THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY ROMANIA

ARTICLE 11 UNCAC

JUDICIAL AND PROSECUTORIAL INTEGRITY

ROMANIA (FOURTH MEETING)

1. Has your country adopted and implemented article 11 of the UN Convention against Corruption?

States parties are encouraged to provide information on their implementation of policies and measures taken to strengthen integrity and to prevent opportunities for corruption among members of the judiciary.

Where appropriate, States parties may also wish to provide information regarding measures taken to strengthen integrity and prevent opportunities for corruption among their prosecution service.

In assuming their responsibilities and respect for the principle of independence, the Superior Council of Magistrates (SCM) decided, on 10 March 2011, to draft a strategy for strengthening the judicial integrity. The strategy is accompanied by an action plan for the accomplishment of each proposed objective and the implementation of the foreseen measures and it is part of the National Anticorruption Strategy (NAS) 2012-2015.

According to the Strategy for strengthening the integrity in the judiciary, the actions and measures refer to both the individual, as well as to the institution and system. Enhancing the integrity in the judiciary contains measures related to:

1. Increase of Transparency in the Judicial System. In order to reach this goal, the proposed measures are:
- Improvement of the conditions of use of the courts data base management system,
- Transparency and objectiveness of recruitment, promotion and evaluation procedures,
- Improvement of file management and of judicial procedures,
- Improving the connection of the Superior Council of Magistracy and of the system with the outside world.

2. Strengthening of the individual integrity includes measures relating to:
- Improvement of the system of conduct and deontology rules;
- Development of a culture of judicial integrity by the specific training;
- Improvement of the system of disciplinary liability.

The assessment of the implementation of the Strategy for strengthening the integrity in the judiciary shall be carried out within and in accordance with the monitoring mechanism for the implementation of the NAS 2012-2015. It supposes the participation of the Superior Council of Magistracy to:

- Reunions of the Platform for the cooperation with the independent institutions and anticorruption agencies,
- Coordination meetings organized by the minister of justice,
- The thematic evaluation missions.

The Strategy for strengthening the integrity in the judiciary and its action plan will be implemented between 2011 and 2016.

Within the measures provided by art. 11 UNCAC with a view to strengthen the integrity of magistrates and to prevent the corruption possibilities, the conduct standards from the Deontological Code for judges and prosecutors can be taken into account, together with some of the disciplinary measures provided by Law no. 303/2004 on the statute of judges and prosecutors, republished, with subsequent amendments.

2. Please cite, summarize and, if possible, provide copies of the applicable policy(ies) or measure(s):

In particular, the Secretariat would be grateful for information regarding:

- *the constitutional and legal framework applicable in States parties aimed at ensuring the independence and integrity of the judiciary and, where appropriate, the prosecution service;*

- *codes of conduct and disciplinary mechanisms applicable to members of the judiciary and prosecution service, including whether these were developed with reference to international standards such as the Bangalore Principles on Judicial Conduct or the Standards of Professional Responsibilities and Statement of the Essential Duties and Rights of Prosecutors.*

As regards the legal and constitutional framework that has the role to ensure the independence and integrity of the judiciary, the following should be taken into account:

The Romanian Constitution:
Art. 124 – (3) Judges shall be independent and subject only to the law.
Art. 125 – (3) The office of a judge shall be incompatible with any other public or private office, except for academic activities.

Law no. 303/2004 on the statute of judges and prosecutors:
Art. 5 – (1) The offices of judge, prosecutor, assistant magistrate and judicial assistant are incompatible with any other public or private offices, except for the teaching offices in

higher education, as well as for the training offices within the National Institute of Magistrature and of the National School of Clerks, under the terms of the law.

Law no. 161/2003 on certain measures to ensure transparency in the exercise of public dignities, public office and in the business sector, preventing and sanctioning corruption: Chapert V – Regulations regarding the magistrates.

