: in Georgia, raising judicial salaries alongside strict anti-corruption measures contributed to a decline in corruption (IAJ 2016, pp. 7, footnote 66).

In other cases, increasing remuneration has been embraced as a policy response to corruption. In Indonesia, a 2025 bribery scandal involving a supreme court official led President Prabowo to raise judges' salaries by up to 280 per cent to "fortify the judiciary's integrity"; entry-level judges' pay rose from about Rp12 million (US\$740) per month to nearly Rp33 million (around US\$2,000) (Jakarta Globe 2025).

Why transparency in judges' and prosecutors' remuneration matters

Drawing on the European Network of Councils for the Judiciary's (ENCJ) framework, transparency in judicial remuneration is relevant to independence and anti-corruption policy through three principal pathways (ENCJ 2016). First, it reduces opportunities for discretionary or secret payments. Discretionary payments – such as bonuses, per diems or representation expenses – can be used as informal rewards or sanctions, undermining independence. Recommendation 10 of the ENCJ's report on funding of the judiciary stresses that remuneration must be based on objective criteria and that governments should publicly explain any deviations from the recommendations of independent advisory bodies (ENCJ 2016).

Secondly, it enhances accountability in the use of public funds by reducing informational asymmetries and mitigating suspicions of political capture, corporate capture or other forms of corruption, including bribery, which routinely exploits opaque remuneration structures (ENCJ 2016).

Thirdly, a transparent and fully regulated remuneration regime protects judicial independence. Where compensation is governed by predictable scales and indexed adjustments, there is little scope for the executive or legislature to manipulate pay as a means of intimidation or reward (ENCJ 2016). Thus, remuneration transparency is not merely an accountability mechanism but also a safeguard for the separation of powers.

Taken together, these three pathways point to a broader function that remuneration transparency performs within the constitutional order. As the UNDP has observed, opening judicial systems fosters integrity and increases public trust without impeding judicial independence (UNDP & U4 Anti-Corruption Resource Centre 2016). In this regard, secrecy does not merely invite corruption, it actively fuels perceptions of impunity. Publishing remuneration frameworks and, where appropriate, aggregate disclosure reports enable taxpayers to understand how public funds support the judiciary and reassures citizens that those who hold power over their liberty, property and fundamental rights are not themselves shielded from financial accountability.

Asset declarations as a complement to remuneration transparency

As discussed, judicial and prosecutorial remuneration comprises base salaries, pensions, allowances, non-monetary benefits and supplements whose value may equal or exceed the salary itself. That finding exposes a structural limitation in any transparency framework focused exclusively on remuneration: salary disclosure, however comprehensive, captures only the income that flows from the state to the official. It says nothing about what the official already holds, what interests they maintain outside their public role or whether their private financial landscape creates incentives that could distort the exercise of their functions. It is precisely this gap that asset declaration systems, also known as declarations of wealth or financial interest, are designed to fill.

Unlike remuneration transparency, asset declarations require those officers to disclose their complete financial holdings: property, bank deposits, shareholdings, liabilities, gifts, outside business interests and other sources of income or wealth. The distinction matters because the risks to judicial integrity do not arise solely from the structure of public pay. A judge whose official salary is modest and properly set by law may nonetheless hold significant private interests that create conflicts with the cases before them; a prosecutor investigating a corporation in which they hold shares presents an equally serious problem that no remuneration disclosure regime would reveal. Asset declarations are the instrument through which these risks are made legible.

Comparative evidence confirms that the most prevalent mechanism through which judicial and prosecutorial transparency is institutionalised in practice is not salary disclosure but asset declaration. According to 2017 data compiled by the Stolen Asset Recovery Initiative (StAR) of the World Bank and UNODC, in an analysis of 158 jurisdictions with declaration systems, approximately 70 per cent require judges and prosecutors to submit declarations, and 59 per cent specifically include high-level prosecutors. Of 153 jurisdictions examined, 55 per cent require by law that declared information be made fully or partially public, though with significant regional variation (StAR & World Bank 2017).

However, the widespread adoption of asset declaration frameworks does not necessarily translate into their effective operation in practice. Recent OECD evidence indicates that, across member countries, only 33 per cent show consistent compliance with disclosure requirements for senior judges, 27 per cent for judges overall, and just 20 per cent for senior prosecutors (OECD 2026, p. 12). Moreover, substantial verification of the information disclosed occurs in only 13 per cent of cases (OECD 2026, p. 102). These figures reveal a significant implementation gap: while formal disclosure obligations are widely established, their enforcement remains limited, particularly in sectors where concerns over institutional independence may constrain external oversight.

