

the context of judicial self-administration that is to be carried out by the General Assembly. As such, the Commission considered it a serious violation of the rules of ethics and professional conduct of judges within the meaning of art. 8 para. (2) of Law No. 26/2022. The Commission was troubled by the candidate's lack of appreciation of any negative ethical implications from her conduct.

In light of above circumstances, the Commission has serious doubts (art. 13 para. (5) of Law No. 26/2022) about the compliance of the candidate with the criterion of ethical integrity as per art. 8 para. (2) lit. a) of Law No. 26/2022 with respect to participation of the candidate in the General Assembly of Judges, which have not been mitigated by the candidate.

IV. Decision

Based on art. 8 para. (1), (2) lit. a), (4) lit. a) and b), and (5) lit. b), c) and d) and art. 13 para. (5) of Law No. 26/2022, the Commission decided that the candidate does not meet the integrity criteria as serious doubts have been found as to the candidate's compliance with the ethical and financial integrity criteria and thus fails the evaluation.

V. Appeal and publication of the decision

Pursuant to art. 14 para. (1) of Law No. 26/2022, the candidate is entitled to appeal this decision within 5 days from receiving the decision.

Pursuant to art. 13 para. (7) of Law No. 26/2022, this decision is sent by email to the candidate and to the institution responsible for organizing the election or competition, which in the present case is the Superior Council of Magistracy. If within 48 hours of sending the decision, the candidate does not notify the Commission of his or her refusal to publish the decision, the decision shall be published on the website of the Superior Council of Magistracy in a depersonalized form, except for the surname and first name of the candidate that remain public. The Commission will also publish the decision on its website if the candidate does not object to publication.

This decision was adopted by a majority of four participating members of the Commission.

The dissenting opinion of Vitalie MIRON is attached to this decision.

Done in English and translated into Romanian.

Signature:



Herman von HEBEL
Chairman, Commission