The Deontological code of judges and prosecutors, adopted through the Decision no. 328/2005 of the Superior Council of Magistracy and the disciplinary mechanisms applicable to the members of the judiciary, provided by Law no. 317/2004 and Law no. 303/2004, were drafted in accordance with the international standards. Among the measures proposed by the Strategy for strengthening the integrity in the judiciary related to the disciplinary accountability of judges, prosecutors and auxiliary personnel from courts and prosecutors' offices, we mention:

- Improvement of the legislative framework in disciplinary matters corroborated with the modernization of the evaluation system;
- Consolidation of the role and status of Judicial Inspection. The Judicial Inspection is and must remain outside the area of judicial power. The maintaining of autonomy in relation with the political factor will be envisaged and any attempt to subordinate it by mechanisms allowing the intromission of the other two powers in the activity of the Inspection or of the inspectors will be rejected. The Inspection will insist on the preventive side, so that inspectors must contribute to the improvement of management in courts and prosecutor's offices. When they carry out activities in disciplinary matters, they must provide a quick and correct unfolding of the procedures.
- Efficient processing of notifications on the system malfunctions.

In addition, we mention the amendments brought to Law no. 303/2004 on the statute of judges and prosecutors, republished, with subsequent amendments, envisaging mainly the extension of the disciplinary misconduct area; the disciplinary sanctions, including the introduction of the sanction of suspension of office up to 6 months; defining the notion of exercising the office with gross negligence or bad faith; introducing the condition of good reputation as a request for the acces and maintainence in office.

The independence of judges is not regulated as a purpose in itself, nor as a privilege of judges, it represents a guarantee offered to citizens for a good act of justice. They have to have the certainty that magistrates are independent from the legislative and executive powers and that, regardless of their special statute, they are subject only to the law.

- *measures taken to ensure transparency and accountability in the selection, recruitment, training, performance management and removal of members of the judiciary and the prosecution service;*

As regards the measures adopted to ensure transparency and accountability in selecting, recruiting, training, management of performance and expel the members of the judiciary:

- **joint standards for both modalities of recruiting the future magistrates – both for the admission to the National Institute of Magistracy (NIM) and for the direct admission in magistracy of legal advisers with more than 5 years seniority in the profession**

Through the Plenum Decision no. 279/ April 5, 2012, the SCM approved a new Regulation on the organisation and carrying out the admission to magistracy, regulation on the basis of which this exceptional modality to recruit magistrates is carried out following the same procedure as the adminssion to NIM. This measure was aimed at eliminating the differences, from the point of view of the complexity and difficulty of the subjects, between the justice auditors and the legal advisers with more than 5 years seniority in the profession, as well as ensuring the same exigency standards for both recruiting measures.

- **Organising the contests with the observation of the principles of transparency, equality and objectivity according to the legal provisions, regulations and Methodology to carry out the contests and exams organized through NIM**

The contest regulations institute measures and guarantees with a view to observe the principles of transparency and equal chances:

- Regulating the mandatory publication on NIM's and SCM's websites of all information related to the contests,
- Regulating the attributions of the organization commission in the sense of taking all the necessary measures to secure the subjects, the ready reckoners and the theses, to observe the assessment and grading procedures and to carry out in good conditions the contest,
- Regulating the incompatibility cases for taking part in the contest commissions both through legal perovisions (No person whose spouse, relatives or affinity to the fourth degree is included among the candidates shall be appointed in the commissions) and in the cooperation contracts concluded with the members of the commissions (the person who meditated one or more of the candidates or is in a different situation which might affect the performance of the objectivity and impartiality of the activities under the contract is in an incompatibility situation),
- Regulating the rules that need to be taken into account when dtafting the subjects (in accordance with the contest thematic and bibliography, to ensure a balanced coverage of the subjects, to have a complexity appropriate for the thematic content and references, to be dealt with in the working time set, to avoid repeting the subjects from previous contests, to ensure a balanced distribution of correct answers and the number of correct answers among the versions of answers, the time necessary to solve the subjects should not exceed the time allotted for the test, to ensure a unitary evaluation at national level, the subjects can not contain controversial issues in doctrine or in practice),
- Regulating the possibility to formulate contestations to the ready reckoners, the procedure to solve them and the obligativity to motivate the solutions,

- Regulating the possibility to appeal the results of the written contests;
- Regulating the establishment of the composition of the interview commissions - to avoid subjectivity in assessing and evaluating candidates to the interview, each examination board consists of a significant number of members with varied and relevant training in the field (under the Regulation, a psychologist, a judge, a prosecutor, a university professor and a teacher). Also to avoid bias caused by the existence of several interview committees and to ensure the unity of evaluation and assessment, the nominal composition of each of them is determined by drawing lots, the day of the test.
- Regulating the obligation to record, at least by audio means, the interview.

o *measures taken to improve the transparency and efficiency of procedures governing case assignment and distribution;*

As regards the distribustion of cases by judges, this is done according to the principle of IT random distribution, in ECRIS programme or through a cyclical system, ensuring thus the independence criterion.