The United States provides several instructive examples of how the lack of transparency in asset disclosure requirements can allow conflicts of interest to go undetected within the judiciary. Investigative reporting and academic monitoring have documented numerous instances in which federal and state judges presided over cases involving corporations in which they held personal shareholdings, in direct violation of recusal obligations under the code of conduct for United States judges. In one widely reported case, a California supreme court justice who held up to US\$1 million dollars in Wells Fargo stock participated in a vote to deny an appeal by a couple alleging predatory lending by the bank, a conflict that the court's own internal procedures failed to detect (Hoppe 2014).

A subsequent investigation relying on asset declaration data by the Wall Street Journal revealed that at least 131 federal judges nationwide had handled cases despite owning a financial stake in one of the corporate parties, including a Colorado federal judge who presided over at least 36 such cases (Wall Street Journal 2021). These episodes would have been entirely invisible had transparency been limited to salary disclosure alone; it was precisely the asset declaration system – imperfect as its enforcement proved – that made the conflicts detectable.

Taken together, these frameworks point to a conclusion that has direct implications for the analysis of remuneration transparency: a regime that discloses salary structures without also requiring asset declarations provides, at best, a partial and potentially misleading picture of the financial integrity of judicial and prosecutorial officers.

Therefore, remuneration transparency and asset disclosure are perhaps best understood as complementary, not alternative, tools. The former ensures that what the state pays is governed by law through objective criteria and public accountability; the latter ensures that what the official holds and earns from other sources does not create incentives incompatible with the impartial exercise of their functions.

Transparency, privacy and security

There is broad consensus that the structural components of judicial and prosecutorial remuneration – salary scales, allowance rules, adjustment formulas,² pension entitlements – should be transparent and publicly accessible. Publishing these frameworks advances systemic accountability without exposing the personal financial data of individual officers. It is this distinction between structural transparency and individualised disclosure that provides the organising principle for any proportionate framework in this area.

² Adjustment formulas typically account for one or more of the following factors: (i) inflation, (ii) comparisons with private sector legal salaries, (iii) general public sector wage movements, and (iv) constitutional or statutory guarantees of non-reduction (AEAJ 2025).

At the institutional level, the International Association of Judges' 2016 study commission noted that many jurisdictions maintain private registers of judges' assets and income, and that the majority of commission members opposed making such registers public in the absence of a justified suspicion of misconduct (IAJ 2016, p. 8). The commission's reasoning reflects a position that is increasingly well supported in comparative doctrine: the benefits of transparency must be assessed against the privacy rights and personal security of the officers concerned, and disclosure measures must satisfy a proportionality requirement.

That requirement has been confirmed at the judicial level. In [L.B. v Hungary](#), the European Court of Human Rights held that the systematic publication of personal financial data carries obligations of genuine proportionality analysis: the court found a violation not because publication was inherently impermissible under article 8 of the convention, but because the legislature had failed to demonstrate that it had genuinely weighed the competing interests. Applied to judicial and prosecutorial asset declarations, this reasoning establishes that disclosure obligations are not categorically prohibited by the right to private life, but they must be designed with genuine proportionality in mind, not merely enacted as a formal transparency measure. The proportionality requirement is not a formality: it establishes that the scope and depth of disclosure must be calibrated to its purpose and that disclosure for its own sake does not suffice.

In practice, the security dimension of this balance has proven particularly consequential. A report by the Centre for Public Integrity documents how numerous requests for redactions in the financial disclosure forms of United States federal judges were granted specifically to prevent threats to the safety of judicial officers and their families. According to a spokesperson for the administrative office of the courts, the judiciary sought to balance the public's right to know against the safety of judges and their families; redactions were typically permitted where the disclosed information would reveal physical locations or the identities of family members and, in 2011 alone, 154 redaction requests were approved on security grounds (Centre for Public Integrity 2014). Legislative responses have followed. The United States Congress enacted the Daniel Anderl Judicial Security and Privacy Act in 2022, named after the son of a federal judge killed at the family home by a disgruntled litigant (US Courts 2022).

These considerations define the terms on which such systems can operate legitimately. Proportionality in this context is not an abstract principle but a practical design requirement: general remuneration scales can be published without linking them to specific individuals (ENCJ 2016, p. 6); aggregated statistics on allowances and bonuses can provide meaningful oversight without exposing particular officers; and where individual disclosures are required, as in the case of asset declarations, anonymisation and targeted redaction techniques can mitigate security risks while preserving the substance of the transparency obligation. Only information genuinely relevant to public scrutiny, such as shareholdings or outside income sources, needs to be individually disclosed (IAJ 2016, p. 8).

