

Official name in original language	Consiliul Superior al Magistraturii
Official name in English	Superior Council of Magistracy
Address	5, Mihai Eminescu street, Chişinău, Republic of Moldova
Telephone number	+373 22 990 808
Website	https://www.csm.md/
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Brief history	<p>The official title of the "Superior Council of the Magistracy" appeared for the first time in the text of the Concept of judicial and legal reform in the Republic of Moldova, approved by Parliament Decision no. 152-XIII of June 21, 1994, in article 3 of the chapter "Judicial Authority" being expressly entitled "Superior Council of Magistracy". According to this document, the Council is a special body whose purpose is to ensure the independence of the judiciary, establish the guarantees and forms of self-administration of judges, administer the judicial system and control over the activities of judges. The then membership of the body was composed of the Minister of Justice, also to fulfill the position of the President of the Council, the President of the Supreme Court of Justice, the President of the Court of Appeals, the President of the Economic Court, the President of the Military Court, the Prosecutor General and five judges (three from among the judges elected at the Assembly General of Judges and two law professors elected by the Parliament).</p> <p>The first meeting of the Superior Council of the Magistracy took place on March 1, 1995.</p> <p>On July 6, 1995, the Law on Judicial Organization was adopted, stating in article 24 "Judicial Self-Administration", that judicial self-administration is carried out by the Superior Council of Magistracy, this being an independent body, created in order to establish and administer the judicial system as a guarantor of the independence of the judicial authority. The Superior Council of Magistracy exercises self-administration of the judiciary.</p>
Constitutional or legal status/basis	The activity of the Superior Council of Magistracy is regulated by the Constitution of the Republic of Moldova of July 29, 1994.
Legal acts regulating the Status	The organization and operation of the Superior Council of Magistracy is regulated by the Constitution, laws on the organization of the judiciary, on the status of the judge, by this law and other normative acts, <i>inter alia</i> :

	<ul style="list-style-type: none"> - Law no. 947 regarding the Superior Council of the Magistracy of July 19, 1996 - Law no. 514/1995 regarding judicial organization of July 6, 1995 - Law no. 544 regarding the status of the judge of July 20, 1995 - Law no. 154 regarding the selection, evaluation, performance and career of judges of July 5, 2012 - Law no. 178 regarding the disciplinary liability of judges and other related laws of July 25, 2014.
Composition:	
Total number of members	12
Term of office	6 years
Is there a possibility to be renewed as a member?	No
Do the members have a full-time position or not?	6 judicial members have a full-time position, 6 lay members have part-time position
Make up	<p>Under Article 122¹ of the Constitution, the Superior Council of Magistracy is composed of 12 members:</p> <ul style="list-style-type: none"> - Six judges elected by the General Assembly of Judges, representing all levels of courts. Four members represent district courts, one - the Court of Appeals and one - the Supreme Court of Justice, and - Six persons (lay members) of high professional standing and personal integrity, with experience in law or other relevant field, who are not active in the legislative, executive or judicial branch and are not politically affiliated. At least four of them must have experience in law. These members are selected openly and transparently by the Legal Committee, Appointments and Immunities of the Parliament, based on a public competition, and are appointed by the Parliament by a vote of three-fifths of the elected deputies. The organization of the competition is established by Parliament.
Is there a majority of Judges?	No. According to the Constitution, the Council is composed of judicial members
Presidency	2 years
Main Competences:	The Superior Council of Magistracy is formed to organize and administer the judiciary system, and is the guarantor of the independence of the judiciary authority.