According to art. 53 para. (1) of Law no. 304/2004 on judicial organisation, republished, with the subsequent amendments and completions, "The distribution of cases to panels shall be done randomly, through IT means", and according to art. 95 para. (2) from the Rules of procedure of courts, approved through the SCM decision no. 387/2005, with the subsequent amendments and completions, "The distribution of cases shall be done through IT means in ECRIS".

The random distribution of cases is a rule established as a principle by Law no. 304/2004, that allows some exceptions determined by certain procedural norms or circumstances, provided by the Rules of procedure of courts, that either make impossible their application or generate, in practice, some difficulties in the random distribution activities, determining an unjustified postponement in their trial.

Thus, according to art. 11 from Law no. 304/2004, "The trial is caried out with the observance of principles of random distribution of cases and continuiry, with the exception o the situations when the judge caanot attend the court session on objective grounds", and according to art. 95 para. (3) from the above mentioned regulation, "When the IT distribution of cases cannot be applied from objective reasons, the distribution of cases is performed using the cyclical system method. The IT random or cyclical distribution of cases is done only once, so that in situations where procedural incidents occur during the process, the rules laid down in this Regulation shall be applied".

The notion of "objective reasons" refers to those situations when, objectively, the judge initially designated cannot be part of the panel (in situations of transfer, promotion, retiring), and "procedural incidents" refer to to specific cases where a judge can be found in relation to a particular dispute, not circumstances that may affect the overall good organization and functioning of the court.

A guarantee of the observation of the random distribution principle is constitued by art. 95 para. (9), according to which "Any changes in the composition of the panel or distribution of cases under this Regulation shall be recorded in random distribution software. If the software does not allow such records, a special register for highlighting these changes will be kept, signed by the person or persons designated with the random assignment of cases".

The principle of random distribution in relation to the substantive dispute subject to trial is ensured by the application of art. 98 para. (3) of the Regulation, which provides that "If, after resolving procedural steps provided in par. (2), it appears that from motives provided by the law, the panel that the case was assigned to cannot trial it, the case is assigned randomly".

It is indisputable that the random distribution of cases is a rule of judicial organization established as a principle by art. 11 and 53 of Law. 304/2004 in order to give an additional guarantee to the judge's functional independence and to the impartiality of justice, the main way of random distribution being through IT means.

- *policies and/or practices aimed at increasing transparency in the court process, for example by allowing public and media access to court proceedings, facilitating access to court judgements and raising public awareness through information sharing and outreach programmes.*

Improving the citizens' access to the system of ocurts and prosecutor's offices and to information on these. To accomplishg this objective, the proposed measures are the following:

- Improving the courts' websites,
- Reconfiguration of thye management of courts and prosecutor's offices from the citizen's perspective,
- Publishing the reports of courts, prosecutor's offices, High Court of Cassation and Justice, the Prosecutor's offices attached to the High Court of Cassation and Justice, SCM,
- Ensuring an effective and efficient institutional management,
- Organizing public events and campaighsn specific from enhancinh the trust in justice.

3. Please provide examples of the successful implementation of domestic measures adopted to comply with article 11 of the Convention:

The Secretariat would particularly welcome practical examples and case studies of successes in implementing domestic measures in the field of judicial integrity. Such examples may include:

- *cases in which the breach of a judicial or prosecutorial code of conduct has led to the application of disciplinary measures.*

We offer some examples of cases where the legal provisions regulating the magistrates' conduct were breached and disciplinary sanctions were applied. These cases are final.

A. A disciplinary action exercised on May 17, 2011 againts the judge SM from a tribunal for committing the disciplinary offence provided by art. 99 let. a) from Law no. 303/2004.