This approach is consistent with the trajectory of data protection law globally. By 2025, 167 countries had enacted comprehensive data protection legislation, reflecting a broad international commitment to privacy as a fundamental right. Importantly, these instruments do not prohibit transparency; they require that disclosures are necessary, proportionate and accompanied by adequate safeguards. As the former judge Tilman Hoppe has argued, well-designed asset declaration regimes pose no significant risks to judges' independence or security and provide substantial anti-corruption benefits (Hoppe 2014). The challenge for legislators and institutional designers is therefore not to choose between transparency and protection but to build systems capable of delivering both.

International and regional legal framework and soft law standards

A survey of legal frameworks carried out for this Helpdesk Answer concluded that no international or regional instrument addresses the transparency of judicial and prosecutorial remuneration as an autonomous normative obligation. The frameworks examined in this chapter, spanning binding treaty law, regional conventions and soft law instruments, converge on a set of structural guarantees: that remuneration must be established by law, protected from arbitrary reduction, determined by objective and non-discretionary criteria, and insulated from executive or legislative manipulation.

What they do not do is require states to publish what individual judges or prosecutors earn, mandate the disclosure of allowances or non-monetary benefits, or establish benchmarks for the level of public access to remuneration data. This means that questions of remuneration transparency – how much to disclose, to whom, in what form and subject to what safeguards – are left almost entirely to domestic law.

International hard law

United Nations Convention against Corruption

The [United Nations Convention against Corruption](#) (UNCAC) constitutes the principal binding international instrument addressing transparency and integrity within the public sector, including aspects relevant to judicial and prosecutorial remuneration. As a multilateral treaty, it establishes legal obligations for states parties and provides a comprehensive framework aimed at preventing corruption through institutional transparency and accountability mechanisms. As of March 2026, the convention counts 192 states parties,³ reflecting near-universal adherence and reinforcing UNCAC's status as the most widely subscribed binding instrument in the field of anti-corruption governance.

Several provisions of the UNCAC are of particular relevance to transparency in remuneration and financial integrity. Article 8(5) encourages states parties to establish systems requiring public officials to declare, inter alia, their outside activities, employment, investments, assets and substantial gifts or benefits from which a conflict of interest may result. This provision reflects the convention's recognition that transparency regarding income and financial interests constitutes a key safeguard against undue influence. In parallel, article 7 promotes transparency, objective criteria and merit-based systems in public sector recruitment and conditions of service, thereby embedding remuneration governance within broader principles of fairness and institutional integrity. Article 10 further calls upon states to enhance transparency in

³ UNCAC's ratification status is available [here](#).

public administration, including through measures facilitating public access to information concerning the organisation and functioning of public bodies.

UNCAC's provisions position it as the central normative reference point for binding international obligations concerning transparency in public sector remuneration and financial disclosure. Although the convention does not regulate judicial or prosecutors' salaries explicitly in detail, its emphasis on transparency, disclosure mechanisms and objective conditions of service provides a legal foundation upon which more specific standards relating to judicial and prosecutorial remuneration transparency may be developed. Owing to its near-universal ratification and comprehensive scope, UNCAC remains the most authoritative binding framework in this field.

Regional hard law

African Union Convention on Preventing and Combating Corruption

The [African Union Convention on Preventing and Combating Corruption](#) (AUCPCC) constitutes the principal binding regional anti-corruption instrument on the African continent. Adopted in 2003 and currently ratified by 49 states parties,⁴ it establishes a comprehensive framework aimed at preventing and countering corruption through preventive and accountability mechanisms. Although the convention does not specifically address transparency in judicial remuneration, it places a strong emphasis on financial transparency and integrity among public officials, notably through provisions requiring the establishment of asset declaration systems and measures promoting transparency in public administration. These obligations are generally understood to extend to members of the judiciary and prosecutorial services by virtue of the convention's broad definition of "public official", which encompasses all persons performing functions in the name of or in the service of the state at any level of its hierarchy (article 1), thereby situating the convention within the broader international approach linking financial disclosure to safeguards against undue influence and corruption.

Inter-American Convention against Corruption

The [Inter-American Convention Against Corruption](#), adopted in 1996 within the framework of the Organization of American States and ratified by all member states of the organisation, represents the first binding international treaty specifically devoted to countering corruption. While it does not directly regulate transparency of judicial remuneration, the convention establishes preventive measures aimed at strengthening integrity in public administration.