Career of judges

- Makes proposals to the President of the Republic of Moldova for the appointment of judges or their promotion to a higher court;
- Transfers judges to a court of the same level or to a lower court, dismisses judges, appoints and dismisses presidents or vice-presidents of a court;
- Administers the oaths of judges;
- Approves regulations regarding the criteria and procedures for selecting candidates for the position of judge, for promotion to the position of judge at a higher court, for appointment to the position of president or vice-president of a court, and for the transfer of a judge to a court of the same level or to a lower court;
- Approves the regulation on the conduct of the competition for filling vacant positions of judge, president, or vice-president of a court, and ensures the organization and conduct of the competition;
- Appoints interim presidents or vice-presidents of the court, the Court of Appeal or the Supreme Court of Justice, in case of vacancy or suspension from office, until the vacant position is filled in the manner provided by law or the suspension is cancelled;
- Applies measures to encourage judges;
- Appoints members of the Board for the selection and career of judges and members of the Board for the evaluation of judges' performance, in accordance with its mandate.

Judicial training

- Nominates judges within the Council of the National Institute of Justice;
- Approves the strategy for the initial and continuous training of judges, provides an opinion on the action plan for its implementation;
- Examines and provides an opinion on the regulation on the organization of the competition for admission at the National Institute of Justice, on the educational programs and curricula for initial and continuous training courses at the Institute, on the regulation on the organization of the competition for filling teaching positions, as well as on the composition of the committees for admission and graduation exams at the National Institute of Justice;
- assigns judges to participate in seminars, conferences, training courses, and official travel;
- Annually, until March 31, presents to the National Institute of Justice proposals regarding the number of places to be put forward in the admission competition for the initial training of candidates for the position of judge for the following year;

	<ul style="list-style-type: none"> - Examines appeals against the decisions of the board for the selection and career of judges and the board for the evaluation of judges' performance.
Discipline	<ul style="list-style-type: none"> - Examines appeals against the decisions issued by the disciplinary board; - Based on the decision of the Disciplinary board, decides on the dismissal from the position of judge, president or vice-president of the court or the suspension of a judge; - Based on the decision of the Disciplinary board, decides on the release from the position of president or vice-president of the court.
Ethics	<p>The Superior Council of Magistracy adopts decisions as to citizens' petitions regarding judges' ethics issues.</p> <p>The Council appoints the members of the Ethics Commission. The opinions of the Ethics Commission are available on SCM's web site.</p> <p>On September 11, 2015, the General Assembly of Judges, approved the Code of professional ethics and conduct.</p>
Opinions on legislation / other opinions	<p>In order to properly fulfill its functions, the Superior Council of Magistracy approves normative acts to implement the provisions of the legislation in the field of organization and functioning of the judicial system.</p> <p>As a self-administrative judicial body and guarantor of the independence of the judicial authority, the Superior Council of Magistracy may refer to the Constitutional Court to rule on the constitutionality of normative acts that concern the judicial system.</p>
Status of decisions	The administrative decisions are binding.
Review	<p>The Superior Council of Magistracy as a collegial body exercises its duties in plenary session. The sitting of the Superior Council of Magistracy is deliberative if at least two-thirds of the members who are in office are present.</p> <p>The Superior Council of Magistracy adopts decisions by open vote of the majority of the members present at the sitting.</p> <p>The reasoned decision is drafted within 30 days and is signed by the chairman of the sitting. The number of votes in favor and against the decision is provided in the decision.</p>

	<p>In case a member of the Superior Council of Magistracy has a separate opinion, it is announced immediately, reasoned and published together with the decision of the Superior Council of Magistracy.</p> <p>The decisions of the Superior Council of Magistracy can be challenged in accordance with the provisions of the Administrative Code. The appeals are examined by a panel of 5 judges of the Court of Appeals. These decisions can be appealed before the Supreme Court of Justice.</p>
<p>Budget</p>	<p>The Superior Council of the Magistracy is financed from the state budget within the limits of budget allocations approved by the annual budget law.</p> <p>The budget of the Superior Council of Magistracy is to be prepared, approved and administered in accordance with the principles, rules and procedures provided by Law no. 181/2014 on public finances and budgetary-fiscal liability.</p> <p>The conditions and method of remuneration of the chairman of the Superior Council of Magistracy and the members of the Superior Council of Magistracy are established by the legislation on the remuneration system in the public sector.</p>