In the context of friends' relations with the family of the said LRC, administrator of a company, the judge SM attended several social events and get involved in solving financial problems of this company. Thus, in March 2008, the judge was invited and attended the opening of a restaurant belonging to the same company, with other people, an event which was publicized in the local press. Also during 2009, L.R.C. met with the judge to whom reported having great debts to an electricity supplier of, in which case the judge advised him to seek a rescheduling flow and offered to accompany him to SC Electrica F. To this end, the judge called in advance the institution's legal adviser, then went with LRC and asked if the rescheduling of debt is possible. On the same occasion, the judge learned that a former legal adviser was appointed director of the institution's, the said PI, which is why the judge went to his office to congratulate him. In discussions with the PI, the judge told him the purpose of his presence in the unit.

In this context, it was noted that the judge SM, although having the obligation to refrain him/herself, settled two cases in which the said LRC had an interest in its capacity as administrator of the company sued. It was considered that the failure of the judge to observe the provisions governing expressly cases of incompatibility, when solving the two cases, resulted in the creation of legitimate doubts on the objectivity and impartiality, while affecting the prestige of his position and the public confidence.

Through the decision no. 6/J from September 21, 2011, the section for Judges of SCM granted the disciplinary action against the judge and applied the sanction of diminishing the monthly salary with 15% for 3 months. The decision became final by not-appealing againts it.

B. The disciplinary action exercided on September 19, 2010 againts the judge MF from a fisrt court of instance for committing the disciplinary offences provided by art. 99 lets. h first thesis and m from Law no. 303/2004.

The judge was alleged that in three cases pending before the court, after personally receiving the requests for exchanging the first hearing, proceeded to their admission without checking the existence of grounds. In the same cases, the judge ascertained that the trial was abandoned, although the parties have not been cited.

It was considered that solving the requests for the replacement of the first hearing and judging the cases on the merits by the permanent judge violates both the principle of continuity of the court and the principle of random allocation of cases.

It was also noted that the provisions of distribution of cases were violated through the manner of preparation of the permanence planning for the period 16.07.2009 - 01.08.2009 as well, two schedules with different content being identified.

Through decision no. 16/J of October 27, 2010, the Section for judges of the SCM granted the action and imposed the penalty of "diminishing the Gross monthly allowance with 15% for a period of three months".

The appeal promoted by the judge MF was rejected by the High Court of Cassation and Justice by the decision no. 57 of 14 March 2011.

C. The disciplinary action exercised on May 30, 2012 against the judge PLM from the court of first instance for committing the disciplinary offenses specified in art. 99 lets. a) and b) of Law no. 303/2004.

It was noted that the judge's manifestations consisting of recommendations on how to solve legal problems, both before and after the registration of cases before the court whose president he was, were given with the authority conferred by the position he held and are likely to affect not only impartiality but also the prestige of justice; the judge's attitude is contrary to the prohibition imposed by art. 10 of Law no. 303/2004 on the statute of judges and prosecutors, republished and amended and to the prohibition laid down in art. 104 of Law no. 161/2003 on measures to ensure transparency in exercising public and business sector, the prevention and punishment of corruption, republished, with subsequent amendments.

It was also noted that the initiative of the judge to go to the court premises together with a future litigant, to invite to his office to sign the application for summons, to request the clerk whose duties involve the random distribution of cases to work overtime in order to register the application in the IT system, in circumstances other than those provided for in the Rules of Procedure of Courts constitute disciplinary offenses set forth in art. 99 letters. b) of Law no. 303/2004 on the statute of judges and prosecutors, as republished and amended.
Through decision no. 14/J of November 14, 2012, the Section for judges of the Superior Council of Magistrates granted the action and applied the penalty of exclusion from the magistracy.

The decision was appealed and the High Court of Cassation and Justice, by decision no. 171 of April 8, 2013, replaced the disciplinary sanctionwith the one of the disciplinary moving to another court for a period of 3 months.

D. The disciplinary action exercised on May 28, 2012 against the prosecutor BM of the Prosecutor's Office attached to the Court of first instance B, for committing two disciplinary offences provided of art. 99 letters. a) and three disciplinary provisions of art. 99 letters. b) of Law no. 303/2004 on the statute of judges and prosecutors, as republished and amended.

It was noted that the prosecutor participated in the negotiations that caused the termination of the preliminary contract of sale of land owned by a company, providing legal assistance and that, in August 2011, gave legal advice to a person for drafting a complaint against an order of the Prosecutor's Office attached to the Court of first instance B, where that person was a victim of the offense of cheating.