Article III(4) calls upon states parties to consider the establishment of systems requiring public officials to declare their income, assets and liabilities, and, where appropriate, to make such declarations public. The convention's broad definition of "public officials" is

⁴ The complete list of ratified countries is available [here](#).

generally understood to bring members of the judiciary and prosecutorial services within the scope of these obligations. Article III(12) further instructs states parties to study preventive measures taking into account the relationship between equitable remuneration and probity in public service, reflecting an early recognition in international law of financial transparency and adequate compensation as complementary safeguards against corruption in the exercise of public functions.

Council of Europe Conventions on Corruption

The Council of Europe has adopted two principal binding instruments in this area: the Criminal Law Convention on Corruption (ETS No. 173, 1999), which requires states parties to criminalise a broad range of corrupt conduct and expressly encompasses judges and prosecutors within its scope, and the Civil Law Convention on Corruption (ETS No. 174, 1999), which establishes remedial frameworks for individuals harmed by corrupt acts. Neither convention, however, addresses transparency in judicial or prosecutorial remuneration, nor do they contain provisions on financial disclosure applicable to members of the judiciary. Their scope does not extend to the preventive dimension of financial transparency as a safeguard against undue influence.

Notably, Group of States against Corruption (GRECO), which monitors this framework, has addressed related questions in a non-binding capacity through its fourth evaluation round (launched in 2012), devoted to corruption prevention with respect to members of parliament, judges and prosecutors. As this work falls within the domain of soft law, it is examined in the following section.

Soft law standards

Soft law refers to normative instruments that, unlike treaties, are not legally binding but nonetheless carry significant persuasive authority. Declarations, principles, guidelines and recommendations issued by international organisations and multilateral bodies shape domestic reforms by setting benchmarks and offering interpretative guidance. While no international instrument explicitly regulates transparency in judicial remuneration, a body of soft law standards can be identified which, when read together, provide normative guidance for the development of transparency frameworks in this area.

Judicial-specific instruments

The principal judicial-specific soft law instruments converge on a common normative proposition: that remuneration must be adequate, established by law and insulated from arbitrary interference by the executive or legislature. The [UN Basic Principles on the Independence of the Judiciary](#) (1985), endorsed by the UN General Assembly in resolutions 40/32 and 40/146, establish the foundational standard in principle 11, which provides that the term of office of judges, their independence, security, adequate remuneration, conditions of service, pensions and the age of retirement shall be adequately secured by law. The [UN Guidelines on the Role of Prosecutors](#) (1990),

adopted by the Eighth UN Congress on the Prevention of Crime, extend an analogous guarantee to prosecutorial officers: guideline 6 stipulates that reasonable conditions of service of prosecutors, adequate remuneration and, where applicable, tenure, pension and age of retirement shall be set out by law or published in rules or regulations. At the regional level, the [Council of Europe recommendation on judges \(CM/Rec\(2010\)12\)](#) reinforces this framework, providing in paragraph 53 that the principal rules governing the remuneration of professional judges should be laid down by law and that judges must have sufficient resources to perform their functions effectively.

The [Bangalore Principles of Judicial Conduct](#) (2002), endorsed by the UN Economic and Social Council in 2006 and widely regarded as the authoritative global standard on judicial ethics, add an integrity dimension to this picture. The commentary to the Bangalore Principles identifies financial security – understood as the right to a salary and pension established by law and not subject to arbitrary executive interference – as one of the core components of judicial independence. Under value 4 on propriety, principle 4.7 requires a judge to be informed about their personal and fiduciary financial interests and to make reasonable efforts to be informed about the financial interests of members of their family, while principle 4.16 permits the receipt of token gifts subject to any legal requirements of public disclosure. Crucially, however, the Bangalore Principles do not themselves establish what financial information must be disclosed, to whom or in what form, deferring those questions entirely to the applicable domestic laws.

Read together, these instruments present a picture that is consistent and coherent on one point and uniformly silent on another. They construct a robust floor of financial protection for judicial and prosecutorial officers – guaranteeing adequate, legally established remuneration free from discretionary interference – but none of them takes the step of requiring states to make that remuneration publicly transparent.

General integrity and open government instruments

It is through soft law instruments of general application, those addressed to public officials broadly rather than to judicial actors specifically, that transparency begins to emerge as an affirmative obligation whose scope may extend, at least indirectly, to the judicial and prosecutorial sphere. While these instruments typically apply to “public officials” in general terms, a category that may include judges and prosecutors, they do not regulate the judiciary as a distinct institutional actor, nor do they articulate transparency requirements specifically tailored to judicial or prosecutorial functions.

This trend is further reinforced in practice through international monitoring mechanisms. For instance, GRECO’s fourth evaluation round, which examined the prevention of corruption with respect to members of parliament, judges and prosecutors, has consistently recommended the strengthening of asset declaration systems, enhanced transparency of financial interests and the development of clearer rules on conflicts of interest within the judiciary (GRECO 2014).