It was also noted that the prosecutor, following the promises made to a non-commissioned officer of the gendarmerie, which was part of the security device allocated for the 'Street S prosecutors office, made an intervention with the persons in leadership positions within Romanian Gendarmerie in order to maintain the non-commissioned officer's position; in August 2011, he intervened with the head of Service of an insurance company for necessary repairs to a car belonging to a person without paying their value, and between August and September 2011, he intervened with a head of community police in favor of his cousin to be assigned to a specific position within the institution.

Through decision no. 8/P of December 20, 2012, the Section for prosecutors of the Superior Council of Magistracy granted the action and imposed penalty of exclusion from the magistracy.

The decision was appealed and the High Court of Cassation and Justice, by its decision no. 329 of 27 May 2013, replaced the initial disciplinary sanction with the disciplinary movement for a period of three months to another prosecutor's office.

E. The disciplinary action exercised on April 9, 2012 against the prosecutor GVG of the Prosecutor's Office attached to the Tribunal B on the disciplinary misconduct of exercising the office in bad faith provided by art. 99 letters. h) of the Law. 303/2004, as well as interference in the work of another prosecutor, provided by art. 99 let. l) of Law no. 303/2004.

It was noted that the chief prosecutor G.V.G. of the Prosecutor's Office attached to the Tribunal B violated the legal provisions governin the jurisdiction after the quality of the person and requested the competent court to authorise the recording of phone calls made by a person who is a notary public. Thus, the prosecutor breached both the material rules on jurisdiction and on the quality of the person, carrying out criminal proceedings in a case where jurisdiction lies with the National Anticorruption Directorate, reported to the nature of the crime, the amount of the proceed of crime and quality of parliamentary of one of the persons investigated.

Another misconduct noted is the activity of takeing over a criminal case from a lower prosecutor's office, on the grounds of personal interests, that exceed the rule of performing the professional duties impartially and with disregard to the provisions of art. 64 para. (4) of Law no. 304/2004 on judicial organization, as amended and supplemented.

By ignoring these legal provisions, the chief prosecutor ordered the preferential taking over of the case pending finalisation to a lower prosecutor's, thus preventing the case

prosecutor to verify the criminal case and to decide on the proposal of the judicial police to indict the acused person, according to art. 261 and art. 262 Criminal Procedure Code.

In addition, it was also noted that the prosecutor committed the disciplinary offense consisting of interference in the activity of two prosecutors from the National Anticorruption Directorate.

By Decision no. 7/P of July 18, 2012, the Section of prosecutors of the Superior Council of Magistracy granted the action and imposed penalty of exclusion from the magistracy.

The prosecutor's appeal was dismissed by the High Court of Cassation and Justice, by decision no. 3 of January 14, 2013.

F. The disciplinary action exercised on January 26, 2012 against the first prosecutor LP from the Prosecutor's Office attached to the Court of first instance H, of committing the disciplinary offenses specified in art. 99 let. b) of Law no. 303/2004.

It was noted that the chief prosecutor of the Prosecutor's Office attached to the Court of first instance H infringed the legal provisions on incompatibilities regulated by art. 48 lets. d) and f) of the Code of Criminal Procedure, when controlling the legality and rationality of a solution not to indict, regarding criminal offenses committed by his wife.

The violation of impartiality and objectivity that the chief prosecutor should have observed in exercising the official duties resulted in the application of the legality visa on theabove mentioned act, this action giving the appearance of legality to the resolution adopted in the criminal case.

By Decision no. 3/P of April 5, 2012, the Section for prosecutors of the Superior Council of Magistracy grantede the action and imposed a warning penalty.

The decision remained final by decision no. 393 of October 1, 2012 issued by the High Court of Cassation and Justice, which dismissed the appeal.

- *examples of the effective use of mechanisms to facilitate the reporting of acts of corruption in the judiciary and the prosecution service and statistics regarding the number of complaints received through such mechanisms.*

- *the successful implementation of reforms related to case assignment and case management procedures resulting in a reduction in waiting times for the hearing and completion of cases.*

ECRIS is a computer based national system of IT National Management of files, documents and all information related to cases in the courts, prosecutors and the Ministry of Justice and is dedicated to support information activities in the justice system in the new information society.

Using the ECRIS nationally in all units of the justice system allows the standardization of activities and procedures and also creates the possibility of efficient administration thereof.