A comparable emphasis can be found in the practice of the [MESICIC](#), the follow-up mechanism of the Inter-American Convention Against Corruption, whose country reviews regularly call for the expansion of asset disclosure obligations, improvements in public access to such information and the strengthening of verification mechanisms. Similar approaches are also reflected in other regional review frameworks, such as the Istanbul Anti-Corruption Action Plan, which emphasise disclosure obligations and transparency as key components of integrity systems applicable to all public officials. These practice-based developments are grounded in, and reflect, a broader set of normative standards articulated in general soft law instruments at the global level.

The [United Nations International Code of Conduct for Public Officials](#), annexed to General Assembly Resolution 51/59 (1996), frames public office as a position of trust and imposes duties of loyalty to the public interest, impartiality and the avoidance of conflicts of interest. Although the code does not regulate salaries directly, it requires public officials to declare personal assets and liabilities, including those of spouses and dependants, in accordance with applicable law, and prohibits soliciting or accepting gifts capable of influencing official duties. Its provisions on conflict of interest and asset disclosure carry direct implications for remuneration transparency, particularly with respect to non-monetary benefits and outside financial interests of the kind identified in earlier chapters of this paper.

The [OECD Recommendation of the Council on Public Integrity](#) (2017) constitutes one of the most comprehensive soft law instruments currently in force on the promotion of integrity across all branches of government. It calls on adherent states to promote transparency and stakeholder engagement at all stages of the policy process and to ensure access to information and open data, with particular emphasis on the proactive disclosure of clear, complete, timely, reliable and relevant public sector data and information. Notably, the recommendation addresses integrity systems as applicable to all public officials, without carving out an exception for the judiciary.

Complementing the integrity recommendation, the [OECD's open government data principles](#) establish eight operational criteria to define genuinely open public data: completeness, primacy, timeliness, accessibility, machine readability, non-discrimination, non-proprietary formats and licence-free use. Applied to judicial and prosecutorial remuneration, these principles relate to the format and accessibility of disclosed data, requiring that whatever is published be complete, timely and machine-readable, but it leaves open the question of what unit of data should be disclosed: whether publication should cover individual remuneration or aggregated salary scales.

Finally, the SIGMA Programme (Support for Improvement in Governance and Management), a joint initiative of the OECD and the European Union providing governance guidance primarily to EU candidate and neighbouring countries, has produced targeted guidance on salary systems in public administration. [SIGMA paper no. 71](#) emphasises the importance of clearly defined pay scales, the need to limit discretionary supplements and opaque allowances and the risks posed by excessive

fragmentation of pay systems and the proliferation of exceptions, all of which, it cautions, undermine transparency, equity and administrative coherence. While not addressed specifically to judicial or prosecutorial remuneration, the paper's principles are arguably transposable to those contexts and provide a practical benchmark against which existing national frameworks can be assessed.

National transparency models

This section provides an overview of the various approaches taken from a non-exhaustive selection of jurisdictions towards regulating the disclosure of remuneration of judicial and prosecutorial actors. It attests to a significant diversity in such approaches. For analytical purposes, this paper situates them along a continuum ranging from complete opacity to full proactive disclosure.

Opaque regimes

In these regimes, salary data is not publicly available and is inaccessible via any FOI mechanism. Examples include:

- **Cameroon:** according to a 2025 report by the civil society group [International Governance Institute – Cameroon](#), judicial remuneration is entirely opaque in this jurisdiction. There is no dedicated access to information law, so citizens lack any legal avenue to obtain salary details. Judges and prosecutors are paid according to internal statutes, but these figures are not published in budgets or official reports available to the public. Overall government transparency is very poor. A recent anti-corruption review highlighted “limited access to information” and the absence of FOI legislation as key issues. In practice, the judiciary’s pay scales remain undisclosed, mirroring a broader culture of secrecy in public finance. Without legal obligations or voluntary disclosure, Cameroonians have virtually no insight into what their judges or prosecutors earn (UNCAC Coalition 2025).
- **Philippines:** the Philippines presents one of the most instructive examples of institutionalised opacity in judicial remuneration, distinguished from other non-disclosure regimes by the deliberate exclusion of the judiciary from the country's transparency framework. [Executive order no. 2 of 2016](#), established the first FOI programme in the Philippines, covering all government offices under the executive branch, but expressly excluded the legislative and judicial branches from its scope (ARTICLE 19 2016). As of early 2026, no legislation has been enacted extending those obligations to the remaining branches of government, and transparency in judicial and prosecutorial remuneration continues to be a matter of institutional discretion rather than legal obligation.

Regimes with limited FOI based access

Under these regimes, salary data is not published proactively but is instead accessible only on request (FOI or equivalent), often with practical hurdles or partial compliance.

- **Senegal:** until recently, Senegal offered no public access to judicial pay information. The right to information was enshrined in the constitution but lacked enabling

legislation, meaning the salaries of judges and prosecutors were not published and requests for them could be denied. This is starting to change as, in August 2025, the national assembly passed a new access to information law (law no. 14/2025) granting the public a right to request official data (NYU 2025). However, implementation remains at an early stage. Although access to information was recognised in principle, Senegal lacked a dedicated operational legal framework until the adoption of the new law, and prior reform efforts had produced only limited results. At present, there is no evidence of systematic public disclosure of judicial remuneration. It therefore remains uncertain whether the 2025 reform will translate into effective access to, or proactive publication of, such information (OGP 2023).

- Kenya: Kenya's 2016 access to information act in principle covers all public bodies, including the judicial branch, but proactive disclosure of judges' salaries is minimal (ARTICLE 19 2021). Judicial officer pay in Kenya is determined by the salaries and remuneration commission and set out in notices, yet the judiciary does not publicly publish a detailed breakdown. Interested citizens would have to file an information request to obtain specifics and, even then, the outcome is uncertain. There have been instances of Kenyan judicial leadership expressing a commitment to transparency, but these are ad hoc and not part of a sustained public portal. Beyond such occasional revelations, systematic publication is lacking. In summary, Kenyan judges' and prosecutors' pay information can technically be accessed via FOI and some official reports, but there is no routine, comprehensive public reporting, keeping this data largely out of easy public reach (ARTICLE 19 2021). As for gifts and benefits, the [leadership and integrity act](#) requires the relevant body to maintain a register of gifts, donations and benefits received, without necessarily making it available for public inspection. In Kenya, for instance, officeholders are required to declare gifts and maintain corresponding records; however, explicit inspection rights apply to the conflicts of interest register rather than to the gifts register, leaving the latter outside the scope of mandatory public disclosure.

Partial proactive disclosure regimes

In these regimes, salary data is partially available through official channels, such as, published pay scales or summaries, but is incomplete or not fully up to date (important components or individual specifics may be missing).

- Argentina: Argentina has a formal legal framework supporting transparency, notably the law 27,275 on access to public information. The act requires all branches, including the judiciary and public prosecutor's offices, to proactively publish salary scales with all components of pay. In partial compliance, key institutions do post basic salary tables on their websites. For example, the judicial council (consejo de la magistratura) publishes monthly pay scales for judges and staff, and the supreme court's transparency portal lists judicial salary bands. However, these published figures notably omit various supplemental payments and bonuses that judges and prosecutors actually receive, and, according to a local NGO, the publicly posted

“salary” for a given judicial rank significantly understates the true compensation (Justa 2022). Also, while salary scales may be available in certain jurisdictions or through institutional websites, publication is not always systematic, standardised or presented in open, machine-readable formats. Detailed breakdowns of allowances and additional benefits are not consistently disclosed, and access may depend on specific information requests rather than proactive transparency (FOPEA 2023).

Full proactive disclosure regimes

Under these regimes, salary and other data is made available, typically via official websites, reports or open-data portals, covering standard remuneration figures (often by role or pay grade) and regularly updated.

- United Kingdom: the UK proactively discloses judicial salaries. Judicial pay is a matter of public record, openly published by the government. The Ministry of Justice (with the independent senior salaries review body) sets judges’ pay scales, and these are [proactively posted](#) online each year. The Courts and Tribunals Judiciary [website](#) affirms that judicial salaries are decided through an independent process and “are a matter of public record,” providing links to the exact figures for every judicial office. Beyond base salaries, the UK also publishes information on judicial expenses and benefits in aggregate (HM Courts & Tribunals Service 2025).
- United States: despite a fragmented court system, the US provides considerable transparency regarding judicial compensation. At the federal level, salaries of judges are fixed by statute and published openly. Federal judges’ pay is set by congress and listed in the US code with salary rates for district judges, circuit judges, associate justices and the chief justice established under 28 US code S. 5, 44(d), 135 and 461 and publicly available through the Federal Judicial Centre. These figures are available in official judiciary publications and on the [Federal Judicial Centre website](#), which tracks judicial salaries over time. The federal judiciary is not subject to FOI laws (US Department of Justice 2025), but it must publicly report standard salaries and any changes (often through annual reports or press releases). At the state level, practices have historically varied. Many states now publish judicial salaries either in transparency portals or as part of general state employee salary databases. For instance, states like [California](#) and [Florida](#) include judges in their online salary lookup tools, and others release the information via annual judicial council reports. As for gifts and benefits, the financial disclosure reports filed by federal judges include a dedicated section on gifts received and constitute explicitly public documents, accessible online or upon request (US Courts 2026).
- Chile: Chile’s judiciary operates under a strong transparency framework and provides extensive information on salaries. The transparency law (ley 20.285) mandates “transparencia activa”, proactive online publication of various public sector data, including remuneration of officials, which in practice encompasses