It is composed of three modules:

- Content Document Management System – module of management of information on files and documents in courts and prosecutors offices
- Legal Library Documentation System - legislation and jurisprudence data basis
- CENTRAL – module of analysis and collecting statistical information at central level.

    - *the successful implementation of educational and training programmes for members of the judiciary and prosecution service, including both initial formation and continuing education.*

a) Initial training of judges and prosecutors

The training program for the first year includes 20 hours for debates on ethics and professional deontology, with a view to establish and disseminate the moral and behaviour national and international standards specific to the office of magistrate, both in the exercise of the profession and in the relations in society. Among the themes approached during the sessions there are: independence and impartiality of magistrares, interdictions, incompatibilities and conflicts of interests, the professional duties of magistrates and observing the supermacy of the law, the honour and dignity of the magistrate's office.

In addition, for the justice auditors, extra-curricular conferences are organised, with a view to open their perspectives on other areas than the fundamental ones provided by the initial training and with a view to consolidate the social function of the initial training.

A relevant example in this sense is represented by the activity that took place on June 26, 2013 at the NIM premises, where the justice auditors and the trainers had the opportunity to meet the first deputy and general counsellor within the US Office of Government Ethics, an agency responsible to establish general governmental policies and supervise the ethics programs carried out in more than 135 executive centres in US. The reunion enabled a debate on aspects related to the professional integrity.

b) Continuous training of judges and prosecutors

Between September and December 2011, NIM carried out, in partnership with the Romanian Academic Society and the National Integrity Agency a training program for judges and prosecutors from the wealth verification Commissions attached to the Courts of appeal. The program was continued in 2012 as well, with a series of seminars for judges and prosecutors specialised in administrative law

The main theme of the project was Law no. 176/2010 on integrity in the exercise of public office and dignities. The aim of the seminars was to clarify aspeccts that raise

different interpretations in practice, with a view to generate a unified practice in this area. 3 seminars were organized attended by 45 persons.

The summer school organised by NIM is at its 10th edition in 2013. Starting in 2009, the theme was " Ethics and deontology".

4. Have you ever assessed the effectiveness of the measures adopted to implement article 11? Please outline (or, if available, attach) the results of such an assessment including methods, tools and resources utilized.

States parties may wish, in particular, to provide information regarding efforts taken to:

- *evaluate the overall integrity and effectiveness of the court system.*

  In describing such efforts States may wish to include what methodology and indicators were used, which institutions were responsible for implementation and what follow-up action was taken following evaluation.

- *seek the views of court users as regards the integrity and effectiveness of the judiciary, prosecution service and court system more broadly.*

  Such measures may include public or court user surveys, focus groups, the use of "score cards", the analysis of complaints received and other similar measures.

- *assess the impact of specific measures taken in furtherance of Article 11 such as the those mentioned in paragraph 2 above.*

Romania is evaluated under the Cooperation and Verification Mechanism, the remarks of the European Commission in the recent reports being positive with regard to the fight against corruption and the measures taken to enhance the integrity within the judiciary.

As regards the citizens opinions' on the integrity and efficiency of the judiciary, o pole will be carried out in this regards in the second half of 2013, within a project financed by the World Bank, under the program "The reform of the judiciary".

5. Which challenges and issues are you facing in (fully) implementing article 11 of the Convention?

Examples of the types of challenges States parties may face in implementing article 11 of the Convention include:

- *challenges in balancing efforts to increase the integrity and accountability of the judiciary, for example through the development of new evaluation procedures, with the protection of the independence of the judiciary.*

- *implementation challenges, such as the ability to enforce or otherwise encourage adherence to existing codes of conduct applicable to members of the judiciary or prosecution service.*

- *communication challenges, such as the ability to disseminate, publicise and promote new policies and practices to members of the judiciary, prosecution service or to the public more broadly.*

The Superior Council of Magistracy considers it is necessary to ensure a just equilibrium between independence and accountability. In this sense, a special attention is given to magistrates' professional appraisals from the integrity and professional deontology perspectives.

6. Do you consider that any technical assistance is required in order to allow you to fully implement this provision? If so, what specific forms of technical assistance would you require?

States parties are encouraged to also provide a description of any such assistance already being provided and by whom.

Yes. The technical assistance could envisage organising the ethical commissions and their functioning, the professional appraisal of magistrates, developing the administrative caspacity of the Judicial Inspection.