salary, allowances and other monetary components of compensation. The judicial branch complies by maintaining a transparency portal on its [official website](#). While individual judges' names and their exact earnings each month are not listed (to protect personal data), the public knows precisely the salary scale and bonuses attached to every judicial position (Poder Judicial República de Chile n.d.). This has been bolstered by oversight from the Transparency Council, which ensures compliance. As for gifts and benefits, article 8 of the [Lobbying Act](#) requires designated public officeholders to maintain registers, updated at least monthly, disclosing official travel and protocol gifts or donations, with details including the nature of the gift, the date and occasion, and its provenance.

- **Brazil:** Brazil has one of the most transparent regimes for public servant salaries, including those of judges and prosecutors. Since the passage of the access to information law (LAI) (lei 12.527/2011), all branches of government are required to proactively publish salary data. The National Council of Justice (CNJ) reinforced this with resolution 215/2015 and portaria 63/2017, which specifically mandate that courts disclose detailed remuneration of magistrates. Brazil's regime is thus fully proactive de jure: the legal framework is comprehensive, mandatory and applies to all branches of government. In practice, however, implementation gaps persist. The LAI requires requesters to identify themselves by name and document number, a barrier that has been criticised by civil society as chilling for journalists and activists seeking sensitive institutional data (Open Knowledge Brazil 2017). Academic assessments of judicial transparency portals have further found that, while basic disclosure requirements are formally met, managerial culture and usability deficits substantially condition the actual accessibility of published information (Schlindwein 2021). These de facto limitations do not alter the classification of the regime, but they serve to caution against treating formal disclosure obligations as equivalent to effective public access.
- **Ecuador:** Ecuador's transparency and access to information law (LOTAIP 2004) requires all public institutions to actively publish salary information. The judicial branch complies by posting on its website a list of all positions and their respective monthly remuneration. In fact, under article 7 of LOTAIP, every agency must report the [monthly salary](#) for each post and all additional income or allowances attached to it. Because of LOTAIP's broad scope, even prosecutors' salaries are disclosed. As for gifts and benefits, article 19 of the reformed LOTAIP requires designated officeholders to maintain and publish an updated register of official and protocol gifts and donations received in the exercise of their functions, specifying the nature of each gift, the date and occasion of its receipt, and the identity of the donor. The publication of travel allowances is equally mandated.

Maximal open-access regimes

In these regimes, there exists a highly open culture of transparency, meaning that salary data and, in some cases, individual income is broadly accessible to the public. These systems can be characterised as “maximal” in comparative terms, particularly when contrasted with more restrictive or disclosure-limited regimes. However, it should be noted that the availability of individual-level data does not necessarily imply full transparency of all components of remuneration. In both Sweden and Norway, individual income information is generally accessible through tax transparency mechanisms, but this typically reflects aggregated taxable income rather than a fully itemised breakdown. As a result, specific components such as base salary, allowances or certain benefits are not always individually identifiable, and non-taxable benefits may fall outside the scope of disclosure.

- **Sweden:** Sweden is renowned for its “ultra-transparent” approach to public information, and judicial salaries are no exception. By constitutional principle, virtually all official documents are public unless sealed for specific reasons (Policy Opinion 2025). Therefore, the salaries of Sweden’s judges and prosecutors are published or accessible just like those of any civil servant. The government regularly releases pay information for public employees; for example, the annual budget or government annual report will specify the standard salary rates for the various judicial positions. Moreover, Sweden’s commitment to openness extends to personal income data: each year the government publishes the tax calendar, an official compendium of every citizen’s taxed income (Daily Scandinavian 2017).
- **Norway:** Norway similarly embraces an open-access ethos. The salaries of judges and prosecutors are public and can be obtained with relative ease. Officially, the Norwegian court system follows the public service pay tables; judges’ salary grades are defined in law, and those scales are published. The hallmark of Norway’s transparency is the public tax list. Each year, the Norwegian tax administration [releases online the annual tax returns](#) of all taxpayers, including information on income and wealth. This means any citizen can search a judge’s name in the tax portal or obtain the data via alternative channels such as media publications or data requests (such as [Statistik Sentralbyrå](#)) to see that individual’s yearly income. Until 2014, this could be done anonymously; now the system records who has used it (to prevent misuse), but it is still widely accessible. Additionally, Norway’s freedom of information act grants any person the right to request salary details of public officials, and this right is generally honoured (ReThinkQ 2023).

Relevant international jurisprudence

In the absence of clear international standards and national legal frameworks, supreme courts and regional human rights tribunals have been called upon to decide whether disclosing remuneration or other financial information of judges and other public officials is legitimate. The cases summarised below reveal how courts have framed the balance between transparency and privacy.

Brazil: STF, theme 483 (ARE 652 777) 2024 – nominal disclosure of public service salaries

Brazil's supremo tribunal federal (STF) considered a challenge to the municipality of São Paulo's practice of publishing the names and salaries of public servants on its website. In the leading decision on [theme 483](#), the court held that publicising the names of public servants together with their remuneration and pecuniary benefits is constitutional. The STF emphasised that transparency and accountability are fundamental principles of public administration and that publishing salaries serves legitimate goals of social oversight. The court noted that the right to privacy of public servants is not absolute and does not prevail over the constitutional duty of publicity, particularly given Brazil's access to information law.

The STF therefore established that nominal disclosure of remuneration is lawful and ordered the municipality to continue publishing the data. Although the case did not specifically involve judges or prosecutors, it is significant because many judicial bodies in Brazil fall under the same administrative transparency regime. Thus, the decision functions as a point of reference for judicial remuneration disclosure.

India: CPIO v. Subhash Chandra Agarwal (supreme court of India 2019)

In [central public information officer \(CPIO\), supreme court of India v. Subhash Chandra Agarwal](#), a constitution bench of the Indian supreme court was asked whether the chief justice office and documents regarding judicial appointments and judges' asset declarations were subject to India's right to information act. The court recognised that judicial independence is not a shield against transparency; it expressly held that independence does not require denying access to information and that judicial independence and accountability "go hand in hand" (p. 105). While stressing that the public interest in disclosure must be balanced against privacy interests, the court ordered the court's information officer to disclose which supreme court judges had filed asset declarations and upheld an earlier high court decision requiring such disclosure. The judgement emphasises a case-by-case proportionality test: disclosure is the rule,

and exemptions must be justified where the information concerns third parties or when releasing the details of judges' assets could breach confidentiality.

Albania: Judicial vetting process and the Strasbourg jurisprudence on asset transparency in the judiciary

In 2016, Albania undertook a far-reaching constitutional reform aimed at addressing systemic corruption and restoring public confidence in the judiciary. The reform introduced a comprehensive “vetting” process applicable to all sitting judges and prosecutors. Judicial officers were required to justify the lawful origin of their property and demonstrate consistency between declared income and accumulated wealth. The reform was conceived as a structural response to entrenched concerns regarding corruption, lack of accountability and diminished public trust in the justice system (Strasbourg Observers 2021).

Several of these vetting proceedings, some of which resulted in the dismissal of judges and prosecutors, were subsequently challenged before the European Court of Human Rights. The first leading precedent was [Xhoxhaj v Albania](#) (9 February 2021), which concerned the dismissal of a constitutional court judge following findings of serious inconsistencies between her declared income and accumulated assets. The applicant argued that the vetting bodies lacked independence and that her removal violated articles 6 and 8 of the convention. The court, however, accepted the legitimacy of the vetting framework, holding that it pursued the legitimate aim of restoring public confidence in the judiciary and safeguarding the rule of law in a context of systemic corruption. It concluded that rigorous asset verification, including dismissal and permanent ineligibility for office, was not in itself disproportionate.

A similar issue arose in [Nikëhasani v Albania](#) (13 December 2022), where vetting proceedings were brought against a prosecutor who had failed to justify substantial discrepancies between her lawful income and her family's declared assets. The Strasbourg court upheld the dismissal, emphasising that the obligation to disclose assets and demonstrate their lawful origin forms part of the ethical and legal duties inherent in prosecutorial office. It accepted that ensuring financial propriety among members of the prosecution service is directly linked to maintaining institutional integrity and public trust.

By contrast, in [Sevdari v Albania](#) (13 December 2022), the court found a violation of article 8. Although it reiterated that asset transparency requirements are in principle legitimate and compatible with the convention, it held that the dismissal in that particular case was disproportionate as the alleged irregularities were relatively minor and largely connected to tax matters involving the applicant's spouse. Importantly, the judgement did not call into question the vetting system as such; rather, it underscored that transparency mechanisms, even when justified by pressing public interests, must remain subject to strict proportionality and individualised assessment.

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